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VOLUME II

VIRGINIA SERIES, VOL. I.
CAHOKIA RECORDS
1778-1790

EDITED WITH INTRODUCTION AND NOTES
BY
CLARENCE WALWORTH ALVORD
UNIVERSITY OF ILLINOIS

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PREFACE.

In the fall of 1905, the trustees of the Illinois State Historical Library appointed an advisory commission to formulate a plan for the future publications of the Library. On the recommendation of this commission it was determined that the Illinois Historical Collections should be continued and the volumes numbered consecutively, but also that series should be formed of the volumes of the Collections devoted to the same historical period, such as the French, the British, the Virginia, etc. The present volume is the first which has been published under this new plan and, as its title shows, it is the first volume of the Virginia series. For this reason an introduction has been prepared containing the history of those years, when Illinois formed a part of the commonwealth of Virginia and the government established by that state continued to exercise authority over the French villages.

Had not a prior discovery of the manuscripts imposed this selection upon me, I should not have chosen to edit the records of Cahokia first; for, interesting as is the picture of this frontier community which they present, the central movement within the county of Illinois is best traced at Kaskaskia, and as a collection, the records of that village would offer greater variety and interest. How rich is the material, which still remains to be published, may be readily seen from the Introduction.

There will be found in this volume many new interpretations of past events as well as descriptions of those which have been hitherto unknown, the result of a careful comparison of sources, frequently used by previous writers, and a study of much new material recently discovered. In writing the history of these years I have felt very like a pioneer and later researches may not uphold all my conclusions. The work has been done with the sources before me, however, and no important statement has been made without a careful sifting of the evidence as offered by the pri-
mary witnesses. It has been my endeavor to tell the story as it is narrated by those who took part in these events and to remain uninfluenced by prejudice for or against either parties or men. If, on the whole, the picture of the misery of the French people under the tyranny of the Virginians appears to occupy too prominent a place, it is because the testimony of both themselves and the Americans warrants it. Another reason may be found in the fact that the Americans were the aggressors, and, as the critic of a musical performance describes the action of the performers rather than the instruments, so the deeds of the frontiersmen rather than the merely passive experience of the French people must form the theme of this narrative.

In the preparation of this volume I have become indebted to many persons, who have given freely both of time and information. To them I wish to make my acknowledgments and to express my thanks. Several have, however, given me such assistance that a more personal expression is called for. My colleague, Professor Thomas E. Oliver of the department of modern languages, has devoted time and thought to the reading of the text and the elucidation of its meaning. It has been of the greatest value to me that I have been permitted to use his careful scholarship in all difficult cases. Mr. Benjamin Sulte of Ottawa, Canada, has read all the proof of the French and the translation and his many valuable suggestions have been incorporated into the text and footnotes. Hon. Walter B. Douglas of St. Louis spent several days with me over the translation of the legal phrases and besides has added much to the completeness of the book from his notes. For their unfailing kindness and courtesy in superintending the search for material and the copying of manuscripts, my thanks are due to Dr. Reuben G. Thwaites of the Wisconsin Historical Society, Dr. Arthur G. Doughty of the Canadian Archives, Dr. J. Franklin Jameson of the Carnegie Institution, and Dr. H. J. Eckenrode of the Virginia State Library. Institutions such as the Missouri Historical Society of St. Louis and the Chicago Historical Society have offered the freest use of their collections and to their officers I desire to express my gratitude. I would
also acknowledge my indebtedness for the help they have given me in reading parts of the manuscript or proof to Dr. Louise Phelps Kellogg of Madison and my colleagues, Professor Evarts B. Greene, Professor Stephen A. Forbes and Mr. Frank W. Scott. In making the transcription, in preparing the manuscript, and in reading the proof my wife has been my constant assistant and to her sympathetic judgments and criticisms the volume owes many improvements in arrangement, interpretations, and diction. While rendering thanks for the assistance given me by these many friends, it must be understood that they are in no way responsible for any errors which may be found in the volume; for these I hold myself alone accountable.

Urbana, Illinois, May, 1907.  
CLARENCE W. ALVORD.
INTRODUCTION.

On the banks of the Mississippi in southwestern Illinois, lies the American Bottom, the land most hallowed by romance and history of all the lands of the old Northwest. Taking no account of the prehistoric epoch whose monuments survive in the numerous Indian mounds of the region, we find its history running back over two centuries to the time when the first white settlers placed their villages by the side of the great river of the West in an attempt to realize the idea of a colonial empire as conceived by the Grand Monarch in his palace at Versailles. Here for almost a hundred years, while the dominion over the Northwest was passing from France to England and from England to the United States, these villages endured unchanged amidst the creeks and ponds of the bottom, which mirrored in their quiet waters the old world civilization transported into the heart of the wilderness from feudalized France.

The American Bottom extended southward from opposite the mouth of the Missouri for about a hundred miles to the point where the Kaskaskia formerly emptied her waters into the Mississippi; but within recent times the lower part of this tract has been cut away by the greater river’s breaking through to the bed of the smaller, thus conveying to the Missouri side a piece of this historic ground. Here is found some of the most fertile land in the United States. Like historic Egypt, it is the gift of a river and, like it, is submerged at intervals, although not periodically, by the fertilizing waters that gave it birth. In breadth the bottom land varies from three to seven miles, the average being about five. When the first settlers came, it pre-

1 The name was given it when the Mississippi formed the western boundary of the United States. It was probably thus named by the Spaniards across the river. (Peck, A Gazeteer of Illinois, ad ed., 5.) Another explanation of the name has been derived from the fact that the Americans spread their settlements over the bottom land more than the French. This latter explanation must have arisen after the United States acquired Louisiana and the name had lost its earlier significance.
sented to the eye a view of almost tropical luxuriance, inviting the beholders to make their homes in a spot that offered more than the land of promise flowing with milk and honey. Along the bank of the Mississippi was a forest of about a mile in width, wherein grew various kinds of nut trees, hickory, pecan, black walnut, and here and there were scattered groves of crabapple and single trees of the persimmon and mulberry. The underbrush was composed of numberless thickets of wild plums, blackberry and other bushes; and all were matted together by the grapevines, which, in their efforts to gain the sunlight, twined serpent-like about the tree trunks, encircled the branches, and almost covered the tops with their broad leaves. On the east side of the bottom was a long stretch of limestone bluffs, rising perpendicularly from the plain to the height of about a hundred feet, effectually cutting off the low land from the prairies beyond. The bluffs presented their rough-hewn faces to the view like the bastions of some cyclopinian fortress, but in places they were screened by the trees which clung to their sides and hung from their crests. Between the forest and the cliffs lay an undulating meadow, the surface of which was varied by belts of trees bordering the lakes and ponds or fringing the streams which had found their way through the bluffs and followed their quiet courses to the great river beyond. On both meadow and bluff the growth of the flora was luxuriant. In the marshy places the reeds raised their slender tops far above the head of the passer-by, hiding from view the snowy lilies serenely floating on the surface of the ponds; while in forest, field, and swamp the bluebells, goldenrod, mallows, and cardinal flowers made the scene on every side gay with their brilliant hues.

Here nature offered her gifts with bounteous hand; but as in all such lands of tropical prodigality the climate was warm and enervating, inducing in man a love of indolence and repose rather than the more virile emotions. The ponds and streams, so beautiful with their fringe of foliage in spring, became in summer stagnant and were the breeding places of myriads of mosquitoes, which scattered the germs of disease among the hardy invaders
of the wilderness. In the springtime the waters of the Mississippi submerged the land and occasionally stretched in an unbroken expanse from the bluffs of Illinois to those of the opposite shore.¹

This is not the place to tell the earliest history of this region, of the exertions of the French to settle and hold the Mississippi valley, or of that inevitable struggle with England which ensued; for the narrative of the documents printed in these pages belongs to a later period. When their story begins the American Revolution was at its height, and the echoes of that struggle, heard on the banks of the Mississippi, had awakened in the hearts of the French habitants a fond hope of freedom; when their story ends, the constitution of the United States had been adopted and the new-born nation was prepared to attempt the solution of the difficult problems incident to her heritage in the West. Between these dates the American frontiersmen had found their way to the Illinois and the dramatic struggle of Anglo-Saxon energy with Gallic quietism had begun.

In the year 1778 there was a population of less than a thousand white settlers and of about the same number of negroes and Indians in the villages of the bottom. At the north was Cahokia with its three hundred whites and eighty negroes; forty-five miles south was St. Philippe, formerly inhabited by a dozen families, but now, because of the exodus of the French at the time of the transference of the territory to the British, with only two or three remaining; at Fort de Chartres village, called Nouvelle Chartres, there still lingered a few French settlers; three miles farther south Prairie du Rocher nestled under the bluffs, from which it took its name, with a population of a hundred whites and almost as many slaves; and at the extreme south was the

¹ Hutchins, *Topographical Description*, ed. Hicka, 106 et seq.; for a good description of the American Bottom, see Flagg, *The Far West*, in Thwaites, *Early Western Travels*, xxvii., 106 et seq. At the end of this volume will be found a map of the American Bottom taken from Collot, *Voyage dans l’Amérique Septentrionale*. This map was originally printed wrong way around, for the river flows north and south instead of east and west as indicated by the caption. I have removed the compass of the original map, but have not made the other necessary alterations, preferring to print it as in the original. The basis of this map was undoubtedly Hutchins’ well-known map of the same region. My additions are the names of Prairie du Pont, Grand Ruisseau and Prairie du Rocher. I have also changed the name Fontaine to Belle Fontaine.
metropolis of the bottom, Kaskaskia, which boasted eighty houses, five hundred white inhabitants, and almost as many black.

The settlement of the white men in the bottom had not driven out the aborigines, for the French have always dwelt in peace with the American Indians, the management of whom they understood far better than did the Anglo-Saxons. Near the French villages were the homes of these children of the prairies, who numbered at the time less than five hundred members of the four remaining tribes of the Kaskaskias, Peorias, Mitchigamies, and Cahokias. The French and British travelers are unanimous in describing these Illinois Indians as degenerate descendants of a once warlike people. Their association with the French, instead of fitting them better to meet the trials of life in the wilderness, had corrupted the qualities of bravery and physical courage and made them the debauched parasites of their white neighbors.¹

Besides these settlements of the American Bottom on the Mississippi River, there were in the valley of the Wabash the two important posts of Ouiatanon and Vincennes, the latter of which rivaled the Illinois villages in population and importance; for it was by the Wabash that the principal trade route between the more western posts and Canada ran.² Many smaller settlements were scattered throughout the region; at Peoria on the Illinois river, where lately Jean Bte. Mailhet had revived an older trading post; at St. Joseph on the river of the same name, and at Miami; and here and there smaller groups of French traders might be found in the Indian villages and elsewhere. These smaller posts served only the purposes of trade. Their white inhabitants, being migratory in their habits, either followed the Indians on their periodic hunts or went from one post to another merely to buy the furs when the Indians returned.

The British dominion ended with the Mississippi River. On the western bank were other French villages such as St. Louis and


Ste. Genevieve, belonging to the government of Spain. They did not differ greatly in character or population from those of the British shore; but since the rule of the Spaniard was on the whole more congenial to the Gallic temperament, many of the more progressive settlers from the eastern bank had made their homes there during the last decade, and the Spanish bank enjoyed greater prosperity and a more rapid increase of population than did the British, advantages which the events of the succeeding years tended to augment, so that at the end of the period under review the Spanish shore had profited by the misfortunes of the neighboring villages.¹

Most of the French of the western posts came from Canada, with which country they retained constant communication through trade and exchange of messages on family affairs. Very few had come directly from France and the number from southern Louisiana was relatively small.² Here in Illinois and on the Wabash which under both the French and British regime were subject to the same jurisdiction,³ they had lived for one or two generations, engaged in the pursuits of trade and the cultivation of their small farms. The majority, known as the habitants, coming as they did from the lower classes of France, were illiterate and ignorant; and their life in the wilderness, far removed from the restraints of civilized society, had not improved their mental or moral qualities, but had developed those best fitted to their mode of living. Like the Indians with whom they associated and even intermarried,⁴ they were active, adroit and hardy, but

¹ See post, pp. cxxii et seq.
² See notes to census on pp. 624 et seq. Reynolds (My Own Times, ch. xii.) says that the population of Kaskaskia and Cahokia showed differences due to their origins, the former being settled from Mobile and New Orleans and the latter from Canada. Although I have not traced out the origin of all the families of Kaskaskia as I have of those of Cahokia, I have noticed no indications of such a difference. Certainly all the prominent families of Kaskaskia were Canadian and the names of the other families are easily recognized as coming from the same place. Although it is necessary to make some use of Reynolds’ books, they must be recognized as the most unreliable sources for the early period that we have. More errors in the histories of the state may be traced back to his statements than to any other one source.
³ This is true only of the more important village, Vincennes; for Oulatanon was under the government of Canada, and Vincennes with the Illinois villages in the province of Louisiana during the French period. Dunn, Indiana, 38.
⁴ All writers testify to the intermarrying between the French and Indians, but I have been surprised at the infrequency of the occurrence of marriage contracts between representatives of the two races among their records. This may be due to the fact that contracts on such occasions were not used. I am inclined to believe, however, that the frequency of such marriages has been somewhat exaggerated by the travelers.
also cunning and treacherous. At their best the voyageurs and couriers de bois could be seen laboriously pulling their flat boats laden with produce up the rivers or gliding in their canoes on the wood-girt streams and ponds in pursuit of game. In such labors they were merry, patient, and industrious; as a rule they were faithful in the performance of their engagements and were warm in their friendships, but to their enemies revengeful and ready to take the meanest advantage. Yet their life amidst the dangers of the forest did not develop in them physical courage, for in the presence of an unexpected attack from Indians or others they were generally timid and resourceless. Without doubt many individual examples of pluck and bravery might be enumerated; but in comparison with the American frontiersmen the French voyageurs and couriers de bois exhibited little boldness and initiative in action. Returned to the settlement they were careless and pleasure loving, dissipating their energies in drinking, gambling, and gossiping; and, as irresponsible as children, they were easily turned aside from the pursuit of their real interests. It can be readily understood that to the men who followed the wilderness trace or tracked the wild beasts in the dark forest, agriculture and the mechanic arts would offer little or no attraction; but even in the pursuit of their calling one looks in vain for a sign of the enterprising spirit of the Anglo-Saxon.

Although priests and governors made loud complaint of the disorderliness of these habitants, yet their pleasures and vices were of a far milder type than those of their counterparts, the American backwoodsmen. The French always retained a respect for law and constituted authority and preferred to be guided rather than to lead. The expression of their individualism was checked in the presence of officials, for government meant to them authority with a divine right to rule. In all their dealings, business and social, they never neglected to call in the assistance of notary or judge, whose legal papers they preserved, as their records show, with the greatest care and reverence. In their

1 This is abundantly proved by the following pages. Such is also the testimony of the fur traders of the far West, who employed the descendants of these French as voyageurs and hunters. Chittenden, American Fur Trade, I. 273.
INTRODUCTION

petty quarrels with each other the Frenchmen saw no disgrace in seeking from the court a "reparation of honor" instead of ending them with the brutal fights common among the Americans. Though given to drinking and gambling, the dance was their favorite amusement, and to the weekly frolic came the men and matrons, the young men and maidens; and even the priest graced these festive gatherings. Here all danced until the small hours of the night or even to daybreak with no appearance of rowdiness or vulgarity to mar their simple festivities.\footnote{Reynolds, \textit{My Own Times}, ch. xii.}

It is due to the remembrance of this lower class, the \textit{habitants}, that travelers, both French and English, have condemned in such unmeasured terms the Illinois French settlers; but the picture of the village society would be incomplete if limited to a description of the \textit{coureurs de bois} and \textit{voyageurs}; for it was never wholly vulgarized and depraved, owing to the presence here of many persons from the better classes of France and Canada—the gentry, Clark called them—who, accustomed to greater refinements of life than those of the log cabin, endeavored to surround themselves with such little elegancies as might be brought from Canada or elsewhere. Some of the residents could claim nobility of birth. The acting commandant in 1778 was son of the seigniorial lord of Savournon, the sieur de Rocheblave. Timothé Boucher, who a few years later held a similar position, was the sieur de Monbreum,\footnote{For an account of his place in Illinois history, see \textit{Post}, p. cxxiv. The name is spelled in Canada Monbrum, but this member always wrote it as given above, except in one place, which I have noticed, when he placed after it a superior t.} a grandson of Pierre Boucher several times governor of Three Rivers, who was ennobled for his services in 1660. Among the gentry, which was a rather elastic term, were also many well-to-do men, who had risen to prominence in the Illinois or else possessed some patrimony, before migrating to the West, which they had increased by trade. Such was Jean Bte. Barbaud of Prairie du Rocher, the members of the Bauvais\footnote{Reference to the family will be found at various places in the Introduction see pp. xxvi., p. 5, b., p. 3, cxxi., cxxi., cxxxv. The members of the family always wrote the name as spelled above. They commonly used their second name in preference to their surname St. Gemme.} and Charleville families of Kaskaskia.
and their neighbors and friends, the Viviats, the Lachances, and
the Janis; and at Cahokia, the Sauciers, François Trottier, Antoine
Girardin, and J. B. H. LaCroix.¹ Next to the acting commandant
the most important individual of the American Bottom was
Gabriel Cerré, who had acquired his wealth in the fur trade.
He was well educated and had correspondents in Canada and
elsewhere.² Among the rising young men must be reckoned
Charles Gratiot, who had established himself at Cahokia in 1777
and was associated in business with three Canadian merchants.
He had had an excellent education, spoke several languages, was
something of a dandy in dress, and had by his address won for
himself a place of influence in the community.³ These were the
men and others like them to whom Sir William Johnson, the
British Indian commissioner referred, when he wrote that the
French traders were gentlemen in character, manners, and dress,
and "men of abilities, influence, and address."⁴

These members of the gentry lived far more elegantly than
the American backwoodsmen and were their superiors in culture.
Their houses were commodious and their life was made easy for
themselves and families by a large retinue of slaves.⁵ They were
in social life pleasant, their hospitality was proverbial, and their
courtesy to strangers constant. They evidently maintained the
distinction between themselves and the poorer and more ignorant
classes, so that the democracy of the American frontier was not
established among them. Thus was added to the French settle-
ments an element of refinement and elegance, however simple,

¹ For these Cahokians see the foot-notes on pp. 624 et seq.
² Gabriel Cerré was born at Montreal, August 12, 1734. As early as 1755 he was es-
blished at Kaskaskia, where he married in 1764 Catherine Giard. His activities at the time
of the coming of Clark are told in the succeeding pages. He did not find it best for his busi-
ness interests to remain among the Virginians and by June 17, 1779, had made his preparations
for his removal to St. Louis by purchasing a lot in that village. The date he left Kaskaskia
is not known, but was probably before the end of 1779. He became one of the most influen-
tial citizens of St. Louis and died April 4, 1805. Douglas, "Jean Gabriel Cerré, A Sketch,"
³ See note on p. 4, n. 2. I have to thank Mr. Pierre Chouteau of St. Louis for the loan of
Journal A of the trading company of David McCrae, John Kay, Pierre Barthe, and Charles
Gratiot. The first entry is dated at Cahokia, August 6, 1778. The journal was written by
Gratiot.
⁵ A member of the Bauvais family owned eighty slaves. Pittman, Miss. Settlements, ed.
Hodder, 85.
which was always lacking in the more virile, if less romantic, communities of the American pioneers.¹

Except for the wildness of the surrounding uncleared land and the luxuriance of the growth of vegetation, these villages copied in their external appearance and internal life the similar communities of France in the eighteenth century. Just as the English settlers on the seaboard brought with them their English household goods and their English institutions, and planted them by the streams and hills of New England, so these French of the Mississippi valley transplanted from the heart of France their homes with their utensils and ornaments and the village community in which they and their ancestors had lived.

All the houses were of one story with a broad veranda on one or more sides. The less pretentious ones were built of upright beams set in horizontalts at top and bottom with the interstices between the beams filled with what was called "cat and clay", a composition of clay and finely cut straw or moss. At one side, and sometimes two, there was a large chimney for the spacious fireplace of the living room and kitchen.² The better houses were of stone and with their sheds, barns, and slave quarters gave evidence of prosperity and wealth. Around each

¹ Very severe judgments have been passed upon the French on the Mississippi and Wabash rivers by many writers. Among these the most important have been the British officers and the later French travelers. The first class has always been noted for its incapacity to appreciate the good characteristics of a civilization different from its own, and the French travelers, such as Michaud and Collot, visited the region after the events narrated in this Introduction had driven the more progressive men from the eastern bank to swell the Spanish villages. Therefore it has seemed necessary to supplement their accounts from other sources. In writing the description of these people I have first of all had in mind the record of their acts contained in this volume. The picture formed in the mind after reading these records is not that of the most "debased, ignorant, and superstitious of humanity", but rather the reverse. These facts should in part offset the strictures of Fraser and Crogan, as should also the letter of Sir William Johnson quoted above. At their best the French of Illinois were not dissimilar from those on the Spanish bank, so that the description of St. Genevieve by Brackenridge is correct enough for Illinois. Any knowledge of the conditions in Canada may be used cautiously also. We have two attempts to form judgments of these French, coming from men of different character. The first is by C. F. Volney, who visited the region in 1799 and the other by Edmund Flagg whose visit was made in 1836. The testimony of Governor Reynolds may also be admitted, since he lived among them and knew them well. Fraser, Report, from a copy in the public library of Champaign, Ill.; Crogan, Journals, in Whittaker, Early Western Travels, i., 154; Letter of Sir William Johnson in N. Y. Col. Doc., v., 263; Volney, Views of the U. S., 370 et seq.; Michael Travis, in Early Western Travels, i., 70; Brackenridge, Recollections, 10 et seq.; Smith, St. Clair Papers, ii., 337; Collot, Voyage dans L'Amerique, i., 318; Flagg, Far West, in Whittaker Early Western Travels, xxvii., 52 et seq. An excellent description of the French-Canadians of the period may be found in Colin, The Province of Quebec and the Early American Revolution, 284 et seq.; see also Fries, Die Kolonisation des Mississippi, 352.

² See illustration of a typical house of this character, p. 384. Descriptions of such houses may be found in Monette, Hist. of the Valley of the Miss., i., 183 and Volney, View of the U. S., 369.
ILLINOIS HISTORICAL COLLECTIONS

dwelling was a small yard enclosed by a picket fence, within which enclosure were the orchard and the kitchen and flower gardens. The whole presented an attractive picture of quiet and peaceful home life. Within the house everything was generally home made, although some of the more wealthy brought their furniture from Canada. The poorer houses appeared shabby and badly kept, for the French women were careless housekeepers, and rather extravagant and wasteful. At least such was the opinion of the American settlers who lived among them.\(^1\)

On account of the social character of the people, the isolated farm house was uncommon in the bottom and the village community was the rule. The streets were narrow and the houses were placed close to the edge of the lots, almost on the street-line. The farm land lay outside the village in two large fields, one the common field and the other the commons. The common field was divided into long narrow strips, ten to forty perches in width and extending from the river to the bluffs; these the inhabitants cultivated. The commons was the wood and pasture land belonging to the community,\(^2\) and was separated from the cultivated fields by a fence, which was erected by the proprietors, each being responsible for that part crossing his land. The community had the right to make concessions from the commons and add them to the common field for new arrivals and for newly formed fami-

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\(^1\) Volney, *A View of the U. S.*, 373 et seq.

\(^2\) The statement is true enough for the period under consideration. This is not the place for a discussion of the history of French land tenure in America, for the origin of the system must be sought in the period of the French régime and the final settlement of the questions arising out of it in the years after the United States took control, so that the discussion of the land tenure will naturally come within the scope of some future volume. However, a few words on the subject may be of value in explaining the situation. The land acquired from the Indians for the purpose of colonization was regarded as belonging to the king's domain, after the company of the Indies resigned the government of it. This domain land was disposed of in two ways. 1st. Large tracts might be granted to individuals as seigniories. The character of the title given was that of the *franc alien*, which in the eighteenth century did not differ essentially from the benevolence. These large seigniories were divided by the proprietors into smaller tracts and granted to the *habitants* as *cessive* holdings, which paid the grantor a perpetual rent of a *ton* an acre, were subject to the batalties, and escheated to the seignior in case no heirs were found. 2nd. The king might retain the control of the land himself and grant it out himself in *cessive* holdings, as did he at Kaskaskia and Nouvelle Chartres. The land cultivated by the people of Cahokia belonged to the seignioriy of the Seminary of Foreign Missions; St. Philippe was a seignioriy belonging to the Regneaux and Prairie du Rocher had been originally conceded to Boidriont, but had been passed on by him to Langlois. In the bottom there were also many smaller concessions in *franc alien* and under the British many more were made by one of the commandants. Vollet, *Histoire du droit français*, 746 et seq.; *Archives Coloniales* à Paris, Ser. B., vol. 45, p. 780; Breese, *Early Hist. of Illinois*, Appendix E; Franz, *Die Kolonisation des Mississippiales*, 201.
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lies. ¹ This method of laying out the fields and this kind of land tenure were transplanted from France, where they had been developed through centuries; for when the French people found themselves in places where land was plentiful, the power of tradition prevented a readjustment of their ideas in regard to landholdings and agriculture. Hence they brought with them the mark system and tenure, with the whole machinery for the administration of the village land as they knew it in France. The time for plowing, sowing, and harvesting was regulated by the assembly of the inhabitants, as well as all other questions affecting their common property and common interests. The officer elected to supervise the execution of the laws of the commons and the decisions of the assembly was the syndic, of whose presence in the villages on the Mississippi during the eighteenth century there still exists proof. The assemblies of the villagers, which copied the French custom in this particular as in all others, were held before the church door after mass and were attended by all males of military age. ²

The Illinois French were not an agricultural people, although they did send down some grain and cattle to New Orleans. ³ For this reason they made no progress in the art of agriculture and continued to till their fields in the same way and with the same kind of implements as had their fathers for generations before them. The profits and the adventurous life of the fur-trader exercised for them such a fascination as to prevent their pursuit of a calling which would have given them a firmer hold upon the soil and might have preserved them from many of the misfortunes which finally overcame them. For the same reason they never speculated in land or attempted to gain possession of large holdings. In later years, when they in a way controlled their own destiny, they tried to protect themselves from the

¹ Babeau, *Le village sous l’ancien régime*, passim; Flagg, *Far West*, in *Thwaites, Early Western Travels*, xxvii., 45 et seq.


³ When compared with the Americans, this is true; but the Illinois French raised grain and vegetables to a greater extent than has generally been admitted, and their exportation of grain to New Orleans was an important item in the Mississippi trade. Franz, *Die Kolonisation des Mississippies*, 257.
American land-traders; but the contest was too unequal and, since their own hold on the land was so weak, they were forced to bow to fate and to see themselves supplanted by the Americans, who were builders of more permanent homes.

The most conspicuous buildings in the villages were the churches. The Cahokia church, however, was in ruins in 1778 and was rebuilt in the next few years; but at Kaskaskia there was "a huge old pile, extremely awkward and ungainly, with its projecting eaves, its walls of hewn timber perpendicularly planted, and the interstices stuffed with mortar, with its quaint old-fashioned spire, and its dark, storm-beaten casements." Here the Kaskaskians had worshipped for two generations. The people were for the most part very devoted to their religion, and the priests exercised great influence over them. Their attachment was due more to traditional allegiance, however, than to personal conviction. The wild life of the wilderness had not been without its effect, and the lack of proper supervision had resulted in religious recklessness; yet however debauched and irreligious their lives, the coureurs de bois and voyageurs were easily brought by a vigorous priest to acknowledge their dependence on the church. At the moment of death they always sought the consolations of religion and left by will money for the saying of masses for the dead. There appears, therefore, to have been no rebellion against the church. In one individual case only is there any evidence that the radical thought of France had penetrated to Illinois.

In the management of the church property the villagers were associated with the priest through the vestrymen, whom they elected for this purpose from the most prominent men of the communities. Social life centered in the church, as it did in the Puritan New England village, and the people looked forward to the church processions and festivals as important events in their

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1 Shea, Archbishop Carroll, passim; Flagg, The Far West, in Thwaiten, Western Travels, xxvii., 62.

2 Louis Viviat requests in his will that no pomp and ceremony mark his burial and that no payment be made for masses for the dead, since he deify is not mercenary nor is heaven to be bought. Kas. Rec., Court Records.
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monotonous village life. It was also at the church door that the assemblies of the people met, that the auction of property was held; and it was after the church service that the Sunday dance took place.¹

In 1778 the priest in charge of the Illinois parishes was Father Pierre Gibault, who with some interruptions had been serving the parishes on the Mississippi and Wabash since 1768. He was curé of the parish of the Immaculate Conception of Kaskaskia and vicar general of the bishop of Quebec. Father Gibault came from a good Canadian family. He was enthusiastic in his work, and appears to have maintained order in the parishes, which had been long neglected or served only by Father Meurin who had found himself too old and feeble to perform his arduous duties successfully. Father Gibault during the years of his residence had gained a great influence over the people of the region, which he used at a critical moment to change their destiny.²

The territory of Illinois had been ceded by France to England by the Treaty of Paris in 1763 and two years later British troops had occupied the country. The policy of the British government was very vacillating in regard to the Northwest Territory, and particularly as to the French villages. It is quite evident that there was no purpose of opening the region up for settlement, and there was serious thought of removing the French from their villages to Canada.³ For this reason the government of England was unwilling to establish a permanent civil organization in spite of the efforts of the French inhabitants and the American traders and land speculators, so that the government remained to the end military. Until 1774 the whole Northwest was subject to the commander of the British forces in America with headquarters at New York, and the relations of the West were closest with the seaboard colonies. In that year, however, by the passage of the Quebec Act the country was joined to Canada

¹ Baboeuf, Le village sous l'ancien régime, passim.
³ Gage to Hillsborough, March 4, 1772, Spark's Collection, Harvard lib.
and steps were taken to provide a civil government for it; but this was prevented by the outbreak of the Revolutionary War.

In the spring of 1776 the military force, which had been maintained in the Illinois was removed, and the commandant in charge appointed as British agent Philippe de Rastel, Chevalier de Rocheblave. The choice was a wise one. Rocheblave had had a long and varied experience in the West, had served as an officer in the French army during the French and Indian War, and at the conclusion of peace had taken refuge, as did many other Frenchmen, under the Spanish flag. He was entrusted with the government of Ste. Genevieve, but having become involved in legal difficulties with the Spanish officials, he returned to the British bank. The exact date of his return is uncertain, but the proceedings against him in the Spanish court occurred in October, 1773, so that he could have been at longest a little over two years in British Illinois, when he received his appointment to look after the British interests in the western country. In his various undertakings he had proved himself bold and resourceful, avaricious and not too scrupulous in his methods, and by nature suspicious. He knew well the nature of the French inhabitants, and had a dislike and deep-seated suspicion of the Spaniards. His ambition was such as to lead him to give his best service to his employers, and they in turn had confidence in his abilities and willingness to serve them. On August 13, 1777, Carleton wrote that "his abilities and knowledge of that part of the country recommended him to me as a fit person." Hamilton says of him, "I shall in my correspondence with Mr. de Rocheblave keep alive the hopes of his being Governor of New Orleans — a more active and intelligent Person is not to be found in This Country of ignorant Bigots, and busy rebels, and had he the means I doubt not of his curbing their insolence and disaffection." The intimation in Hamilton's letter was correct enough; for, although the inhabitants treated Roche-

1 Mason, Rocheblave Papers, in Chi. Hist. Soc.'s Collections, iv., 305.
Philippe François de Rastel, Chevalier de Rocheblave, Acting Commander and Judge in the Illinois, 1776-1778.

From a photograph of a miniature, in the State Historical Library of Wisconsin.
blave as commandant and judge, his powers as agent were
too limited and the money allowed him insufficient to enable
him to accomplish what he saw was necessary for the British
cause. Time and again he was informed that he could only
draw for his salary and that his expenses were to be met
by the sums which the commandant at Vincennes could allow
him.1

By what law other officials were exercising civil powers in the
Illinois does not appear from the records, but the existence of
such is proved from their acts. There were at Cahokia, St.
Philippe, Kaskaskia, and Prairie du Rocher officers styling them-
selves judges, who put in execution the decrees of the command-
ant. Since at the same time these judges were captains of the
militia, it is probable that the French official with similar duties
was retained by the British officers. Besides this judge or captain
there were a sergeant and a notary in each of the districts of Caho-
okia and Kaskaskia.2

The foregoing description of conditions in British Illinois would
be far from complete without an account of one very important
element of the society. No sooner had the news gone forth that the
land to the north of the Ohio River had been ceded to England by
the French than the merchants of the seaboard colonies began to
compete for the fur-trade of the region in a way that had been
impossible hitherto. Up to this time the principal trade in the
Illinois had been conducted by Canadian and Louisiana mer-
chants, the English colonists having found their way north of the
Ohio only just previous to the outbreak of the last war. But now
the opportunity was opened to the eastern merchants and they
eagerly seized upon it, thus bringing on a commercial war for the
trade of the Ohio and the Mississippi. In this the mer-
chants of the English colonies had one decided advantage, since
they could deliver goods at the villages of the Illinois cheaper than

1 The most important documents in the Haldimand Collection concerning Rocheblave
have been printed by Mason in Chi. Hist. Soc’s Col. iv. Others have been published in

2 The subject of the British administration is now under investigation and in the course
of time something definite will be said about it. For the above facts I have drawn on the
Kas. Rec.
the same could be purchased and brought by way of the lakes and the Wabash or up the Mississippi.\footnote{Fraser's Report, MS. copy in public library of Champaign, Ill.; Smith, St. Clair Papers, ii., 1757. Letter-Book of George Morgan, 1769-1768. This last belongs to Mr. A. S. M. Morgan of Pittsburgh, Pa., who kindly loaned it to me. A copy may be found in the Ill. State Hist. Library. See also Franz, Die Kolonisation des Mississippi, 206 et seq. The cost of transportation up the Mississippi was, however, cheaper. Colloq. Voyage dans L'Amerique, ii., 261. Lieutenant Hutchins in an enclosure in a letter of General Gage's, October 11, 1771, and Captain Forbes in an undated letter affirm the contrary to the statement in the text; but Colonel Wilkins disagrees with them and confirms the experience of the trader, George Morgan. The letters are found in the Bancroft Collection of MSS., Lenox Library, N.Y.}

The British soldiers were hardly established in Fort de Chartres before the merchants who made their starting place Fort Pitt had arrived. Among the first was one who was to exercise great influence on the development of the Illinois, George Morgan, who like the majority of traders from the East came from Philadelphia. He had been educated at Princeton and had then entered the firm of the Bayntons, which became better known in the West under its later name of Baynton, Wharton & Morgan.\footnote{Letter-Book of George Morgan: Julia Morgan Harding, Colonel George Morgan, a paper read before the Washington (Pa.) Co. Hist. Soc. and printed in the Washington Observer, May 21, 1904.} Although young, by his enthusiasm he had persuaded his partners to embark on western trade and land speculation, and they established branch stores at Kaskaskia, Cahokia, and Vincennes. Other firms also entered into competition, such as the firm of Franks & Company of London and Philadelphia, whose representative, William Murray, was a little later than Morgan in reaching the Illinois. About the same time an Englishman, who claimed Manchac in Mississippi as his home, established the firm of Bentley & Company. These and other companies brought with them many agents, clerks, and hunters, so that the list of names of men of English speech in the region became a long one. In 1768 Morgan writes that there were sixty Englishmen in a militia company which had been formed. Among them were many names which will be mentioned in the following pages. John Henson was the representative of Baynton, Wharton & Morgan at Cahokia, Richard Winston set up in business for himself in partnership with Patrick Kennedy, and the firm became later the representative of Morgan's interests at Kaskaskia; Richard Bacon served Morgan in his farming enterprise; others,
either men attached to one of the firms or independent traders, were Daniel Murray, brother of William, James Rumsey, Thomas Collins, Thomas Brady, and Richard McCarty. In the first years of the British rule it looked as if the Ohio River would become the great trade route of the region and supplant the older and, with the French, more popular waterways to New Orleans and Canada. Even the British government seems to have approved at first this attempt to turn aside the trade from its older channels, for in 1769 the colonial governments were empowered to appoint officers to superintend the Indian trade, and Fort Pitt and the Illinois were assigned to Pennsylvania. Thus the Indians north of the Ohio became accustomed to Fort Pitt as the seat of authority in matters in which they were vitally interested.

The fur-trade was not the only inducement to draw the American colonists to the banks of the Mississippi, for from the first the opportunity to speculate in lands was a rival attraction. Land traders were early interested in the territory at the head-waters of the Ohio and soon found their way down the river. In this movement some of the most prominent men in America were interested, such as George Washington, Lord Dunmore, and the Franklins, father and son. The Illinois lands offered equal attractions and early became an object of speculation, in spite of the Edict of 1763 prohibiting settlements in the region. It is impossible to enter into the complicated questions connected with the attempt to open up Illinois by making it a new colony. It is sufficient to know that many prominent men were connected with all such schemes, and that while William Franklin, Sir William Johnson, Samuel Wharton, and others were seeking for a charter for the Illinois colony and Benjamin Franklin was employing his powers to persuade the British government to grant the same, there was formed in March, 1766, a company for the

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1 The evidence for this is found in the Letter-Book of George Morgan and the Kas. Rec.; see also Moses, Court of Inquiry, Chi. Hist. Soc's Col., iv.

2 N. Y. State Library Bulletin No. 58, Col. of Council Minutes, letter of General Gage, March 20, 1769.

3 See Alden, New Governments west of the Alleghanies before 1780.
purchase of land near the French villages, of which George Morgan was the representative in the Illinois. Although several strips of land were bought, nothing of any moment was accomplished by this company. However, another known as the Illinois Land Company, most of the members of which were Philadelphians, acquired in 1773 through its representative, William Murray, two large tracts, one situated on the Illinois River and the other south of Kaskaskia on the Ohio. Two years later, the Wabash Land Company, the members of which lived for the most part in Maryland, purchased through its representative, the Kaskaskian Louis Viviat, an associate of Murray, two tracts on the Wabash, one above and the other below Vincennes. Since both purchases were made from the Indians and contrary to the Edict of 1763, they were not allowed by the British government and were annulled by General Gage.

When the American Revolution broke out, most of the purchasers sided with the colonists and looked to the success of their cause to further the enterprise in the West.

Although there was at times considerable complaint against the British commandants by the merchants and land-traders, these were generally favored more than the French inhabitants or the Canadians, until the passage of the Quebec Act in 1774, which united the Illinois territory with the province of Quebec and annulled any special favors and privileges which the merchants from the East may have enjoyed. This act and the canceling of the land purchases, which proved the intention of the British government to carry out the principles enunciated in the Edict of 1763, were discouraging to the enterprises of the repre-

1 The purchases of several pieces of land and the grants of others by Colonel Wilkins, commandant, were recorded in the record-book of the district. (Kos. Rec.) The agreement creating the land company is in the library of the Hist. Soc. of Pennsylvania. The original members were William Franklin, Sir William Johnson, George Croghan, John Baynton, Samuel Wharton, George Morgan, Joseph Wharton, Joseph Wharton, Jr., John Hughes, and Joseph Galloway. The firm of Baynton, Wharton & Morgan received a concession of a large tract of land in the American Bottom from Colonel Wilkins in 1760. This claim passed into the hands of John Edgar, was confirmed by Governor St. Clair, but was rejected by the land commissioners of the U.S. Amer. State Pap., Pub. Lands, ii., 306.

2 The best account of the Illinois and the Wabash Land companies is contained in a pamphlet published in Philadelphia in 1796 with the title, Account of the Proceedings of the Illinois and Wabash Land companies. Other memorials were printed in later years, some of which may be found in Amer. State Pap., Pub. Lands, vols. i and ii, the longest in vol. ii., 108 et seq. For the later history of the two companies see post p. lxx.
sentatives of the Eastern colonies, and from that date their number in the Illinois began to decline and trade turned back to the older channels. The next men of English speech to compete with the Spanish and French merchants for this western trade were representatives of the new British Canadian houses which sprang up after Canada was ceded to Great Britain. When it is remembered that the persons back of this attempt to capture for the East the trade of the old Northwest and to exploit that territory through their colonizing schemes were some of the most important merchants and professional men in the seaboard colonies, one cause of the opposition among the Easterners to the Quebec Act is easily understood.¹

The entrance of the American colonists into the Illinois had two results, one immediate and the other more remote. The trade had brought into the French villages several men of English speech, who for one cause or another determined to remain; and their presence made possible continual correspondence between the West and the colonial revolutionists; and at the same time they prepared the minds of the French to receive any company of American soldiers who might undertake the conquest of the country. The second result was apparent only later. The men who had been foiled in their attempt to secure the trade of the old Northwest and to acquire its land for colonization were not willing to accept the decision of the Quebec Act as final, and were prepared to renew the attempt at the first opportunity with the chance of greater success.

Rocheblave had been appointed agent for the British a year after the outbreak of the American Revolution, and from the first he had trouble with the Americans who remained in the villages and who generally sympathized with the cause of independence.

¹ For a discussion of the Quebec Act see Collin, The Province of Quebec and the Early American Revolution. The decreased number of Americans from the eastern colonies is proved by a careful study of the names appearing in the records. Some of the more important men are known to have left. Morgan left before 1774, probably in 1770, but his firm still continued to conduct business in the Illinois until about 1774. William Murray left the country in 1776; James Rumsey must have left shortly before. The Canadian merchants began to appear in 1777, at least that is the date of the first appearance of a representative of any of the new Scotch firms of Canada which in time controlled the western fur-trade. After the close of the American Revolution they came in great numbers. See post p. 34vii.; J. Bte. Perrault’s Narrative, in Schoolcraft, Indian Antiquities, pt. 3.
It is difficult to decide to-day where justice lay in the constant disputes between the two parties, for the endless recriminations which they hurled at each other were surcharged with personal hatred and irreconcilable hostility.

The first cause of dispute grew out of the trade with the Indians. Every government in the West has been forced sooner or later to attempt to regulate the sale of liquor to the natives, since one of the chief dangers to the small frontier community comes from intoxicated savages. Since Rocheblave was without authority, he was obliged to use other means than prohibition to regulate this dangerous trade; and no better method could have been devised than that he used. In a community practically without government like that of the Illinois, public opinion alone could be called into play to prevent an evil which endangered the lives of all alike. One of the first acts of Rocheblave was to call an assembly of the inhabitants on April 17, 1776, to discuss among other matters, all questions concerning their relations with the Indians. It was decided that, since some savages made war on the English and some on the French and since both realized that they were under one government and were all brothers and must hold together, the assembly of the inhabitants should regulate the trade with the savages from time to time. The people also agreed on their honor not to give to the Indians any intoxicating liquor, and to assemble under arms when the commandant gave the signal. At the same assembly it was determined that, if any one refused to pay just debts, the inhabitants would give their assistance to the government to enforce such payment. The agreement was signed by all the prominent Frenchmen of the villages, but by only one Englishman, Daniel Murray.¹ Later this agreement was made the subject of reproach against Rocheblave by one of the English merchants, Bentley, who was most bitterly opposed to the acting commandant. If Rocheblave's charges are to be believed, Bentley and his associates were the chief offenders in the sale of liquor to the Indians.²

¹ Kas. Rec. Court Record, p. 83.
² Bentley made similar charges against Rocheblave and accused him of injustice and tyranny. Rocheblave presented his case before a court, composed of the militia.
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It was not the liquor traffic, however, which caused the greatest difficulties between the British agent, and the English-speaking inhabitants of the Illinois. On account of the war for independence carried on by the seaboard colonies against the mother country, the western territory became the center of many activities directed against England, of which Rocheblave kept himself well informed, but against which he was able to do little on account of the apathy of the British government. Across the river lay the Spanish posts, which, since the appointment of Galvez as governor of Spanish Louisiana, had become the seat of intrigues against England; for the Spanish officials of America were rather quicker in perceiving the advantages which might be gained by Spain from the rupture between England and her colonies than was the home government, and they committed many overt acts against England before actual war was declared by Spain. From St. Louis and New Orleans the Americans received very substantial aid. At the latter city was Oliver Pollock, who was the American agent and was on the best of terms with the governor. From Fort Pitt boats were sent to New Orleans for supplies of all kinds and these boats were even harbored in St. Louis, opposite the British Illinois.1

The English-speaking merchants of Kaskaskia participated in these acts against England and maintained their intercourse with the eastern leaders in spite of the watchfulness of Rocheblave. Bentley and others traded almost openly with the rebels. When William Linn went to New Orleans to obtain powder and other supplies for the Americans, Bentley met him on the Ohio River and sold him powder. It was also known that he sent a boat to Kentucky for the same purpose.2 The chief representative captains of Kaskaskia, Prairie du Rocher and St. Philippe, which heard evidence on all the charges brought against the acting commandant by Bentley and acquitted him on every count. The known duplicity of Bentley at a later period makes his testimony more than doubtful. Kas. Rec. Court Record, vol. 100, p. 284; Mich. Pio. and Hist. Col. 212, 324; Ill. Hist. Col., i, 295.


2 In the court appointed by Rocheblave to investigate charges against himself made by Bentley, several Americans and Frenchmen, who were lukewarm in their support of the
of the American cause, the West was George Morgan, who in 1776 was appointed agent under the commissioners for Indian affairs in the middle department, and made his headquarters at Fort Pitt. His intimate knowledge of the West and his many friends among the French and Indians made his selection a wise one; and he was able to avoid some opposition to the activities of Hamilton, the lieutenant governor of Detroit. Morgan maintained his relations with his agents, Kaskaskia, Winston and Kennedy, and with other correspondents at Detroit and elsewhere. In a letter written in July, 1776, he says: "I am now here on Public Business for the United Colonies. I want to know the exact situation of affairs at the Illinois & what Quantity of flour & beef you could furnish a company of two of men with at Kaskaskia the 25th of next December. This I will depend on you for by the return of Silver Heels, who ought to be at Pittsburg as early in September as possible, as there is a great treaty to be held in that month with all the western Nations. If one of you could come along with him it may be much to your advantage, but you should be very secret with respect to your Business." There follows an order for horses and the letter ends with a repetition of his request that one of the partners meet him in Pittsburg.

It is difficult to determine whether the letter is more than a business letter or not. The company of men may refer to some commercial enterprise that was contemplated; but Congress had determined in the previous April to send an expedition against Detroit and there may have been in the writer’s plans a similar one against the Illinois.

commandant, testified concerning the intercourse between the East and the Illinois. (Kas. Rec. Court Record) Bentley’s defense may be found in the documents from the Handsmaid Collections printed in Mich. Pio. and Hist. Col., xxxi., 315 et seq. and Ill. Hist. Col., i., 205 et seq. For Linn’s expedition see Hall, Romance of the West.

1 Winans, Westward Movement, 90.

2 In a letter from Rocheblave to Hamilton, May 8, 1779, occurs the following: "It has occurred to me to tell you that the spy, named Elliot, whom you have had arrested at Detroit, was the bearer of a letter from General Morgan, commissioner for Congress and general director of the undertakings which are made from Fort Pitt against here, to Richard Winston, a very zealous partisan of the same cause." (Letter enclosed in Can. Archivo, Q., vol. 14, p. 74. See also letter quoted below.) There are scattered references to Morgan in the Kas. Rec. Very late in my investigations I learned that there were three letter books of George Morgan in the Carnegie library of Pittsburg, Pa. I made every effort to have them made in them for material, which would throw light on Morgan’s activities in the West. Through the fault of no one, but rather on account of the shortness of the time, I was unsuccessful.


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Whatever Morgan’s plans may have been, there can be no doubt about the belief of the English-speaking traders in the Illinois; for they were expecting that he would soon bring about such an expedition. They talked of this openly among themselves and spoke of the power of the colonies to the French, to whom they pointed out the advantages of a change of alliance. When William Murray left Kaskaskia in the year 1776, he instructed his brother Daniel to furnish any American troops, who might come, with the supplies they should need; and later he sent word from New Orleans by Colonel George Gibson, to the same effect; instructions which Daniel carried out, when George Rogers Clark arrived in 1778. On June 7, 1778, Richard McCarty of Cahokia wrote to John Askins of Michillimackinac: “It is said that Morgan was to be here with 600 men last winter, but very likely he has something else to do.”

In the midst of these intrigues Rocheblave was not strong enough to do more than to memorialize the government at Quebec. Even when he had proved against Bentley the charge of selling goods to the colonies, he did not dare to arrest him in Kaskaskia, for although at the beginning of his administration he had been able to unite all the French in his support, there had developed two parties, one of which showed signs of opposing him. The American merchants had not lived so many years in the villages of the Illinois without making friends among the French, nor were the latter wholly without longings for liberty and aspirations for greater independence. It was only eight years before this that they had commissioned their friend and neighbor, Daniel Bloūn, to present to the British government their wishes for a civil establishment to replace the military tyranny from which they suffered. That movement had caused excited discussions

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1 Kas. Rec., Court Record, fol. 100 et seq.; Murray’s instructions to his brother may be found in a memorial by Daniel Murray, Va. State Papers, ii., 675; McCarty’s letter in Can. Archives, B., 97, vol. 1, p. 6.

2 Bentley was arrested at Michillimackinac and carried to Quebec, where he was kept in confinement until his escape in 1780, when he returned to Illinois to take his revenge, as the later narrative will tell. See post, p. 234. The more important papers in regard to the arrest of Bentley have been published in the Mich. Pioneer and Hist. Col., vi., 321 et seq. His intercourse with the Kentuckians is further proved by the fact that Clark made efforts to have Bentley exchanged, Clark to Larnoo, March 16, 1779, Ill. Hist. Col., i., 475.

3 Mason, Chapters from Illinois Hist., 284. Much new material on this event has been discovered, which will be made known in time.
in the villages at the time, and most of the French could recall the principles, without doubt largely inspired by the Eastern traders among them, for which they had then struggled.

It is true that these same villagers later told Clark that they had not understood the cause for which the colonies were fighting. But this was given as an excuse for not having joined the American cause earlier, for they certainly were not so ignorant nor so artless as they chose to appear to the leader of an army of backwoodsmen. Many had seen the broadsides sent by the Americans to Canada. Their intercourse through trade with Kentucky and Fort Pitt had brought the knowledge to others, and such men as Winston, Kennedy, and the Murrays had been preaching the joys of independence for years. Many of the French were also warm friends and admirers of that enthusiast for the American cause, George Morgan. It is, therefore, not strange that many gave Rocheblave a half-hearted support, although they were not ready to come out openly on the side of the American agents. Among these more or less disaffected Frenchmen must be counted some of the most important men of the communities, such as Father Gibault, the Charlevilles, the Bauvais, Bienvenus, Lafont, Duplas and Janis of Kaskaskia, and J. Bte. Barbau, who controlled Prairie du Rocher. How Rocheblave was regarded at Cahokia is not known. The captains of militia, Joseph Cesirre and François Trottier, had not chosen to participate in the court, which the acting commandant called to clear himself of the charges made by Bentley; but this may have been due to hindrances rather than choice. The men composing this party were among the most intelligent of the villagers; they had all given their support to the demand for the civil government from the British in 1770, and among them were the officers of the militia, as Duplas, Janis, and Barbau.

1 The above analysis of the conditions in Illinois in the year 1778 is based upon hints from many sources and events which followed the arrival of George Rogers Clark, so that it is impossible to refer to any one document or group of documents as proof. The statement of the French to Clark in regard to their ignorance of the cause of the struggle is in Clark's letter to Mason and his Memoir, English, Conquest of the Northwest, 1, 417 and 486. In the Memoir, (p. 475) Clark intimates that he found some of the French inclined to the American cause. Cerré, of whom I speak below, is one of the men who claims not to have had the opportunity to understand the cause for which the Americans struggled, but no one can read the letter written him by Monforton on Sept. 22, 1778, without believing that Cerré's
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The mass of the habitants were probably on the side of the government.\(^1\) Illiterate and unintelligent, they were willing to accept conditions as they found them without attempting to bring about a change; and, besides, obedience to the constituted authorities was part of their nature. There were, however, several of the richest and most prominent Frenchmen upon whom the acting commandant could count, whose loyalty to the British cause and Rocheblave was far stronger than the attachment of their opponents to the opposition. Among these were Gabriel Cerré, Louis Viviat, and Nicolas Lachance of Kaskaskia. Viviat should, perhaps, not be counted at this time, for he died in the fall of 1777; but up to the time of his death, he was one of the most important traders of the region and had been in partnership with William Murray. He was the member of the Wabash Land Company who acted as the agent in the purchase of its claim. He had, however, severed his connection with Murray just previous to his death, because of the acts of Daniel Murray, who was particularly lawless. Throughout the prosecution of Bentley by Rocheblave, Viviat had given the latter his support.\(^2\) Of Lachance little at this time is known except that he was accounted a friend of Rocheblave.\(^3\) Unquestionably the most important member of the government party was Gabriel Cerré. He was forty-four years old and had been in Kaskaskia since 1755. Through his personal wealth and commercial connections, he exercised an influence over the villagers second only to that of the commandant, with whom he was on terms of intimacy. It is quite possible that his trading interests brought him into oppo-

correspondent gave him credit for an intelligent understanding of the claims of the two parties. (Con. Arch. B., 122, p. 161.) Daniel Murray in writing to Bentley on May 25, 1777, gives the following proof of the existence of parties among the French: "As to your being complained of already to General Carleton you need not dread that, for since your departure Rocheblave drew out a complaint against you and wanted all the principal Inhabitants to sign it which they all absolutely refused to do, particularly the Charlevoix, Bienvenue, Lafont, Plassey, Janist, etc., no doubt but your friends Viviat Cerré Lachance might have done it but they are too few to countenance it when so many refused to do it." (Mich. Pio. and Hist. Col., xix., 477.) Scattered through the Court Record, Kas. Rec. are other indications of party divisions.

\(^1\) Clark in his Memoir says that the majority of the inhabitants were friendly to Cerré, the leader of the British party. English, Conquest of the Northwest, i., 485.

\(^2\) Kas. Rec., Court Record. See also supra, p. xxx.

\(^3\) See supra, p. xxxvi., note 1.
position to the Americans and that self interest bound him to the British side. ¹

Rocheblave never deceived himself in regard to the weakness of his position, and several times urged upon Governor Carleton the appointment of a commandant and the sending to the Illinois of British troops, a recommendation which proves his interest in the cause he upheld and his own disinterestedness. His letters are full of such expressions as these: "I await with the greatest impatience the orders of your excellency, or rather I beg of you to give them to some other person, a native Englishman, in order to escape the too common jealousies of some, who having merely the name, and whose affections are all for the Americans, are seeking to thwart all my efforts, intriguing with our neighbors and poisoning with the venom of their hearts the purest intentions. . . . All the alarms I have fought to give will be only too well realized. We are upon the eve of seeing here a numerous band of brigands who will establish a chain of communications which will not be easy to break, once formed. If by the schemes of the Spanish the Natchez are conquered, there will be established an armed force in this country. You have no time to lose to prevent this misfortune. If militia can be counted for anything at present a person of discretion with troops would attract more adherents than would be believed. Inclination is in spite of abandonment and distress, still for the government, but it is more than time to revive their drooping courage or all will be lost here."² The British government planned at one time to relieve him and appointed, in 1777, Matthew Johnson lieutenant-governor of the Illinois; but for some reason he never went to his post,³ and Rocheblave was compelled to face the event concerning which he had given so frequent warnings, and to learn that the party of his opponents was stronger in a crisis than his own.

¹ For an account of Cerré, see p. xx., note 2.


The American attack on the villages of the Illinois did not come about in the way that the inhabitants and Rocheblave had anticipated. They had been led to look for an expedition sent by the united colonies and directed by George Morgan against the whole line of posts extending from Detroit to Kaskaskia; but what actually occurred was that one of the revolting states, Virginia, sent an isolated detachment under a pioneer of Kentucky to revenge the British and Indian attacks on her frontiers. The immediate occasion of this expedition was the rapid colonization of Kentucky during the last four years, and the danger to the new settlements from the detachments of Indians sent by Lieutenant Governor Hamilton of Detroit. To the Kentuckians the whole territory north of the Ohio River appeared the breeding ground of these Indian incursions into their territory. The conception of an attack upon the Illinois was due to the genius of one man, George Rogers Clark, who clearly perceived that the holding of Kentucky depended on checking the British power to the north. He laid his plan before the governor and council of Virginia, by whom it was approved. He then proceeded to raise his troops, keeping the destination of the expedition as secret as possible. Had he taken into consultation George Morgan or some of the men associated with him, he could easily have put himself into communication with the American party in the Illinois. On account of this silence he never fully understood the conditions existing in the French villages. He had preferred to work by himself and had collected his own information. In 1777 he had sent two spies, S. More and B. Linn, to Kaskaskia to investigate the situation. They remained in the villages some time, giving themselves out as hunters; but they failed to get into communication with the leaders of the opposition to Rocheblave, because Clark had not informed even his spies of his

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1 See the statement of the people of Cahokia concerning their idea of Clark’s troops, this volume, p. 539. I have found no evidence that George Morgan had any knowledge of Clark’s undertaking.

2 This is not the place for an account of military actions, nor have I considered it necessary to repeat what is contained in Clark’s own narratives, which have been so frequently exploited by historians and novelists that they are very familiar. His Letter to Mason and his Memoir have been printed in English, Conquest of the Northwest, 1. 411 et seq.
purpose. It was evidently expected by the American traders of Kaskaskia that they would learn something from these Kentucky hunters, for Bentley, who was absent, wrote to Murray concerning them; but the latter answered: "As to the hunters you write of there is three of them, one of them was here before, his name Benjm Lynn, but they bring no news that I can hear of worth reporting." According to Clark's account of their investigation given to Patrick Henry, the governor of Virginia, they reported that: "The principal inhabitants are entirely against the American cause, and look on us as notorious rebels that ought to be subdued at any rate, but I don't doubt but after being acquainted with the cause they would become good friends to it." There has been preserved, however, another account according to which they reported that there were: "Strong traces of affection for the Americans, among some of the inhabitants." There is also a tradition that Linn was warned by a trader of an attack planned by some Indians against himself and companion.

The history of Clark's journey down the Ohio, of his landing near Fort Massac, and of the march across the prairies is so well known that it need not be retold; but the events occurring at Kaskaskia which made his success possible are less familiar. The states had sent down the Mississippi, in the spring of the year, an expedition under Willing to make attacks on the British posts in the south. The course of this expedition, Rocheblave had followed with interest and, as he heard of the depredations Willing made upon property, he published the accounts to the villagers in order to cause them to fear for their own. When he learned that another expedition was on the Ohio directed against the Illinois, he connected it with the Willing raid and saw in it an attempt on the part of the Americans to gain control of the whole stretch

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5 Tradition preserved in Linn's family, *Dr. MSS.*, 18J51.
of the river. This news of the approach of Clark did not reach him much before that officer was at the falls and possibly not before he had landed at Massac creek. Rocheblave immediately ordered out the militia to make preparations for resistance; but he soon learned the strength of the party opposed to him, for the American traders in Kaskaskia either persuaded the inhabitants not to attempt repelling the invaders, and in this they were aided by the Spanish emissaries, or else they quieted the fears of an attack. Whatever occurred, Rocheblave found that he could accomplish nothing, for his government was by persuasion rather than by command, and the militia officers were members of the party that gave lukewarm support to the British and was half inclined to the American cause. Unfortunately for Rocheblave, his chief supporters were not with him at this crisis; Viviat had died in the preceding fall, Lachance had recently been taken prisoner,¹ and Géré had just started with some furs for Michillimackinac. Hoping that the sight of a reinforcement coming to their assistance might arouse the inhabitants, Rocheblave sent a messenger to summon the militia from Vincennes; and M. Legras actually started with forty men from that village to assist Kaskaskia. The message had come too late, however, for Clark landed at Massac creek, marched across country, and cut off any help which might be rendered from the Wabash. Thus the crisis, which Rocheblave had been prophesying, arrived, and he found himself unable to make any resistance.²

¹ Rocheblave to Bosseron, April 25, 1778, Mason, Rocheblave Papers, in Chi. Hist. Soc.'s Collections, iv., 408.

² The above account is an attempt to explain in the light of the knowledge of conditions just previous to the attack the following passage in a letter from Rocheblave to Carleton, dated April 3 [evidently miscopied for August 3], 1778. The translation is from Mason, Rocheblave Papers, Chi. Hist. Soc.'s Collections, iv., 419. "Sir, I stole a moment from my guards in order to have the honor of informing your excellency that the night of the fifth or [and F] sixth of July last three hundred rebels under the orders of Mr. Clerke[sic], the self-styled Colonel, arrived here where they have made me prisoner. The majority of the inhabitants knowing the manoeuvres which had occurred in the lower part of the Mississippi were resolved to defend themselves, but the dealings of our neighbors, the Spaniards, and the abuse of the treacherous English, especially those named Daniel Murray, Richard Winston, and John Hanson, prevented them from doing it. There remained to me for a resource Mr. Legras, who prepared himself with forty men to come and join me from Fort Vincennes, where he is a captain of militia, but the rebels having landed on the beautiful river[Ohio] sixty leagues from here, crossed the neck of land which separates that river from this place, and prevented that. I regret so much the more that he did not arrive, as a number of men on seeing me supported would have joined themselves to us, and we would have been able to hold the balance of affairs in opposition to those who were desti-
Whether Clark and the American traders of Kaskaskia communicated with each other before the attack in the night of July 4th and 5th, is very doubtful. We have seen that, before setting out from Fort Pitt, Clark knew of no party in the village that was ready to give him assistance; but he may have heard of the American partisans from that party of hunters, just from Kaskaskia, who met him at the Tennessee River, although from his own account their information was anything but reassuring; or Murray and his associates may have communicated with him as soon as he approached the village. There is some slight evidence that the capture of the village was made less difficult by the aid of some of the inhabitants; for Clark seems to have found no trouble in procuring boats to convey his troops across the Kaskaskia River; and, if the tradition is trustworthy, his soldiers were admitted to the fort and guided to the bedchamber of Rocheblave by a Pennsylvanian, who may have been Daniel Murray. Clark himself says that provisions were insufficient and in extremities. In 1780 Rocheblave gave a similar explanation of his failure to defend the Illinois. Can. Archives, B., 122, p. 545.

Since Clark himself says “that they had some suspicion of being attacked and had made some preparations—keeping out spies—but they, making no discoveries, had got off their guard” (Letter to Mason, English, Conquest of the Northwest, i. 416) and, “we were informed that the people, a few days before, were under arms, but had concluded that the cause of the alarm was without foundation, and that at that time there was a great number of men in town, but that the Indians had generally left it, and at present all was quiet” (Ibid. p. 475), there appears to be no good reason for rejecting the testimony of Rocheblave. It is to be noticed also that the Cahokians write as if the Kaskaskians chose not to defend their village. See p. 547. The chief difficulty in reconciling Rocheblave’s account with other known facts lies in his own letter of July 4th, which gives a long narrative of the depredations of the Willing expedition on the southern Mississippi and only makes a brief mention of the expected attack on Kaskaskia. I. 168. We are upon the eve of having here a numerous band of brigands. Historians have followed too exclusively and uncritically the narratives of Clark, who was fond of the dramatic, not to say the melodramatic, and who never hesitated to omit details which would affect what he regarded as the dramatic development. Like other frontiersmen he never underestimated his own deeds, and after a careful comparison of the letter to Mason with the Memoir, one is forced to believe that he was given to exaggeration. Therefore, it is not surprising that he did not make more of the persons and conditions which made the occupation of Kaskaskia easy and that he emphasized the surprise of the place, since that appealed to his dramatic instincts. Mason in his paper on Philippe Rocheblave (Chi. Hist. Soc.’s Collections, iv. 373) uses the letter quoted above, but does not attempt to give any explanation of it. I have not noticed an attempt to explain this letter by any other historian of the event. See Winneb. Nar., and Can. Hist., vi., 710; English, Conquest of the Northwest, i. 168; Roosevelt, Winning of the West, Pt. ii., ch. iv.

1 He says, “We marched after night to a farm that was on the same side of the river, about a mile above the town, took the family prisoners, and found plenty of boats to cross in, and in two hours transported ourselves to the other shore with the greatest silence.” (Letter to Mason, English, Conquest of the Northwest, i. 416.) If he really found these boats on the east bank of the Kaskaskia, how did they happen to be there, since very few people were living on that bank at the time?

2 Reynolds, Pioneer History, 73. The passage is: “An American, a native of Pennsylvania, was there in the Fort and conducted Kenton and his small party into the Fort by a
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collected for his troops by Murray and Winston during the night.¹

It is evident from the narratives of Clark and Bowman and from the letters of Rocheblave that the inhabitants and the commandant himself had not expected the attack so soon. On the day before the attack Rocheblave wrote to Carleton: "We are upon the eve of seeing here a numerous band of brigands,"² but the whole tone of the letter proves that by the "eve" he did not mean that very night. In the letter sent after the capture of the village, he writes as if he had expected that there was plenty of time to send to Vincennes for aid, after he had learned of Clark's movements; and as if he had been disappointed in his hope of assistance, because the Virginians had made a forced march by land. This looks as if he had expected the party to take the customary route down the Ohio and up the Mississippi. If Clark had followed this course, the time would have been ample for Rocheblave to obtain reinforcements from Vincennes.³

What the feelings of the majority of the French people were when they heard the warwhoop of the frontiersmen in their village streets, can be easily imagined. Since the time of the attack was a surprise and the less intelligent French had been taught to believe the worst of the "Big Knives," the first fear of the majority has probably been correctly depicted by Clark. Many of the more intelligent, who had supported Rocheblave, must have felt terror at hearing the noise and have had misgivings of the future, which would place in power Murray, Winston, and Kennedy, whom they had learned to regard as their enemies. Others, like Father Gibault, who were acquainted with the hostility of the Protestant East to the Roman Catholic Church, feared perhaps that the freedom of worship might be denied them. After all allowance has been made for such causes as these and small back gate..... The Pennsylvanian was true to liberty and conducted them to the very bedchamber of the sleeping Governor, Rocheblave."⁴

¹ In his Memoir, English, Conquest of the Northwest, i., 478.
the suddenness of the attack, Clark’s narrative of the abject terror of the French people still appears somewhat exaggerated. They were without doubt timid, but they were not poltroons. Besides, they saw several familiar faces among the Virginians, some of whom had been in Kaskaskia, and others they had met on trading trips.

The party strife of the village broke out in Clark’s headquarters on the very night of the attack. The closest adherent of Rocheblave’s faction, Gabriel Cerré, was absent from the village, and his enemies tried to win the favor of Clark by making accusations against him; but Clark was not deceived. He recognized that his position was critical. He was in an alien community and had only a small body of troops with which to hold the people in check. Under such circumstances he could not afford to drive the leader of such a strong party from him. How important he regarded the winning of the support of Cerré and his party is proved by the space he devotes in his Memoir to an account of his relations with this leader.¹ He finally confronted Cerré with his accusers, and the latter were afraid to repeat their charges. By this diplomatic conduct he won over the man who could bind the discordant elements in the villages to his side.

The chief means used by Clark to gain the good will of the French at this critical time were the French treaty and the cry of liberty. We have already seen that the words liberty and independence were not wholly unknown in these regions. To assert that the movement which was growing in France and which was in eleven years to break out in the French Revolution was without effect on the banks of the Mississippi would be taking too much for granted. The best of these men were educated and traveled to New Orleans and Quebec, and what was talked of there was repeated by the firesides of the Illinois. Only ten years before their friends of New Orleans were in revolt against Spanish tyranny,² when the word liberty became a household term; and two years later the French of the Illinois were making use of the

¹ English, Conquest of the Northwest, i., pp 477, 478, 481, 484-486.
² Phelps, Louisiana, 113
same word in their struggle with Colonel Wilkins. The traders from the East had been full of similar ideas during the past few years. Liberty and independence were words with which to fire the imaginations of the French and to make them dream of things to come.

The French treaty was Clark's trump card in the game he was playing; for the word France awakened in the minds of the Kaskaskians memories of days gone by, always more joyous than the days of present hardship,—those days when the lilies of France waved over the forts of the Illinois. France is a name of wonderful meaning to Frenchmen of all times. The people of Illinois felt its charm and, at a later day, said "when these men once pronounced the name of France, how could they raise their hands against them?" Just previously rumors had been spread up and down the Mississippi that France was coming into her own again, ridiculous reports no doubt spread by those discontented with the British rule, and yet they aroused in the hearts of the French a hope, of which the appearance of Clark seemed a harbinger.

It was not with rifles and swords that Clark won the Illinois, but with the promise of liberty and the alliance with France. These two weapons were all sufficient. Immediately after the occupation of Kaskaskia Clark sent Bowman with a detachment of thirty men to occupy Cahokia, which yielded readily to the same persuasions. Vincennes joined the American cause without even the use of troops, for Father Gibault undertook to persuade the people to submit, which they did after their priest had represented the case to them. In their first enthusiasm the French furnished the Virginians with all their necessities and their need was great, for they had reached Kaskaskia, as the inhabitants of Vincennes said, "half naked like the Arabs." But the spirit

1 Mason, Chapters from Illinois History, 381 et seq.
2 See post, p. 537.
3 Bowman's letters in English, Conquest of the Northwest, i., 558 et seq.; the Cahokian account in this vol., p. 537.
4 Clark's Letter to Mason, English, Conquest of the Northwest, i., 419.
5 Inhabitants of Vincennes to De la Balme, Menard Col., Tard, Papers.
in which the French received the Americans is best seen in the way they aided in defending the country against the British. In December following the occupation of the Illinois by Clark, Lieutenant Governor Hamilton of Detroit retook Vincennes and threatened the other villages. At no time had Clark's position been so dangerous, for he had neither money nor sufficient troops. With him were only two companies of soldiers, in which some of the French had already enlisted. Since these were too few either to hold his position or to make an attack, he called upon the villages; and two companies of Frenchmen were formed. The merchants of the region raised the necessary money. Clark then made his difficult and dangerous march across the submerged prairies, a march which tried to the utmost the endurance of the men. The conquest of Vincennes and the retention of the whole Northwest for the Americans were the results. More than half of the men who followed him so bravely were inhabitants of the American Bottom.\(^1\) To the French soldiers in Clark's little army as well as to the Virginians belongs the honor of that campaign and its consequences.

After the submission of the villages to him, Clark found himself in command of a large country inhabited by a people who had joined themselves willingly to his cause and to whom he had promised greater liberty than they had hitherto enjoyed. From the first he was called upon to exercise the power of commandant and judge. He continued for a time the custom, followed by the last two British representatives, of appointing arbitrators in all cases of dispute between the inhabitants.\(^2\) This, however, was not in accordance with his own ideas of self-government, which were those of the West generally, nor did his many military duties permit him to give that attention to civil affairs that was required. He therefore made other arrangements. He writes that he

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\(^1\) *Va. State Papers, i.*, 316; Letter to Mason, *English, Conquest of the Northwest, i.*, 437. The expedition against Vincennes was evidently financed by the inhabitants of the French villages, from whom Clark raised $11,103 between December 30th and February 5th. Clark's account against Virginia, in *English, Conquest of the Northwest, ii.*, 1054.

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caused: "a court of civil judicature to be established at Cahokia, elected by the people. Major Bowman, to the surprise of the people, held a poll for a magistracy, and was elected and acted as judge of the court. [The policy of Mr. Bowman holding a poll is easily perceived.] After this similar courts were established in the towns of Kaskaskia and Vincent." The title of the court thus founded at Cahokia was the "Court of the Committee of Cahokia," and a few pages of the records of its sessions have been preserved and are printed in this volume. Clark reserved the right of appeal to himself and he adds: "I believe that no people ever had their business done more to their satisfaction than they had through the means of these regulations for a considerable time." By an examination of the few remaining records it is possible to arrive at an approximate date for the founding of these courts. The date of the earliest paper which has been preserved issuing from the court at Cahokia is October 29, 1778. Among the Kaskaskia Records is a court record, the last pages of which were used by the clerk of the British government and later by the clerk of the Virginia government for recording deeds and other instruments. The first entry in it after the date of the occupation of Kaskaskia by Clark was made on October 20th. The last direct petition to Clark that exists is dated August 27. Therefore it must be concluded that the courts were established between the last of August and the last of October. But it is possible to make a closer calculation. Since it is probable that an entry was made by the Kaskaskia clerk in his book of record shortly after the machinery of civil government was started, we may take the date October 20th as approximately the date of the establishment of the court at Kaskaskia; and since that at Cahokia was the earlier, the court of that village must have begun

1 Clark's Memoir, English, Conquest of the Northwest, i., 484. The sentence in brackets is added from Dr. MSS. 47135.
2 Pp. 2 et seq.
3 Clark's Memoir, in English, Conquest of the Northwest, i., 484.
4 See post, p. 2.
5 See post, p. 2
to hear suits about the middle of the same month and possibly a little earlier.\textsuperscript{1}

These courts were modeled after the county courts of Virginia, with some modifications. The number of justices sitting at Cahokia was seven, four of whom were necessary for a quorum; the sessions were held weekly; the jurisdiction included both criminal and civil cases; the records of the sessions were kept in English.\textsuperscript{2} Since the members of this committee were elected by popular vote, the first election of chief magistrates ever held on the soil of Illinois or of the old Northwest was that at Cahokia in the month of October, in the year 1778.

During the last few years disorder and crime had increased in the Illinois. We have seen how Rocheblave lacked the power to enforce good order and had appealed to public opinion without effect to put an end to the trading in liquor with the Indians. But it was not from the depredations of the Indians only that the people suffered. Members of the slave class, influenced by the disorders of the times, had become insolent and violent, so that the fear of the large population of red and black slaves was widespread, and with good reason, for many murders had recently been committed, for which the slaves were suspected of being responsible. Members of the family of the Nicolle had become sick and died under the most suspicious circumstances, and several sudden deaths of both whites and blacks had occurred which gave every evidence of being caused by poison. To stop further lawlessness by this class, Clark published a very stringent order against the slaves on December 24, 1778, in which he forbade them to walk the streets after sundown without a special permission from their masters, or to assemble for dances at night, under

\textsuperscript{1}It is possible that Clark was mistaken about the establishment of a court at Kaskaskia, for among all the records that have been preserved there is not one issuing from such a court, or one that gives direct evidence of the existence of such a court. Moreover there has been preserved a petition, dated February 18, 1779, from a widow in regard to her husband's estate, in which she gives elaborate reasons for not having troubled Colonel Clark during his presence in Kaskaskia, and states that conditions are now such that she must have protection to save her property. Since Clark was away, she applied to the officers of militia of Kaskaskia. These heard her prayer and granted the protection. The act was signed by the officers, but not as members of a court. One name has been torn off, but the others are Joseph Charleville, Richard Winston, Charles Danis, and Charles de Lisle acting for Duplasy. \textit{Kas. Rec., Petitions}.

\textsuperscript{2}See record of the court, pp. 4 et seq.
penalty of punishment by flogging. All persons were forbidden to sell liquor to slaves. In the court of Cahokia an investigation of the death of the Nicolles was begun. This was not ended until the following June, when it was proved that some slaves, of whom two were particularly guilty, had poisoned a number of whites as well as several negroes.

Of this first experiment in popular government in the Illinois very little can be said, for almost all its records have been destroyed. The character of Clark, the order he preserved or tried to preserve, and the expedition with which justice was administered, no doubt made the government generally popular; still the military power was very evident and at times arbitrary, and the soldiers were becoming unruly. Therefore the French looked forward to the time when a civil government, not so dependent on the military force, should be inaugurated. The people were reasonable, however, and recognized the necessity of these temporary arrangements, and in their first enthusiasm exhibited a tractable and united spirit to their commandant. In justice to Clark it must be said that neither at this time nor later, when there was most just cause to criticise the military force, did the French utter a word of complaint against him, for he had won, not only their esteem, but their affection, so that they never held him responsible for the evils that crowded upon them.

One cause for uneasiness developed very soon among the people. In the first excitement over their change of allegiance and under the influence of that enthusiasm which was aroused by the talk of liberty and independence by Clark and his soldiers, they had been ready to make many sacrifices for the cause they had espoused. At first they gave freely of their goods, and later sold them to the patriots, who had brought them this "priceless gift", and received in return continental paper money, which they were assured by Clark and his officers was equal in value to the Spanish piastre, or else drafts on the treasury of Virginia or the Virginia agent at New Orleans, Oliver Pollock. At the time

2. The papers in the case are printed in this volume, pp. 13 et seq.
3. Every petition of the French people mentions the fact that they were deceived by the
the paper money was worth about twelve cents on the dollar, and the French were to learn that many of the drafts were worthless. The suspicions of the inhabitants were not aroused until early in 1779, while Clark was absent on the Vincennes expedition. Speculation in continental money was very common throughout the East and every advantage of variation in its value was used by the traders. It is not surprising, therefore, that the story of Clark's dealings in the Illinois were soon known by these men, who, tempted by the opportunity of purchasing goods with continentals at their face value, rushed into the region. They reached the French villages in the early spring of 1779, and in their eagerness to make the utmost use of the opportunity, they bid against each other with the result that the confidence of the French was lost and the value of the paper tumbled. In speaking of this event, Clark says: "There is one circumstance very distressing, that of our own moneys being discredited, to all intents and purposes, by the great number of traders who come here in my absence, each outbidding the other, giving prices unknown in this country by five hundred per cent, by which the people conceived it to be of no value, and both French and Spaniards refused to take a farthing of it. Provision is three times the price it was two months past, and to be got by no other means than my own bonds, goods, and force." There was another reason for the appreciation of the price of supplies. By the arrival of

Virginians in regard to the value of the paper money. See Cahokia Memorial to De la Balme, printed in this vol., p. 547, also page 6; from the memorial of the people of Kaskaskia to the Virginia commissioners, March 1, 1785, is taken the following passage: "But on account of the honest appearance of General Clark and of his officers and because they assured us that they had orders to draw on M. Oliver Pollock, agent of the state of Virginia at New Orleans, there was no difficulty in obtaining all they needed for a specie in current paper, which was scattered in quantities both on this bank and the Spanish at the value of metallic piastras of Spain and all our supplies have been sold at the same rate and conditions ... and since we could not believe that an officer in accordance with his orders would leave us ignorant of the fact that this money was depreciated, we have received it at its intrinsic value." (Memorials Colo., Tarleton Papers.) In a memorial to the governor of Virginia the same people said: "The suppliants have furnished all the necessary provisions to the troops at a sufficiently moderate price and have been paid with a paper money and letters of exchange which we were assured were equal in value to the Spanish piastra." (Ibid., memorial dated May 4, 1781.) The people of Vincennes in a petition to the governor of Virginia, June 30, 1781, wrote: "The accredited officers of finance and others have assured us that continental money was of equal value with coin, and we accepted the same in good faith." (Va. State Papers, ii., 192.)

1 See post, p. 6.
2 Clark to the Governor of Virginia, April 20, 1779, in English, Conquest of the Northwest, i., 400.
the Virginians all open trade with Canada had been stopped and, since that country was one of the chief sources from which the inhabitants drew their goods and to which they sold their furs, commerce became stagnant and commodities scarce.\textsuperscript{1}

The credit of Clark’s government was supported at this time by the merchants and traders of Illinois. He says: “Several merchants are now advancing considerable sums of their own property, rather than the service should suffer, by which I am sensible they must lose greatly, unless some method is taken to raise the credit of our coin.”\textsuperscript{2} The merchants who gave this timely aid to the American cause were Daniel Murray, Winston, Janis, the Charlevilles, the Bauvais, Duplasy, and Bienvenu, of Kaskaskia; Barban of Prairie du Rocher; Godin, Trottier, Girault, LaCroix, Gratiot, and McCarty of Cahokia; LeGras, Huberdeau and Bosseron of Vincennes, and Vigo with possibly others of St. Louis.\textsuperscript{3} The state of Virginia had undertaken more than she could perform, since her treasury was exhausted and her credit gone, so that Clark never received the financial support that he needed; and he and his officers were in time forced to use that expediency which made the Thirty Years War in Germany so frightful, namely that of compelling the people to support them. This last resort had not become necessary in the spring of 1779, at least it was not officially recognized; for the French were still ready to make herculean sacrifices for the cause which they had accepted and to furnish supplies on the doubtful credit of the state; but the time was fast approaching when they would demand a settlement.

\textsuperscript{1} Va. State Papers, iii., 501.
\textsuperscript{2} See supra, xvi., note 1.
\textsuperscript{3} Clark’s account against Virginia, in English, Conquest of the Northwest, ii., 1040 et seq. The list of names is not complete since I have been unable to identify several as spelled by Clark and because drafts were drawn by other officers besides Clark and these would not appear in his account. In fact, the list of those who at this time or later furnished supplies on credit is a very long one, including almost every man of property in the Illinois. Gratiot of Cahokia, Corrè of Kaskaskia, and Vigo of St. Louis have always received due credit for the assistance they furnished, but they were no more active than the other members of the French villages. In the end these three never suffered from their efforts at this period as severely as did many others. Richard Winston, who at the time of the coming of Clark was regarded as wealthy, died in poverty; and the Bauvais family was reduced to almost the same extremity. These are only two instances among many.
While Clark had been regulating the affairs of the Illinois, the news of his great success had been received with rejoicing at Williamsburg, and the government of Virginia began preparing for some more permanent form of civil establishment for her new citizens. The territory north of the Ohio River lies within the region which Virginia claimed as hers under her charter granting the land from sea to sea. According to the Virginia interpretation of that charter, the state was fully within her rights in legislating for that territory, to which her troops had just given her another title.

On the 19th of November, 1778, a committee was appointed by the legislature to draft the requisite bill, which was introduced on the 30th and passed both houses on December 9th.1

The civil establishment thus created for the region was the same in its essential character as that which Virginia had used in her expansion westward, the county government. Kentucky had but a few years before received a similar organization. This new territory, which included all that Clark actually held, stretched from the Ohio to the Illinois River and up the Wabash towards Detroit to an indefinite boundary. Ouiatanon was certainly under the jurisdiction of Virginia, but beyond that post and the Illinois River there is no proof of her exercising jurisdiction. The land lying between this northern boundary and the lakes was disputed territory and was traversed by Virginia and British troops at various times.

The government of the "county of Illinois", as it was called, was temporary in character and was given force at the time of its enactment for only one year and then to the end of the next session of the legislature. On account of the difference in the population Virginia law was not fully extended to the new county.2 "On account of the remoteness of the region," so runs the preamble of the act, "it may be difficult, if not impracticable, to govern it by the present laws of the commonwealth, until proper infor-

1 The act is reprinted in this volume, p. 9. The history of the act is given in note 1 of the same page.

2 For a discussion of how far the laws of Virginia were extended to the Illinois, see post, p. lxxii.
mation, by intercourse with their fellow citizens, on the east side of the Ohio, shall have familiarized them to the same, and it is therefore expedient that some form of government adapted to their circumstances should in the meantime be established." The chief executive officer and commander of the militia was the county lieutenant, or commandant. He was empowered to appoint as many deputy commandants, militia officers, and commissaries as he found necessary. The civil officers were to be the same as the inhabitants were accustomed to, and they were to administer the law which was in force in the region already, that is, the coutume de Paris. Officers, created by the lieutenant, to which the inhabitants were unaccustomed were to be supported by the Virginia treasury, the others by the people. Both military and civil officers were required to take the oath of office according to the religion to which they were accustomed. The people were given assurance of the free exercise of their religion. The power of the court to be established and of the county lieutenant was limited in actions for treason and murder to the same extent as it was in all counties of Virginia. In such cases the lieutenant was permitted to stay execution until the opinion of the governor or the assembly had been obtained.

On December 12, 1778, and in accordance with this act, Patrick Henry commissioned John Todd county lieutenant. For such a difficult and important position Todd seemed as good a candidate as was available. His ancestry was Scotch-Irish, one of his ancestors having fled from Scotland to escape the persecutions of Claverhouse. His grandfather had come to America in the year 1737, when Todd's father was still in his youth, and had settled in Montgomery County, Pennsylvania. From his mother Todd inherited Welsh blood. His education had been exceptionally good. His uncle, also named John Todd, was a well-educated man, having graduated from Princeton in 1749, and was a minister in Louisa County, Virginia, where he kept a classical school. It was at his uncle's school that the future county lieutenant was educated. Afterwards he studied law and practiced a short time.

1 Chitwood, Justice in Colonial Virginia, 82.
But the attraction of the frontier life was in his blood, as it was in that of so many other young men of his time, and at the outbreak of the Dunmore’s War he became aid to General Lewis. In the following year he made his way among the first settlers to Kentucky and was present at the meeting which was held to establish the government of the proprietary colony of Transylvania. In 1777 he was elected burgess from the county of Kentucky to the general assembly of Virginia. The duties of this office prevented him from taking part in Clark’s expedition to the Illinois.¹ In appearance Todd was far from imposing. He was only five feet six inches in height, but was reputed the swiftest footman of his day and excelled in all forms of gymnastics. Like Clark and most of the leaders of the western movement he was still a young man, being at the time of his appointment twenty-eight years old. His experience, however, had been on the frontier; he was accustomed to the American type of pioneer, and was personally brave and a good Indian fighter. He united with these qualities a knowledge of law and a culture superior to that of any other man in the West. His education and his character seemed to fit him for the task before him. But the events in the Illinois were already approaching a crisis, brought on by the clash of Anglo-Saxon and Gallic temperament; the unity of feeling and the glow of enthusiasm aroused by the shouts of liberty and the huzzas for the French alliance were already changing, and the French were beginning to count the cost of the transference of their allegiance; criticism, denunciation, and open opposition were ready to break forth. Under such conditions was the experience of twenty-eight years sufficient to enable Todd to master the situation?²

The instructions given him by Governor Henry were wise and suited to the occasion: “Altho Great reliance is placed on your prudence in managing the people you are to reside among, yet consider’g you as unacquainted in some Degree with their Genius,

¹ The Todd on the expedition was his brother, Levi. English, Conquest of the Northwest, II., 95.
² For the life of Todd see, Green, Historic Families of Kentucky; Morehead, Settlement of Kentucky, 174; Mason, Chapters from Illinois History, 253.
usage, and maners, as well as the Geography of the Cuntry I recommend it to you to consult and advise with the most intelligible and upright persons who may fall in your way ; and I know of no better Genl Direction to Give than this, that you Consider yourself at the head of the Civill department, and as Such having the Comm^d of the militia, who are not to be under the comm^d of the military, untill ordered out by the civil Authority, and to act in conjunction with them.

"You are on all Accatons to inculcate on the people the value of liberty and the Difference between the State of free Citizens of the Commonweltth and that Slavery to which Illinois was Destined. A free & equal representation may be expected by them in a little Time, together with all the improvmts in Jurisprudence and police which the other parts of the State enjoy.

"The Ditaile of your Duty in the civil Department I need not give you, its best Direction will be found in y^e innate love of Justice and Zeal to be intensively usefull to your fellow-men. A general Direction to act according to the best of y^e Judgment in cases where these Instructions are Silent and the laws have not Otherwise Directed is given to you from the necessity of the case, for y^e Great Distance from Governm^t will not permit you to wait for Orders in many Cases of Great Importance."1

Clark received Todd with joy, for they were good friends; but a greater reason was that he found the task of superintending the civil department and at the same time of making the needed preparations for the contemplated attack on Detroit in the summer too difficult.2 The fussy details of the former were annoying to a mind like Clark's which was only aroused to its best by the excitement of some bold military undertaking.

Todd reached the Illinois in May, 1779. One of his first duties was to organize the militia. There was little to be done, for Clark had maintained the military organization which he found in existence and had confirmed the appointments of the officers already in command. Todd now reconfirmed them under the

2 Clark's Memoir, English, Conquest of the Northwest, i., 449.
authority conferred on him by the act of the Virginia legislature. As far as the records show neither Clark nor Todd made many changes in the personnel of the militia. Under the British rule the officers had been selected from the most prominent men of the community, and the new government could not afford to alienate them. A few changes were made by one of the Virginians in Kaskaskia, where Richard Winston, an American trader, was made commandant, Nicolas Janis and Joseph Duplasy were retained, and Brazeeau was not given a commission.\(^1\) There could be no thought of change at Prairie du Rocher, where J. Bte. Barbau had been chief citizen for years.\(^2\) At St. Philippe a commandant was also appointed, probably Pierre the Sieur de Girardot, who held somewhat the same position in that community as Barbau at Prairie du Rocher.\(^3\) At Cahokia Joseph Cesirre, who had been judge and captain of militia for several years, was not commissioned, but this was probably due to his death, which occurred in this year, possibly before Todd's arrival. François Trottier was made commandant of the village and Michel Beaulieu and Pierre Godin called Turanjeau, were commissioned captains.\(^4\) The latter was a new name in such a prominent position, but the Godin family was an important one and without doubt the appointment was approved by the people. In Peoria J. Bte. Mailhet was appointed commandant.\(^5\)

Before issuing the commissions to the militia officers, Todd had given his attention to the establishment of the civil govern-

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\(^2\) Barbau was from New Orleans and was about fifty-seven years old at this time. He was one of the judges of the court of judicature established by Colonel Wilkins in 1768 and from that date is conspicuous in all the affairs of the American Bottom. It will be seen that he was called to an important position later at a critical time. See *post*, p. . After the United States came into control of the country, he still continued to be a representative citizen and was appointed to many public positions. He died in 1810. *Kas. Rec.*; Smith, *St. Clair Papers*, ii., 165. His will is recorded in the probate record of Randolph Co.

\(^3\) Girardot was a former French infantry officer, who for some reason chose to remain in the Illinois. He was appointed one of the justices by Colonel Wilkins. I have not been able to find the rest of his name, for he was always called by his title.

\(^4\) For these Cahokians see the notes to the census of the village on page 624 et seq.

\(^5\) The appointment of a commandant at Peoria and St. Philippe is not mentioned by Todd in his Record-Book, but since we learn that such officers were acting later at these places, they must have been appointed about this time. For an account of Mailhet see p. 231, note 2. In 1790 it was believed that Mailhet was appointed commandant by Clark. Smith, *St. Clair Papers*, ii., 138.
ment. He had received very definite instructions on this head in the act creating the county, according to which the magistrates were to be such as the people were accustomed to and were to be elected by popular vote. The problem, however, was not an easy one. Under the French regime the civil magistrate was a judge with sole authority in all judicial and executive matters not belonging to the military department. During the British period there had been a feeble attempt, in 1768, to create a court of judicature, but it had failed; and since that time the military commandant had been also judge, assisted by justices in each village, whose duties seem to have been to put in execution the decrees of the commandant. Neither of these arrangements was in accord with the democratic ideas of the frontier. There was, however, another model. Since the fall of the previous year, the Illinois villages had been governed by the courts established by Clark. The justices were elected by popular vote and had given general satisfaction. Todd determined to continue these as fulfilling the requirements of the law. Since Illinois was so large, it was impossible to hold a court at any one of the villages for the whole county. Three districts were, therefore, created: the Kaskaskia district included Prairie du Rocher, Chartres village, and St. Philippe besides Kaskaskia itself; the Cahokia district extended from the village of Prairie du Pont to Peoria on the Illinois River; and the Vincennes district included all the region of the Wabash. The court consisted of six justices from the principal village and representatives from the other communities of the district. Thus two justices were elected for Prairie du Rocher and one for St. Philippe in the Kaskaskia district; one was added to the Cahokia court for the little village of Prairie du Pont; and three were elected for the communities in the Wabash region outside of Vincennes. These

1 Alvord, Illinois in the Eighteenth Century, 16.
2 Ibid, 21.
3 Todd's speech, quoted on page lx, gives the boundaries of the Kaskaskia district. The boundaries of the Cahokia district are obtained by the examination of extent of its jurisdiction.
4 Todd says in his speech that six justices are to be elected at Kaskaskia and two others from Prairie du Rocher and St. Philippe. As a matter of fact two were elected
justices were elected for a year and might become candidates for re-election.\(^1\)

The election for the new government was held at Kaskaskia, on May 12th, with suitable ceremonies. The people were summoned to a general assembly at the church door, where they had been accustomed to meet to transact their business for years. They came in their picturesque holiday apparel, for to them this seemed the day of the fulfilment of all their anticipations. Near by were drawn up the Virginia soldiers of the Illinois battalion, and possibly groups of Kaskaskia Indians were on the outskirts of the crowd. The central group was composed of Clark with his officers and Todd with his attendants, and with these stood without doubt Father Gibault.\(^3\)

The presiding officer of this remarkable assembly was George Rogers Clark. He had prepared an address for the occasion, but since his knowledge of French was limited, it was written and read by his official interpreter, Jean Girault. His address was in part as follows: “From your first declaration of attachment to the American cause up to the time of the glorious capture of post St. Vincent, I had doubted your sincerity; but in that critical moment I proved your fidelity. I was so touched by the zeal which you have shown that my desire is at present to render you happy and to prove to you the sincere affection that I have for the welfare and advancement of this colony in general and of each individual in particular. The young men of this colony have returned from Post St. Vincent covered with laurels which I hope

from Prairie du Rocher, as the election certificate shows. (Kas. Rec.) The ninth member of the court was the Sieur de Giraudot, who was a resident of St. Philippe. (Amer. State Pub., Pub. Lands, ii., 192.) The number six remains throughout the period as the number of justices to be elected at Kaskaskia. See pp. cvii., cxxxiv. At Cahokia there was always a member of the court who was a resident of Prairie du Pont and the court of Vincennes must have also followed the Kaskaskia model.

\(^1\) In Cahokia the election was annual and on account of the completeness of the records it is best to base conclusions about practice on that of the court of that village; but in the certificate of the second election of the two justices of Prairie du Rocher in 1782, it is stated that the time of service of the justices as established by law had passed and so two more justices were elected. This would make the tenure of office three years. (Kas. Rec., Pol. Papers.) No conclusions can be drawn from the elections at Kaskaskia, since they were held so irregularly and the same is true of what little is known of the court at Vincennes. (See post, p. lxxxiv.; Dunn, Indiana, passim.)

\(^3\) In all French villages the regular place for holding assemblies was in front of the church. Babeau, Les assemblées générales, 21 et seq. It is possible that the troops and the Indians were not present, but it seems probable that they were.
they will continue to wear.” He then praised those who had remained at home to defend their village, and expressed a hope that they would soon have an opportunity to win similar glory. He told them that they would soon possess the liberty which the Americans enjoyed, and that America would protect them. The governmen's, “has appointed for you a civil lieutenant governor to regulate and settle your affairs. In a short time you will know the American system, which you will, perhaps, think strange in principle, but in the end you will find in it so much peace and tranquillity that you will bless the day that you embraced the cause of the Americans. You should be persuaded that we desire to render you happy and to procure for you all possible succor.

“I present to you Colonel Todd, my good friend, as your governor. He is the only person in the state whom I desired to fill this post in this colony. I am fully persuaded from my knowledge of his capacity and diligence that he will succeed in rendering to you justice and making you contented.

“You are assembled here, gentlemen, for an affair of the greatest importance, namely, to elect the most capable and illustrious persons to sit in judgment on your differences. . . . I pray you to consider the importance of this choice and to make it without partiality and to elect the persons most worthy of your trust; and I hope that in a short time that you will be convinced that you are the freest people in the universe."

Clark was followed by the county lieutenant, John Todd. His speech was also read by some one familiar with the language. He said in part: “Gentlemen, I am sent by the government of Virginia to exercise the duties of chief magistrate of this county. The reception which I have received from you deserves my thanks. I am flattered and shall always be happy, if my power can serve your well-being. I am sure that nothing will be lacking on my part to secure that end.

“The Republic of Virginia has had only noble motives in

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1 Dr. MSS. 49443. This is an original manuscript and is signed by Clark, Fort Clark, May 13, 1770. Translation by the editor.
coming here. It was not moved by the love of conquest but has
come to invite you to participate with her citizens in the blessing
of a free and equal independence and to be governed and judged
by officers who shall be placed in power by the people.

"Your great distance from the capital, gentlemen, does not
permit you to send representatives to the assembly; but if in the
future it happens that for your welfare or to avoid loss you prefer
such representation, I have it in my instructions to assure you
that it will not be refused you.

"The purpose for which we have assembled you to-day, gen-
tlemen, is that you may choose among you six of the most notable and
most judicious to be judges of the court of Kaskaskia, jointly
with two others from Prairie du Rocher and St. Philippe.

"Each one with the right of voting can give his vote, either
viva voce or by writing, to elect whomever he wishes to place in
office."

The assembly then proceeded to the election. A large ballot
sheet had been prepared which was divided into squares. At
the top of this were placed the names of the candidates, and at the
side the names of the voters as they handed in their votes either
by word of mouth or by writing, and their choice was checked off
in the proper squares. The harmony of parties is evident from
the list of men chosen as justices. The old factional strife, which
had marked the years of Rocheblave's government, was hushed
before the grand ideals which had been invoked by the men who
had inaugurated this new constitution. All men united in choos-
ing those who appeared most fitted to exercise the duties of the
new office. At the head of the court was placed the man who
had been the chief support of Rocheblave, but who had in the
past few months won the confidence of Clark and his officers by
the liberal assistance he had given their tottering finances, Gabriel
Cerré. On the whole, however, the names of the judges are those of men who had been lukewarm to the British cause and
had won favor either in the recent campaign against Vincennes

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1 Chi. Hist. Soc.'s Col. Rec. This is an original manuscript. Translation by the editor.
2 At least this was the method at later elections. Kas. Rec., Pol. Papers, among which
are two such ballot sheets.
or by their cordial acceptance of the American allegiance. There were elected from Kaskaskia, besides Cerré, Joseph Duplasly, Jacques Lasource, Nicolas Janis, Nicolas Lachance, and Charles Charleville.¹

On May 19th the people of Prairie du Rocher assembled and elected J. Bte. Barbau and Antoine Duchauffour de Louvieres as their representatives in the court. At St. Philippe, Pierre Sieur de Girardot was elected.²

The court now being complete, Todd issued the commission on May the twenty-first: "From the great Confidence reposed in your Judgment & Integrity by the good people of Kaskaskia and its dependencies and agreeably to an act of the general assembly of Virginia, you are hereby constituted & appointed Justices of the peace for the District of Kaskaskia and Judges of the Court of the said District in cases both civil & criminal. any four or more of you are authorized to constitute a Court before whom shall be cognizable all actions and cases of which the Courts of the Counties of this commonwealth Respectively have Cognizance. your judgment must have the Concurrence of at least a majority and be entered with the proceedings previous and subsequent and fairly recorded in Books provided for that purpose."³

Richard Winston, who was already commandant of the village, was appointed by Todd to the office of sheriff and Jean Girault, state's attorney. Carbonneaux, who had been clerk during the British period, was re-elected by the court.⁴

The date of the inauguration of the court at Cahokia is not known. During the subsequent years the elections were held generally after the middle of June, the nineteenth being the favorite date; but the court was elected before that date in 1779, for it was in session as early as the tenth of June.⁵ The election

² For election at St. Philippe see supra, p. lvii., note 4.
³ Kas. Rec., Court Records, fol. 109.
⁵ See pmd, p. 13.
passed off without making many changes in the personnel of the court which had been established in 1778 by Major Bowman. In the place of Langlois, Bte. Saucier was returned. J. Bte. LaCroix was appointed sheriff by Todd and François Saucier was elected clerk by the court. ¹ A court was also established at Vincennes. As this post lay outside the territory which in time has become the state of Illinois and since the records from which this account is drawn belong to the villages of the Mississippi bottom, the history of Vincennes will be noticed only incidentally in this Introduction.

The history of these courts was very dissimilar, as will be shown in the following pages; but there are certain general statements in regard to them which can be made that are true of all. The courts met at first rather irregularly, for the justices seem to have attempted to continue the weekly sessions to which they had become accustomed in Clark's courts. Later they gave this up and settled down to holding monthly sessions with some regularity and meeting in special sessions when required.³ The individual justices had jurisdiction in cases involving not more than twenty-five shillings, as was the law in the other counties of Virginia.³ The French law was retained as the law of the county, but it was modified somewhat by the law of Virginia. In a letter to Clark on December 12, 1778, Governor Henry mentions sending him the Bill of Rights of Virginia to guide the French people, and appeal was made to it at one time at least in the history of the court of Kaskaskia.⁴ But this was not the only Virginia act that was used in these courts, for we find mention of the "Code of Laws and Bill of Rights" as a guide to be followed in questions of difficulty.⁵ What this code contained I have been unable to discover, but it was probably the more important laws respecting

² This was true both of the Kaskaskia and the Cahokia courts. Mason, John Todd's Record-Book, Chi. Hist. Soc.'s Collections, iv., 309.
³ Chitwood, Justice in Colonial Va., 81; see post p. 533.
⁴ Dr. MSS, 6071, a copy; Kas. Rec., Letters.
⁵ Memorial of Timothé de Membrun, November 18, 1794, Va. State Library.
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the county courts. There was some attempt at Kaskaskia to regulate the procedure in accordance with English law. On one of the stray papers of the records from Kaskaskia there is a regular docket like that of any English court. At the end of the Cahokia court record, published in this volume, there is an attempt to imitate the same form. Trial by jury was also permitted and probably required in criminal cases; at least the record of the first jury trial at Cahokia was criminal. Another evidence of the influence of the English law is the practice of arresting men for debt, which makes a late appearance in the history of the Cahokia court. On the whole the law of the courts is that of the coutume de Paris, as it had been used in the Illinois throughout the eighteenth century. The litigants do not as a rule favor the English procedure and are generally satisfied to have a majority of the judges decide their cases in accordance with equity.

There were very serious charges made against the Vincennes justices on account of the large costs they demanded. A similar charge could not be made against the Cahokia court, for, with the exception of a few cases, which might be explained if we knew all the circumstances, the costs were moderate and not different from those that had been fixed by the ordinances of the French kings. Of the Kaskaskia court almost nothing is known, on account of the disappearance of the record. That the justices of Cahokia were careful in preserving the records of their sessions is evident from this volume. The history of the courts at Kaskaskia and Vincennes was far more stormy, and no doubt in the factional fights the records were not kept as well, but that they were made is evident from numerous references to them in letters and petitions. Where they are now is not known, but in both places there were plenty of men who would prefer that such records should not remain in existence, and they have no doubt been destroyed.

Although unity among the French population appears to have reigned at the election and there was great enthusiasm
expressed for Clark and the new county lieutenant, there was no such feeling for the American soldiers or for the numerous traders and land speculators who had already found their way into the country. The backwoodsman was a type that had been developed rather slowly in the Eastern colonies; but the endless Indian warfare, the life of the woods, the separation from the centers of civilization, the need of reliance on self had produced a set of men well fitted for the task of winning the West. Of great physical strength, brave to recklessness, splendid riflemen, trained in woodcraft in which they were second only to their foes, the Indians, lovers of individual freedom, hostile to the regulations of society, hard drinkers, suspicious, quarrelsome, intolerant, uncultured even to vulgarity, they had all the virtues as well as the vices of the Homeric heroes.

It is difficult to trace the origin of these men of the frontier, for they came from all nations, from England, Ireland, Germany, and Holland. There was also a strong strain of Scotch-Irish blood from western Pennsylvania. Some came from respectable families of the eastern settlers; many had fled to the West to escape the consequences of crime; others were redemptioners. Men of noble ideals mingled with those of the criminal class, for the West asked no questions in regard to the origin and past life of men, provided they were courageous and could wield an axe and fire a gun. What was needed were men, and they came from all classes. The love of the frontier with its excitement was in their blood and they came to fight the Indians, to quarrel among themselves, take up the land, winning it from the Indians and from nature in a way that no other men could have done so well. The well-controlled colonies of the French with their many prohibitions on individual initiative had failed where the splendid self-reliance and personal assertiveness of the American pioneers succeeded.

The men trained under the French system now came in contact with this different race of beings. In the ensuing struggle those best adapted to survive in the life of the backwoods had an advantage which they used without restraint and without com-
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passion, and the French gave way before the egoism of the Americans, for whom they were no match. There was little to unite these discordant elements. The French were Catholics; the majority of Americans, Protestant, and the Calvinistic blood of the Independents and Presbyterians still ran warm in the veins of the pioneers, although they may have long ceased to feel the restraining influence of religion. For them the Catholics were enemies, as they had been on many a battle field of the Old World. The French lived on good terms with the Indians, the pioneer knew no good Indian save a dead one. With unremitting and relentless watchfulness they waged that war of extermination until the Indian was driven from the coveted prairies. The friends of the foe who had murdered with such cruel barbarity father, mother, sister, and brother of these stalwart pioneers were not to be trusted, and at every Indian uprising the French people were suspected. The French had been educated to respect the law and to obey the magistrates. With their little difficulties they were accustomed to run to the constituted authority for redress. The frontiersmen preferred to execute their own law and in any dispute were themselves judge, jury and executioner. Let a disagreement arise and there followed that terrific fight in which no rule was known, no end was allowed, save the yielding of one party to the greater physical strength of the other. Kicking, throttling, gouging of the eyes, biting were all permissible. In such a struggle the greater strength and weight of the American had a distinct advantage over the Frenchman. Hence that contempt for the smaller race which is so marked in the attitude of the pioneer for his French neighbor.

No better example exists of their differences than in their manner of life. The frontiersmen preferred the isolated log cabin, built without the least attempt at attractiveness; bare of furniture, comfortless, ill kept, life here was unlovely, individualistic, and unsocial. Even when forced for safety to seek the shelter of the stockade, they brought to the common life only the same qualities. Amidst the stench of cattle and hogs in the enclosure, the young were brought up with no conception of a quieter and more lovely
life. The hero of the stockade was the strongest in the rough
and tumble fight, the surest shot, the killer of Indians. The
French were temperamentally the opposite; their mode of life
had more refinement, more attempt at aesthetic enjoyment, was
gentler in every way. Their little cottages in the village com-
community surrounded by the picket fence, which enclosed a garden
with vegetables and flowers, set them apart as a people of different
ideas and civilization.

It was over these two people who were now mingling in the Illi-
nois villages that Todd was called to rule. The soldiers of Clark
had answered nobly to his call to war against the British and
Indians, but it required other training than theirs to garrison
a village of peaceful citizens. When the spirit of self-abnegation,
which marked the army of backwoodsmen on the campaign,
had disappeared, the equality which reigned on the frontier reas-
serted itself and Clark's influence became only that of an equal.
The obedience yielded to him in an emergency and in the face of
danger was past, and the spirit of individual assertiveness was
again predominant.

The French had experienced the evils of this rule of the un-
trained militia from Virginia and Kentucky, and were glad to
be finally released from its petty tyranny. They saw with joy
the inauguration of the civil government, for the court would be
their champion against the soldiery; and under the strong hand of
the lawcourt, an institution which the French were accustomed
to respect, order would again be restored and they would taste
the sweets of that liberty which Clark and Todd had promised
them. The court was French, and it is to this institution that the
"villagers" clung throughout the following years, for through it,
alone could they hope to bring that freedom from military rule
which oppressed them.

The reverse of the picture must not be forgotten. The position
of the Illinois battalion was a very difficult one. The men were
in a country far from their source of supplies, surrounded by
hostile tribes of Indians, and unable to confer easily with the
officials in Virginia. They, therefore, were frequently forced to
act independently and their acts were not always confirmed by the Virginia authorities. Their supply of money from the state was also inadequate for the work they had to perform. This was due to two causes: first because Virginia did not fully appreciate the importance of holding the Illinois—that was a need better understood by the Kentuckians; second, the finances of the state were such that there was no supply for this distant country. In 1780, Governor Jefferson wrote to Clark: "The less you depend for supplies from this quarter the less will you be disappointed by those impediments which distances and a precarious foreign commerce throws in the way, for these reasons it will be eligible to withdraw as many of your men as you can from the west side of the Ohio leaving only as many men as will be necessary for keeping the Illinois settlement in spirits, but we must accommodate our measures for doing this to our means." In the previous year the situation was only a little better. It was the necessity of holding the country at any cost that forced upon the men of the West the use of measures which bore with harshness on the French, measures which were often cruel and brutally carried out. That they held the territory for America is their excuse. The French were not the only ones to suffer. Clark never received just recompense for his labors, and many personal debts which he incurred for the cause were never paid. Many of his officers suffered in the same way and found themselves financially embarrassed by their devotion to the American interests.

No sooner was the court of Kaskaskia established than it took up the cause of the French and attempted to put an end to the anarchy which threatened. In a memorial to John Todd of the twenty-fourth of May, 1779, the justices told their grievances and demanded reforms: First, "The soldiers of Fort Clark go into the commons of this place to hunt the animals of the undersigned petitioners and without giving heed to the brandings or to whom they may belong they have enclosed them in the fort and killed them without giving notice to anyone. Such acts have never been

1 Dr. Mss., 20314.
seen in this country before. It is contrary to all law and particular contract in the usage and customs of an independent country like the one which has been announced to be free. In a place where each should be free to do with his property what pleases him and to enjoy it as seems best to him, the soldiers have killed fowls, hogs, and other animals belonging to people who can not survive without them. It causes for some a lack of means for the cultivation of the fields and for others a lack of nourishment and subsistence for the family. We have always been ready to furnish animals for the garrison in so far as it was in our power and are still ready as far as we have resources. If it is permitted that our fowls or hogs be killed, how can we cultivate our fields and furnish the needs of the garrison and those of our families? If such abuses continue, which tend to the ruin of the colony, what will become of the colonists?

The second subject of the memorial was against the sale of intoxicating liquors to the Indians. They said that the French had made an agreement not to sell any liquors to the Indians, as it had been the cause of disaster to the colony and they begged Todd to put an end to this trade. The third subject was in regard to trade with the slaves without permission of the masters. The black law was still in force and forbade such trade, which was nevertheless practiced and caused the slaves to be insubordinate.

On this last subject Clark had already issued an ordinance, and at this time there was in process the trial which had begun in the court founded by Clark of the slaves for poisoning. The case was proved against two and a sentence of execution pronounced against them, so that this kind of disorder from the slaves received a check.

The subject of trade in liquor with the Indians was apparently regulated by the issuance of trade licenses: at least there are in existence two such licenses, one of which is in this volume and the

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1 Refer to the agreement under the Revellian administration. See supra p. xxvii

2 See p. 56 and 13
other may be found in John Todd's Record-Book.¹ Since these measures did not prove effective, the court, on September 6th, issued a proclamation prohibiting the sale of liquors to the savages and the buying of any commodity from slaves without permission of their owners.²

The first subject was beyond the power of the civil government and was never fully righted, for this grievance concerning the killing of cattle belonging to the French appears in all subsequent petitions of the inhabitants of the villages, whether they addressed themselves to Virginia, to Congress, or elsewhere. The position was a difficult one, and the soldiers left to shift for themselves recurred again and again to this method of foraging. During the summer of 1779 some steps seem to have been taken to stop the abuse, for the officers complained several time of the lack of supplies, and the imminent need of military seizure, which they were forbidden to make.

There was another vital question in the Illinois which demanded the attention of the county lieutenant. The land was fertile, and he had every reason to fear that there would be a rush of settlers to the county, which would now fall under the land laws of Virginia that permitted the greatest license to settlers in preempting land. The result in Kentucky had been land-speculation, law-suits, and general anarchy. This Todd hoped to prevent in the Illinois. The French settlers were always opposed to the indiscriminate giving away of unpatented land and, in the petition of May 24th already mentioned, they called Todd's attention to some adventurers who were taking up large tracts of land near their village, and urged him to save at least the rich river bottom. They did not know that the Virginia assembly in May, at the time this question was under discussion in Illinois, had passed a law forbidding settlements north of the Ohio river.³ Todd was directly interested in the land question, as he had been appointed the surveyor of the county by the corporation of William and Mary

² Kev. Rec., Court Record, p. 238.
³ Hening, Statutes, x., 32.
college. In the middle of June he “enjoined all persons whatsoever from making any New Settlements upon the Flat lands, unless in manner and form of Settlement as heretofore made by the French Inhabitants until further Orders given hereon.” That Todd had no intention of forbidding settlers in the prairies is evident from the proclamation, and after Todd’s departure neither the incoming immigrants nor the officers of the troops paid any heed to the Virginia legislation. In fact many Americans found their way to the region and were welcomed by Clark, who believed that the settlement of families was the best way to hold a country. In 1773 Montgomery mentions the departure of several families from Kaskaskia to form a settlement up a creek about thirty miles.

But it was not the single settler only who had to be watched. No sooner had the news of the conquest of the Illinois reached the East than the Illinois and the Wabash Land companies, which had been formed during the British period, decided to pool their interests and begin immediately to make settlements. Only a few days after the Virginia assembly passed the act creating the county of Illinois, on December 20th, William Murray on behalf of himself and the other proprietors presented a memorial in which he set forth the fact of the purchase of lands from the Indians and the purpose of making a settlement as soon as the state of affairs in the West would permit. In order not to allow the claim to lapse through non-occupancy, the companies made the next spring preparations to form a settlement on the Wabash, and appointed on March 20th John Campbell as their western agent. There was sent him a proclamation to be published in which the most liberal terms were offered to the first five hundred settlers in the town which it was proposed

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1. See Jones, Land Papers, 191.
3. See supra, p. xxx.
5. See supra, p. 313.
6. See supra, p. 313.
to establish. The enterprise was not pushed further at this time.

The next subject to engage Todd's attention was the paper money. While on his way to Illinois, he had learned that the issues of continental paper money of the dates May 20, 1777, and April 11, 1778, were ordered to be paid into the continental loan offices by the first of June, 1779, or they would become worthless; but he hoped to obtain a longer time for the money from the Illinois. Todd issued a proclamation on July 27th, which he repeated on August 22d, setting forth the necessity for depositing with him, the called-in emissions for which he would issue certificates. In all between fifteen and twenty thousand dollars were thus collected and deposited with the notary; but nothing further was done with it. It was estimated that there remained in the hands of the inhabitants twenty thousand more notes of these issues, which were, of course, of no value whatsoever. Another loss to the French came from the large amount of forged money that was put in circulation. It was a common practice, and an easy one, to counterfeit the continental and colonial paper and large amounts were carried to the Illinois. This, however, was refused by Todd and the more intelligent merchants. The result of all these operations was that confidence in the paper money was greatly weakened until the French refused to take it at all.

It was to buoy up the sinking credit of this paper that Todd devised a scheme to call in a further amount, since he thought the prime cause of its depreciation was the quantity in circulation. On June 11th he wrote to the Court of Kaskaskia the

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following letter: “The only method that America has to support the present just War, is by her Credit. That Credit at present is her Bills emitted from the different Treasuries by which she engages to pay the Bearer at a certain time Gold & Silver in Exchange. There is no friend to American Independence who has any Judgment but soon expects to see it equal to Gold & Silver. Some disaffected persons & designing Speculators discredit it through Enmity or Interest: the ignorant multitude have not Sagacity enough to examine into this matter & merely from its uncommon Quantity & in proportion to it arises the Complaint of its want of Credit.

“This has for some years been the Case near the Seat of War, the disorder has spread at last as far as the Illinois & calls loudly for a Remedy. In the interior Counties this Remedy is a heavy Tax, now operating, from which an indulgent government has exempted us. one only remedy remains which is lodged within my power that is by receiving on behalf of Government such sums as the people shall be induced to lend upon a sure Fund & thereby decreasing the Quantity.” The plan as he set it forth was to borrow 33,333 ½ dollars of Treasury notes, whether of Virginia or the United Colonies, on certificates for 21,000 acres of land near Cahokia. The lender was obliged to make a loan of at least $100, for which he or his heirs should be entitled to demand within two years a title to his allotment of land, or the sum originally advanced in gold or silver with 5 per cent interest per annum, at the option of the state.

This project met the approval of the governor and council but had to be brought before the assembly for confirmation. Todd in the meanwhile appointed commissioners to receive the money and large sums were paid in and sealed up, for which certificates were issued. The matter stopped there, for nothing came of the project except the exchange of the paper for the certificates.³

² V. S. State Papers. L. 136.
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Although Todd had been compelled by law to take up the recalled emissions and to refuse the counterfeits and this last scheme for bolstering up the credit of the paper currency was a common enough one in his time, the effect of all these transactions was to throw further discredit on the currency and make the purchase of provisions for the army almost impossible. For this he was held responsible and roundly denounced by the army officers, who had themselves been the most at fault in passing a depreciated currency at par value, a deceit which caused the French to lose all faith in their money and their word. The blame, however, had to be placed on some one and the head of the civil government was the victim. The animosity thus aroused remained long after Todd had left the Illinois and had met his death at the battle of Blue Licks. Sometime after 1790, William Shannon, who was in 1779 commissary in the Illinois, wrote of these transactions: “it was owing to the false suggestions of Col. Todd, a gentleman who came to the Illinois in the month of May, 1779, in character of chief magistrate, who I believe by his reports to government as well as by his transactions while in the Illinois country had done great injury to the inhabitants. Immediately after his arrival His policy was to put a total stop to paper credit which he did by putting the paper money he found in the hands of the different Individuals under cover and sealing it up (where a great part of it still remains) and giving the holders thereof a certificate specifying that he had Inclosed under his Private Seal paper bills of Credit to a certain amount and for which he promised them (as he said they had been imposed on) lands in proportion to the money they brought to him to secrete for them .... this proceeding put a total stop ever after to paper credit in that country.”

This was the explanation of Todd’s actions in the military circles. Unjust it was and false; but Todd found himself, as he tried to protect the French, more and more in opposition to the military department. And yet he could not assume the leadership of the French party, because of his duty to the American

\* Dr. MSS. 46350.
cause and of the necessity of maintaining control of the territory at any cost. There was nothing left for him but to attempt mediation, which was foreordained to failure. On September 18 Richard McCarty, who was captain of the company stationed at Cahokia, wrote Todd: "I dont see yet through the designs of a few dispicable Inhabitants who say they are authorized by you, to parade themselves in the fields Distroying My property when there are Numbers of other hogs in the same place . . . . Indeed unless there is Soon a Change for the Better me nor my Soldiers will have no Business hear, Neither can we stay half Naked, what we are paid with Call’d down by the Civil power."\(^1\)

The same writer was more open in expressing himself to Colonel Montgomery: "Colo. Todd’s Residence here will spoil the people intirely for the inhabitants no more Regard us than a Parcel of Slaves." He also says it would be a good thing to get Todd out of the country, "for he will possitively Sett the Inhabitants and us by the Ears . . . . In some complaints by the Inhabitants the other day he wished that there wasn’t a soldier in the country. . . . . I have never Seen the people of this place So Mutinous as they are by the encouragement of Colo\(^1\) Todd, for they even begin to threaten to turn my men out of Doors and god knows what I shall do If they do for we are not Above 20 Strong and them Sick that I could depend on So they may Starve us if they like."\(^2\)

This outspoken opposition of the French made its first appearance at Cahokia, possibly because the people of the village were more independent and self-reliant, but probably because there never was a large garrison in the village and it was far from the seat of government, Kaskaskia. Then too the captain in command was well known, having been a trader in Cahokia some years before the coming of the Virginians. His rapid promotion in the army had somewhat turned the head of this Irishman from Connecticut, and he was overbearing and arrogant in his relations with the people.\(^3\) In a moment of anger he once told

\(^{1}\) See post, p. 618.
\(^{2}\) See post, p. 616.
\(^{3}\) For biographical note on McCarty see post, p. 2, n. 3
them that he wished he was commander in chief of their village
and he would send some of the inhabitants in chains to Virginia.\footnote{See \textit{post}, p. 543.}
Todd had no very good opinion of McCarty and later told the
governor that he had “rendered himself disagreeable by endeav-
oring to enforce Military law upon the Civil Department at
Kahos.”\footnote{Dr. \textit{MSS.}, 49J73.}

The military had causes for complaint, although these were
not due to Todd. The soldiers were ill fed and badly clothed
as the means of supplying their needs began to fail. In Septem-
ber, Captain John Williams wrote, “provisions is very hard to be
got without Peltry,”\footnote{Dr. \textit{MSS.}, 49J74. The punctuation and spelling are printed as they are in the original.} and in the same month Colonel Montgomery
wrote to Clark: “I cant not tell what to do in Regard of Clothing
for the Soldiers as the Goods you wrote to me is gon . . . . . and
I would Be Glad that if it is in your power to Send a Relefe to
me for the Soldiers if it is onley As Much as will Make them A
little Jump Jacote \textit{[Jacket?] and a pear of overalls I think they
Mite Scuffle threw. But in Regard of lining there are Bad of,
But if I had Som Strouding I Could Exchang it for lining on the
other Side as The \textit{[sic]} have all Redy offered it to me.”\footnote{See \textit{post}, p. 615}
McCarty’s tale of troubles at Cahokia was even worse; for the sol-
diers were deserting daily because of the lack of clothing.\footnote{See \textit{post}, p. 615}

Thus the question of the support of the troops had become
the vital issue between the civil government and the army.
The French were unwilling to part with their goods without
some assurance of payment, for they had learned from sad
experience, and the deception in regard to the money was not
the only one. Many of the bills drawn on Oliver Pollock at New
Orleans or on the treasury of Virginia by the officers were coming
back protested. Even when merchandise instead of money or
drafts was promised, the French were disappointed. The
experience of Gabriel Cerré is one that occurred not once but many
times. In a letter to Clark he explained that he had used his credit to purchase supplies for the troops on the promise of the commissary Shannon to repay him in merchandise, which was now refused him.¹ No wonder the inhabitants felt they could do no more. They had furnished their goods and had even taken on themselves obligations in order to make the expedition of Clark a success. This they had done when Clark and his men first surprised Illinois in the summer of 1778. They had also fitted out the Vincennes expedition in the winter with supplies as well as with soldiers. In the summer of 1779, Clark had organized a campaign against Detroit which never took place, and again the French were ready with supplies and volunteers. They were now to be called on once more to sell their goods without hope of pay, and this brought on the crisis that proved to Todd the illusiveness of his mediation and the impossibility of the maintenance of a civil government.

After the failure of the Detroit expedition the troops were assigned for the winter to the different villages, which they reached in August. Colonel Montgomery was placed in command of the Illinois; Captain John Williams was stationed at Fort Clark in Kaskaskia, Captain Richard McCarty, at Fort Bowman in Cahokia, and Captain Shelby at Fort Patrick Henry in Vincennes.²

Preparations were immediately made to collect supplies for the winter and the campaign of the following spring. Hunters were sent out to obtain meat, and the officers were instructed to purchase provisions from the inhabitants. To this end, Todd, on August 11, issued a proclamation inviting the inhabitants to make contracts with the commissaries for flour. Knowing the attitude of the people he felt the necessity of adding: "If I shall be obliged to give the military permission to press, it will be a disadvantage, and what ought more to influence Freemen it will be a dishonour to the people."³ Nine days later, Colonel Montgomery tried the effect of his eloquence and proposed that one of the citizens should be appointed contractor to assess the inhabi-

¹ Dr. MSS. 40159.
² Clark’s general orders, Va. State Papers, i., 324; Letter of Montgomery, Ibid. iii., 444.
tants for the benefit of the service, and he adds: “The complaint of the worthlessness of the money will not last long, I hope, but in the meantime I am certain that all good compatriots will set about assisting the garrison, seeing that it is so many years that their fellow patriots have carried on the war and fought and received their pay in this same money. In order to remedy the difficulty in regard to the counterfeit money, letters of exchange will be given for all kinds of supplies.” Two days later Todd prohibited the exportation of any provisions from the Illinois for sixty days. “The offender herein shall be subjected to imprisonment for one month and more over forfeit the value of such exported Provision.” This was not the first time that an embargo had been laid on exportation, for two months before the court of Kaskaskia had prohibited exports without the consent of the commandant.\(^3\)

The result of these measures was that the justices of the court of Kaskaskia assessed the inhabitants of the village according to their wealth, and by August 31 there had been delivered into the storehouse 54,600 pounds of flour and a promise of 1600 pounds more had been made.\(^3\) This amount was considerable, but not sufficient to support the large army that Clark expected to put in the field the following summer. Other efforts were therefore made to induce the people to part with further supplies, and Montgomery’s eloquence was again called into use. The effect of this second appeal is told in a report to Clark on October 2d. “Since I received your letters I have Made a second Trial in Regard of laying up a Sufficant Quantity of provision But it seems to no effect as the [sic] aGain Repete to me that themselves and Negroes is neaked and Without I can supply them with Goods or peltry it will be out of their poer to Supply Me in More then What the Already have promised Me which will not Be over half enuf to Supply An aremey. But Sir as you inform me that you have The disposing of the Goods that Colo Rogers

1 Kas. Rec. Letters. Translation by the editor.


3 Furnished by twenty-seven inhabitants, Dr. MSS., 46J17.
tuck up to the Falls if you that proper to Send a Quantity of them Back to Me for that purpose or a Quantity of dear Skins with what peltry I have Got from Colo Todd I think it then Would Be in My power to furnish a Quantity Sufficient for the Supply of a thousand Men Six Months. if you dont think proper to send them Send Me particular orders in Regard of teaking it by force and your orders shall be punctley obed. Sir if you Sh think of Sending them, the sooner the Better as I have Eshued a pro-clamation prohibiten them to transport any provision of any Space what Ever till Such times I have answer from you not letting them know that There is any Expectation of anything of that kind."

Todd had meanwhile been making efforts to supply the deficiency with some success. In the latter part of September he was in Cahokia and purchased a large amount of peltry from M. Beauregard of St. Louis, for which he paid as high as three livres per pound, a price which was regarded as excessive. A draft on the treasury of Virginia was given for this. It was this peltry that Montgomery had been counting on to pay some of the debts to the French at the Illinois. Todd preferred, however, to reserve it for future emergencies and declared that the troops must be maintained by the credit of the state. Todd's persistence in this policy caused his administration to end in failure, since, in maintaining it, he found he could no longer protect the people from military levies. Since Montgomery had failed in every attempt to wrest more from the people, he turned the business over to Todd who said: "that he Would Call a counsel of the inhabitants and Compel them to furnish. But when the Met the punkley denied him, he then told Them if the did not Comply he would Give them up to the Militery and Quit Them. the answered him the were well aGread to that & So parted."

1 Dr. MSS., 49176.
3 Montgomery to Clark, October 5, 1779, Dr. MSS., 49178.
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The disappointment of Montgomery at this outcome appears very genuine, and he was not sure what to do next. He asks Clark: "with what Face Can I pretend to Seas on those people provisio When the know that we have Got the peltrey and will not Give it to Them and our Money is of no acount to Them and our Bills Comes Back protested. The have Greate Reason to think that We onley intend to Baffle them but Sir you May depend that I will do Every Thing in My power and am determed [sic] to have the provision as I have demanded Every Bushel of Every Space the have to Spare."1

Todd left Illinois in November,² shortly after his failure, and returned to Kentucky, leaving as his deputy, Richard Winston. He had become discouraged and had begged to be permitted to resign as early as August 13, 1779, giving as his reasons the unwholesome air, the distance from his connections, his unfamiliarity with the language, the difficulty of procuring many of the conveniences of life, and the impossibility of accomplishing his purposes with the means at hand.³ He had not been agreeably impressed with the Illinois, where he had suffered a severe sickness and been obliged to put up with much that was disagreeable. He voiced the sentiments of many Americans of his time when he wrote, "I prefer Kentucky much to this Country either for the ambitious man, the retired farmer, or the young merchant."⁴

In leaving he did not resign his position of county lieutenant, but retained it at least through the next year.⁵ It has been an open question whether Todd ever returned to Illinois after 1779; but a letter written from Vincennes on March 10, 1780, in which he

1 *Dr. M.S.S.*, 40J78.

2 On November 15, Todd was in Kaskaskia evidently expecting to start for the Falls. *(Va. State Papers*, i, 358). On December 10, he wrote from the Falls to Charles Graistoe. *(See post, p. 617).*


4 Todd to Fleming, August 18, 1779, *Dr. M.S.S.*, 23J103.

5 This is an unsettled question. His successors in the Illinois continued to be called deputy county lieutenants. Wickliffe in Morehead, *Settlement of Kentucky*, 174, implies that he did not resign but returned to the county several times. On April 15, 1781, Todd wrote to Jefferson that he still received complaints from Illinois. *(Va. State Papers*, ii., 44). On the other hand he refused to give orders in regard to a consignment of goods to him as county lieutenant on Nov. 30, 1780. *(Ibid., i., 393).*
expressed the intention of going to Kaskaskia the next day leaves no doubt that he was at the former place and makes it probable that he was in the latter. Whether he went or not, he left no evidences of his stay, for affairs by that time had passed far beyond his control. Later he thought of returning, for, in 1781, learning that Virginia was planning to give up Illinois to the United States, he offered his services as surveyor in that country, a position he had previously held. After his departure the civil officers and the French still kept up a correspondence with him, and his interest in the affairs of the distant county ceased only with his death.

As we have seen, one of the last acts of Todd was to deliver the inhabitants into the hands of the military, since the civil government had failed in its principal mission, the maintenance of the troops. Thereafter the army was to collect its own supplies. The method employed by Colonel Montgomery during the subsequent weeks is clearly shown by the following petition which was signed by a large number of the inhabitants of Kaskaskia on December 8, 1779: “To the Magistrates of the district of Kaskaskia, Gentlemen: We ask of you in whom we put our confidence and whom we have elected to govern this country according to the laws which you have caused to be announced to us in your office, is it not full time that you put an end to the brigandage and tyranny which the military have exercised among us so long? Should not the military be content to see that we are depriving ourselves of every necessity in order to furnish their subsistence and have not left ourselves sufficient for the support of our families and of our slaves, from whom we can not obtain any service in a season so severe? Can we with tranquil eyes see the animals, most necessary for agriculture and other work, killed every day?

“You have a sure means, gentlemen, of putting an end to such disorders; but can we even address you in the hope of causing you to see some glimmer of that liberty which has been

1 Dr. Mss., 50.380.
2 Papers of Old Cong. Ind. Papers, iv., 97.
INTRODUCTION

so often announced, when you are acting in concert with those who oppress us by taking from us the means of living and from themselves also? We do not believe that it is necessary to report to you in this petition the subject of our complaints, since all the grievances have taken place before your eyes.

"Furthermore you ought to perceive, gentlemen, that the famine has begun to be felt in this country and that we can with difficulty supply with food those who truly merit rations on account of their service and should not be obliged to nourish and warm the useless members of the state. You ought to demand an exact statement of the number to receive rations in order that, when the troops shall have need of asking you therefor, you can deliver what is right.

"Furthermore, notice, gentlemen, that there are in this village only about ten houses which can make remittances and that they are believed to be richer than they really are. We are born free and we wish to enjoy the liberty of true citizens.

"You ought also to observe, gentlemen, that this village has supported all the burden and expense since the arrival of the Americans and that the other villages have felt no burden or a very little. We hope that you will make them contribute to the maintenance of the troops, since they are better able than we are according to their number."1

The magistrates took action the next day and embodied the substance of the foregoing complaint to them in a demand on Colonel Montgomery to put an end to the grievances. They pointed out that many useless slaves were being supported in the fort, and that there was a great waste of firewood. Their authority to make this demand was set forth in the following words: "Since our duty exacts that we watch over the public safety and at the same time over the American welfare, we demand, sir, that from now on the troops shall not have the authority to take anything at the houses of the inhabitants without an order from us according to article 13 of the declaration of rights by the assembly of Virginia; which assembly has authorized us to main-

1 Menard Col., Tard. Papers, a copy by the Kaskaskia clerk. Translation by the editor.
tain the people of this country in all their rights and liberties. It is there set forth that the military ought to be under the most complete subordination to, and be governed by, the civil power, to which declaration up till to-day the military has given no attention.

"We hope, sir, that you will give attention to our just representation without forcing us to the disagreeable duty of being obliged to appeal to his Excellency, the Governor, and to the Honorable Assembly of Virginia."

Montgomery paid no heed to this memorial or to the threat of appeal to the governor of Virginia. He regarded their demand for a statement of the number of those who were supported in the fort as an insult and an impertinence, and ordered his troops to go from house to house to collect whatever they required, and to shoot the animals on the commons. There were at the time only thirty-eight soldiers in the fort, but with these there were many Americans who had come with their families to settle, and also slaves, all of whom the inhabitants were compelled to support. The winter was a very hard one, the most severe that had been known for years, and the suffering of the people was very great. In spite of this Montgomery proceeded to harsher methods. There is in existence a letter written by him to Deputy County Lieutenant Winston, on March 5th, which shows to what lengths he was ready to go in order to obtain the supplies which he needed. After making the usual demands, he says: "and before that I suffer as much more, I beg you would inform them to put their Guns in good order, as I dont want to take them at any disadvantage. As if they dont furnish I shall look on them as Traitors to the cause of America, and Treat them Accordingly."

Montgomery took the hint in regard to the other villages, however, and went to Cahokia in January, 1780, where he de-

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manded supplies on the ground that the other villages had given in proportion to their wealth. The court of Cahokia agreed that a census of the population should be taken and each person compelled to furnish supplies according to his means. The Cahokians did not have so much cause for complaint as the people of Kaskaskia, for during this winter there were no troops quartered in their village. They preferred no doubt to pay the tax rather than to bring upon themselves a return of the evils they had suffered during the preceding fall, when they had been compelled to receive the troops into their homes, to furnish all supplies, and finally to submit to the seizure of the flour in their mills, which were then sealed with the seal of Virginia. Such acts had alienated the Cahokians, who had been excited to deeds of heroism and self denial under the leadership of Joseph Bowman in the winter of 1778–1779.1

When the change of government had failed to satisfy the French and the presence of the soldiers had led to disorder and tyranny, there began a steady stream of emigration to the Spanish bank, which ended in almost depopulating some of the villages of the American Bottom. Among the emigrants were the most important and progressive of the French inhabitants. One of the first to leave was the richest and foremost citizen of Kaskaskia, Gabriel Cerité, who emigrated to St. Louis either in the fall of 1779 or the following winter. Charles Gratiot of Cahokia soon followed his example, and many others went with them to seek an asylum where they find the protection which is due a free people.2 Without their leaders the French were less able to hold their own than before. They, however, made their appeal to Virginia, and numerous were the petitions of individuals for the payment of what was owing them. About this time an agent, one Lajeunesse, was appointed to represent the French interests at the capital; but nothing was accomplished, for Virginia had no money to use for investigation or to pay claims, however just,

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1 See *pou*., pp. 35, 547, 610.
against her.¹ In fact it was at this time, as we have seen, that Jefferson wrote to Clark that it would be necessary to withdraw as many of the troops as possible from the territory north of the Ohio, for he need expect no help or supplies from the state.²

The people of Illinois did not receive, at this gloomy moment, that assistance from their own officers against their oppressors that they had a right to expect. Instead the justices of Kaskaskia seem to have tried to gain what personal advantage they could from the situation. In the midst of the troubles and poverty of the winter, when the people were attempting to withstand the exactions of Montgomery, the justices of the court were demanding pay for their services.³ The magistrates found their office, moreover, sufficiently lucrative to wish to retain it; for, when the time came for a new election, none was held, and, with a few changes to fill vacancies, the justices remained the same for over two years. This irregularity is striking when compared with the annual elections for the court at Cahokia. But Kaskaskia was not alone in troubles of this character; the original justices at Vincennes clung to office until 1787.⁴

The court was also accused by Jean Girault, state’s attorney, with being lax in the performance of its duty. Many settlers were straggling into the colony and taking up land both within the village by purchase and by grants from the court of unpatented lands, a custom which had been permitted by Todd and continued by his successors. The situation was such that the government in the Illinois could not give heed to the general law of Virginia forbidding this practice; for the immigrants were there, frequently with their families, and had come without making provision for the future, should they fail to receive land to cultivate.⁵ Clark himself had frequently approved of protecting the infant colonies by this means, and the officers of Virginia were among the first to accept grants from the court. One of the earliest

¹ Dr. MSS., 50J54.
² Dr. MSS., 20J14; see also supra lxvii.
³ Dr. MSS., 50J5. Original MS.
⁴ Dunn, Indiana, passim.
⁵ Dodge to governor of Va., August 1, 1780, Va. State Papers, i., 368.
records of a land concession of this character is that of one made to Colonel Montgomery. The Indian agent, John Dodge, received in the year 1780 several such patents. Very few of the French seized the opportunity to obtain such concessions at Kaskaskia and the number was even less at Cahokia, provided no account is taken of Prairie du Pont to which Cahokia had another title. It was not against this practice of conceding land that Girault inveighed; but he criticised the court's laxity in not investigating the past of these individuals, who were making their homes in the community, to learn if they were British agents, and its neglect to demand of them the oath of allegiance to the United States and Virginia. He urged the justices to compel all strangers to take this oath immediately or he would be obliged to report them to the authorities. He advised them to avoid such a necessity, for their position was very critical, since they had many enemies.

Girault gave his attention to the execution of the law in other particulars. He forbade the justices to arrest parties without proper hearing, and tried to help them keep the peace by persuading Montgomery to permit the civil authorities to use the military prison so that their commands would be obeyed, a privilege which Montgomery later withdrew.

That protection from military oppression, which might have been expected, was not given by the deputy county lieutenant appointed by Todd. Perhaps it was too much to expect that Winston should succeed where Todd had failed, but at least some opposition to the military exactions should have been attempted. The character of Richard Winston is a difficult one to read, for our knowledge of him depends on the pen pictures drawn by his enemies, and these are not flattering. He came originally from Virginia and had been in Illinois since early in the British period. With other traders he had suffered losses

1 Kas. Rec., Land Grants.
2 Kas. Rec., Letters. Original MS.
3 Kas. Rec., Letters. Original MSS.; Winston to Todd, October 24, 1780, Va. State Papers, 1, 381.
4 He was one of the original members of the Indiana Co., Va. State Papers, vi., 4. See Jenning's Journal, March 10, 1766, Pennsylvania Hist. Soc.'s lib.
in the Pontiac war. With Kennedy he was an agent for George Morgan, and had won the favor of Clark at the time of the occupation of Kaskaska. His nature seems to have been one to inspire distrust rather than confidence, for he was suspected of dishonesty by every man with whom he had business or political relations. His partner Kennedy suspected him of having sold the cargo of a *bateau* at New Orleans and pocketed the proceeds. Murray feared that he was going to play the rogue at one time. Todd left the peltry fund which he had obtained in St. Louis in charge of Winston and Montgomery, and both these financial geniuses made the gravest accusations of dishonesty against each other.

From the fall of 1779 till January 1783, Winston was on account of his position one of the chief men in the Illinois, and in many ways he might have promoted a happier feeling between the French and the Americans. Instead he seems to have done all in his power to intensify the mutual distrust, at least such was the opinion of the best citizens. He had managed to hold together that party which had formerly regarded himself, Murray, and Bentley, as leaders against Rocheblave; and under him this party had gained some accessions. Certainly later the clerk of the court, Carbonneaux, became one of his adherents, as did the important Langlois family and also Winston’s successor in the county lieutenancy, Timothe de Monbreun. But the real leaders of the French inhabitants were decidedly hostile to him, and he counted among his opponents some of those who had ardently desired American supremacy and had joyfully welcomed Clark. From the sources of information we can judge that Winston’s affiliations were always shifting, and it is difficult to find just where he stood at any one time. That he was jealous of the power wielded by the military is unquestionable, but it seems to have

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1 *Kos. Rec., Court Record.*
4 *Memorial of Principal Inhabitants to Va. Commissioners, Memoir Col., Tard Papers,* Original MS.; Dodge to Clark, March 3, 1783, *Dr. M.S.S.,* 53J76.
5 See supra, p. xxxvi.
been his policy never to take a decided stand, unless he was compelled to do so or saw that some personal advantage would accrue thereby. His relation to Montgomery was hostile, for the two men distrusted each other; but outrageously as they abused each other, the French were always firmly persuaded that Winston was betraying them to the military.

The military situation in the spring of the year was a gloomy one; the time of service of most of the troops had expired, and there was little chance of recruiting more; there was no hope of financial aid from Virginia, and the supplies in the villages of Illinois were exhausted. It was also known that preparations were being made by the British for a concerted attack on the western posts. Under these circumstances there seemed nothing for Clark to do but evacuate the country, leaving a few troops to keep up the courage of the French. He consulted with Todd, after a rapid survey of the posts had been made by the latter,¹ and they decided to concentrate the few troops at their disposal at a fort to be built at the mouth of the Ohio. The spot that was finally chosen, and where Fort Jefferson was erected, was a place called the Iron Mines south of the river's mouth.² All the troops at Vincennes were recalled and commissions were sent to the French to raise a company and take possession of Fort Patrick Henry.³ Orders were also given to Montgomery to retire most of his troops from the villages. But before the preparations for the evacuation of the country could be carried out, news came that the British were already approaching. This expedition was part of a general attack, planned by the British on all the Spanish posts of the Mississippi River in order to prevent any assistance's being given to the Americans by Spain, which had declared war on England the previous year. The British troops from the north and south were to move simultaneously in the spring of 1780, and it was hoped that all the villages from New Orleans to St. Louis would be captured. The energy of Governor Galvez of New Orleans

¹ Todd to Clark from Vincennes, March 10, Dr. MSS., 66J80.
² The letters of Clark and Todd are in Va. State Papers i., 338 and 338.
³ Va. State Papers, i., 358.
in successfully attacking the British posts on the Gulf during the fall of 1779 and the spring of the next year frustrated the southern plan; but the expedition of the north against St. Louis and the villages held by Clark was made ready, and in the spring of 1780 was under way. The British had hoped that their movements were unknown, but during the winter the Cahokians had noticed the activity of the British agents among the Indians, and by the beginning of April they had been warned of the approaching enemy. On the eleventh of that month they sent Charles Gratiot to Clark, who was at the time building Fort Jefferson, to ask his assistance. At the same time the Spanish commandant and Montgomery wrote him news of the approaching danger. Montgomery hastened to Cahokia, where he was immediately joined by Clark just in time to repel the attack. The Spaniards were equally successful at St. Louis. Clark would have given them assistance, had not the strong winds prevented the signals from being heard.

Throughout the summer of 1780 the people were continually alarmed by accounts of Indian attacks and rumors of others. Fort Jefferson underwent a severe siege; the people of Kaskaskia repulsed a large band of Indians on the 17th of July; and the inhabitants of Cahokia made common cause with the Spaniards to defend themselves against an expected attack the following month. Thus at a time when Clark’s position was desperate the French inhabitants gave him signal aid, without which the Illinois would have been lost. It was with a company of 300 French, Spaniards, and Americans that Montgomery marched northward to make reprisals against the Indians around Rock River, and, if we are to believe the Frenchmen, the failure of that

3 The most important documents of the Hold. Col. in regard to this attack have been printed in Mo. Hist. Soc.’s Collections, ii., No. 6.
4 See post, p. 619.
6 See post, p. 59, 61.
expedition was due to Montgomery's incompetence. Meanwhile Clark led the expedition against the Shawnees, an expedition which might have been more successful had not a series of events, beginning at Vincennes, led to a further estrangement between the French and Americans and induced the French at Vincennes to give the Indians information of the movements of the Americans.\footnote{See post, p. 541.}

These events are connected with the western career of a French officer, Augustin Mottin de la Balme. His presence in the Illinois may, probably, be attributed to a project conceived by Washington and approved by Lafayette and the French minister, Luzerne, for arousing the Canadians to unite their interests with those of the Americans and French in an effort to win independence. In this way Washington hoped to conceal his real intentions of attacking New York as soon as the expected French fleet and soldiers arrived, and at the same time compel the withdrawal of part of the British forces to Canada.\footnote{Bentley to Clark, July 30, 1780, Dr. MSS., 50J513; also post, 617.}

\footnote{This hypothesis is based on the identity of time and action of the De la Balme expedition with the time and purpose of Washington's plan. There is no other indication of a connection between them. Washington wrote to Lafayette on May 10, 1780, about a proclamation which it had been decided some time before that Lafayette should write to incite the Canadians to rise against the British; and on June 4th he wrote to Arnold telling him to have the proclamation printed, which was done. (Sparks, Washington, viii., 44 and 72.) On March 5th of the same year De la Balme wrote to Washington for a general letter of introduction, as he was intending to travel in a short time to the "Southern States of America" where he might be confounded with the many adventurers. (Washington Papers, Lib. of Cong.) By April 24th he had changed his mind and it was known that he was thinking of going to the Illinois, for a Mr. Barriere writes him on that date a letter in which he mentions that purpose. (Can. Archives, B., 184, vol. 2, p. 447.) On June 27th De la Balme was at Fort Pitt treating with the Indians; in this he was associated with Godfrey Lincott, a Virginian Indian agent. His success was reported to Luzerne, French minister to Congress. (Can. Archives, B., 184, p. 271.) There is a good calendar of this report in Can. Archives for 1888 p. 865.) His acts at Fort Pitt and later in the Illinois, as narrated in the text, show that he was working in the interests of the alliance between the United States and France. That he was not sent to the West solely in the interests of the latter country, as has been suspected, (Turner, Amer. Hist. Rev., vol. x., No. 2, p. 255, note 2) is further proved by the fact that the French despatches of the time show that the French government expected that the territory north of the Ohio River would be conceded to the states by a future treaty. (See Views of the Government of the King, and Verrennes to Luzerne September 25, 1779. Doniol, Histoire de la Participation de la France, iv., 224 and 360.) The opposition which De la Balme showed to the Virginians is explained by the conditions he found in Illinois as narrated in the text. He was in no way responsible for the interpretation of his actions by Bentley, Winston, and McCarty, who reported that he was hostile to the Americans (See Dr. MSS., 50J513; Va. State Papers, i., 381; this vol., p. 617); nor altogether for the misconceptions of the French. (This vol., p. 443; Can. Archives, B., 184 vol. 2, pp. 431, 443.) The only fact that is at all suspicious is the manifesto to the Canadians, found among De la Balme's papers, in which there is no mention of the United States. (Can. Archives, B., 184, vol. 2, p. 498.) but this may have been due to the feeling of antagonism among the French against the Virginians.
De la Balme had come to America, highly recommended by Franklin and Silas Deane, to offer his sword to the cause of the colonies. He was commissioned inspector general of cavalry by Congress in July, 1777, but feeling himself slighted in not being appointed to the command of that division of the army, he had resigned on October 3d of the same year. He remained in this country, however, and established himself in business at Philadelphia. Late in the spring of the year 1780, he was sent West to start a movement among the French of Illinois which it was hoped would spread over Canada.

On the 27th of June he was at Fort Pitt, where he joined Godfrey Linctot in his efforts to win the Indians to the cause of the allies, France, Spain, and the United States; but he found the conditions there less favorable for his mission than he had expected, on account of the hostility of the Indians to the Americans. On reaching Vincennes in July he realized that the presence of the Virginians, who had made themselves so obnoxious to the French, was a hindrance to his plan, for no campaign in which the Virginians were to join could be promoted.

On the other hand the part of De la Balme's program in regard to assistance from France was most eagerly received, and the emotional French were soon saying that their beloved father, the king of France, was to take control of the West again. It was this message that they gave to the Indians, who still retained their old affection for their allies. In Kaskaskia the message was received in the same way. De la Balme came with a letter of recommendation from Alexander Fowler, a former British officer of the village

On the other hand there was in the manifesto no intimation that France was intending to recover her dominion over Canada.

On account of the betrayal by Arnold, or for some other reason, Washington changed his plans and gave no further attention to arousing the Canadians. (Sparks, Washington, vii., 44, note.)

Previous to the arrival of De la Balme, on May 20, 1780, another French agent, Jean de St. Germain, was at Kaskaskia. He claimed to have come directly from France and to be acquainted with the desires of the king. He united with John Montgomery and Richard Winston in a proclamation to the Indians, in which they were assured of the friendship existing between the French, Spanish, and Americans. (Can. Archives, B., 122, p. 475). Rocheblave writes that St. Germain landed at Charlestown the previous winter and went to the West (Jöd., 122, p. 545.) I have found nothing to connect him with De la Blame.

2 Ibid., pp. 390, 391, 392, 394; Papers of Old Cong., xl., pp. 144, 168.
who had joined the American cause. The best citizens of French origin in this village and in Cahokia welcomed him with open arms, or as Winston said, "just as the Hebrews would receive the Messiah." He had very little to say to Montgomery and his soldiers, for his mission was not to them, and in the existing circumstances he could not risk alienating the French by assuming a friendship for the Virginians; nor did Montgomery take any notice of his presence. The Spanish commandant of St. Louis seemed also far from cordial. De la Balme's proposed plan was the raising of a company in the Illinois to occupy Detroit, which was known to be ready to yield, and then to proceed to Canada, where he expected to be joined by thousands of the inhabitants.

Considering the object of his mission and the conditions existing in the French villages, his address to the inhabitants proves his ability for extricating himself from a difficult position. "It is well," said he, "that you know that the troops of the state of Virginia have come here against the wish of the other states of America, as I learned from members of Congress before my departure from Philadelphia, and that the different deputies who compose that body are ignorant of the revolting proceedings and acts of violence, which the troops are practicing towards you and which are not only blameable but condemnable at the tribunal of the whole world. . . . Therefore it is very important for you, gentlemen, on account of the pressing circumstances, that without loss of time you address yourselves to the minister of France in order to force the state of Virginia to redeem the paper money, the letters of exchange, and other claims, which you have in your hands, and to recall from among you the troops which are oppressing you contrary to all right, since you espouse the cause of the king of France and his allies; troops which, far from preserving you from the fury of the cruel enemies, render you victims of a war, which the Indians, who have been constantly friends of the French, would never have made without them." He then

1 Menard Col., Tarl. Papers. Copy by the clerk.

2 Mason, John Todd Papers, 340.

3 Bemley to Clark, July 30, 1780, Dr. MSS., 50:13; McCarty's Journal, 30:1, p. 320; Dr. MSS., 30:166; Can. Archives, 8, 124, vol. 2, p. 408.
urges them to join the expedition against Detroit, “which will win the confidence of the honorable Congress and convince the king of France of the real interest which you take in a cause for which he has already made great sacrifices and which will procure for you in a little while all imaginable assistance from him.”

That De la Balme deceived the French by promising them the assistance and co-operation of the king of France, and that his words led them to believe that the royal troops would soon be seen again on the banks of the Mississippi cannot be denied; but if he came in accordance with the plan of Washington and Lafayette, he was following his orders as far as it was possible under the very perplexing conditions which he found in the Illinois.

Although the French received him enthusiastically, their power of aiding the expedition was not great and it was only with a handful of men, about eighty French inhabitants and Indians, that De la Balme started for Detroit. The standard which waved over this little company was that of France. He successfully attacked the post at the Miami, but was in turn defeated and killed by the Indians. At the time of his departure for Detroit he had sent a detachment from Cahokia under Hamelin against St. Joseph, which succeeded in sacking that place but was overtaken by a body of merchants and Indians and defeated. Thus ended the attempt at arousing the Canadians. Before the arrival of De la Balme in the West, the policy of Washington and Luzerne had changed and they left their agent to effect what he could alone.

The death of De la Balme did not bring this interesting episode in the history of the Illinois to an end. The villagers of Cahokia had suffered a severe loss at St. Joseph, for all the members of their expedition were either killed or captured except three. The Cahokians, wishing for revenge, hurriedly raised a troop of twenty men and asked aid of the Spanish government, which throughout

2 LeGras to Clark, December 1, 1780, Dr. MSS., 30375.
3 Papers of Old Cong., xlviii., x; Menard Col., Tard. Papers, Memorial of Kaskaskians, to Governor of Virginia.
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the year had made common cause with them in repelling and attacking the enemy, and which now sent thirty men to their assistance. With the addition of two hundred Indians they marched in midwinter, within a month of their previous defeat, across Illinois, and in the first days of 1781 took and sacked St. Joseph, returning home immediately.

The failure of De la Balme is not of much importance in our narrative, but the effect of his presence on the people of the Illinois was tremendous. His appeal to them as Frenchmen, their awakened pride in the name, the expectation of French intervention in their behalf, were all factors in the events which followed. From this time there is no mistaking their animosity towards the Virginians. Their eyes had been opened by the harsh treatment of the frontiersmen, but they had submissively accepted their fate without daring to do more than petition their oppressors. On account of the false hope aroused by De la Balme they now dared to adopt open measures, for was not their former king

1 McCarty to Slaughter, January 17, 1781, Va. State Papers, i., 405.

2 Mich. Pio, and Hist. Col., xix., 600. When the expedition returned the Spanish commandant at St. Louis sent a greatly exaggerated account of the campaign to the home government. In this he said that sixty-five militia men from St. Louis had marched, under the greatest difficulties, across the country and taken possession of an important British post and all the country north of the Illinois River in the name of the king. (The account was printed in the Madrid Gazette of March 11, 1782, and may be found in Sparks, Diplomatic Correspondence, iv., 435.) This immediately aroused anxiety in the minds of the American ministers in Europe. (See ref. to Diplom. Cor. above and Works of Franklin, Bigelow, ed., vii., 444.) That Spain desired to win the east bank of the Mississippi is unquestioned (See Doniol, Hist. de la Participation de la France, iii., 303 et seq.), and that she intended to make the utmost of this unimportant success at a minor British post is plain, but the motive for the expedition came from Cahokia and in assisting his neighbors in expeditions on the eastern bank, as in this case, the Spanish commandant was doing no more than he had done at least twice before within the past year. In taking possession of the territory north of the Illinois River, he was not encroaching upon the region occupied by the Virginians any more than did Galves when he captured Mobile and Pensacola, for the limits of the county of Illinois extended only to the Illinois River.

The best account, because unbiased and given in an incidental way, is that of McCarty, who in writing the news of Cahokia, where he was, states the facts as I have given them above. Historians have, however, followed exclusively the Spanish account and have made more of the episode than it was worth, for its only importance was the use Spain may have made of it in her diplomacy, provided there is any basis for that suspicion. The most extended account based on the Spanish report will be found in Mason, Chapters from Illinois History, v1., 745; see also Winsor, Westward Movement, 1505; Hart, Amer. Nation, ix., 286.

It is worth noticing that the story of the defeat of the Cahokians at the time of the De la Balme expedition and the subsequent victory with the assistance of the Spaniards was heard by John Reynolds from the village people, but the date of the two had been transferred to an earlier time, namely 1777 and 1778. The honor of the victory of the second attack, which, also, according to tradition was for revenge, was popularly ascribed to J. Bte. Mailhet of Peoria (Reynolds wrongly says Pautelle) who must have been at Cahokia at the time, since the Peorias had been driven out of their village by the numerous British and Indian attacks in the previous summer. The facts of this tradition support McCarty's testimony. (Reynolds, Pioneer History.) Strangely enough Mason (Chapters from Illinois History, 275) accepted the date given by Reynolds and wrote an account of French attacks on British posts before the arrival of Clark.
interested in the fate of his distant and faithful followers? The citizens of all the villages united in a memorial to the governor of Virginia, in which they wrote that they had decided not to receive any more troops in their villages, except those which should be sent by the king of France; the presence of the Virginians had brought them into war with the Indians who before had been friendly and they had suffered therefrom; they promised, however, to guard the frontiers of Virginia from attacks by the Indians.\footnote{1} In each of the villages memorials were also drawn up to be sent to the French minister, Luzerne, in which were set forth with great detail the grievances which the inhabitants had suffered at the hands of the Virginians. These petitions, however, never reached their destination, since they fell into the hands of the British with the other papers of De la Balme.\footnote{2}

The best account of the changed attitude of the French is found in McCarty's journal. In the summer of 1780, he had been summoned with his troops to Fort Jefferson to give aid against a party of British and Indians attacking it. On his return to Kaskaskia early in August he found that De la Balme had been in the village and that, "the people in General seem to be Changed towards us and Many things Said unsuiting," and again, "as things are now the people in General are alienated and Changed from us."\footnote{3} The short lived hope of the French did them little good. For a moment they were able to raise their heads like men, but with the defeat and death of their leader their hope was dashed to the ground and the weary wait for other means of relief began again; for, oppressed by the military and hearing nothing from Todd, they could only conclude that Virginia had withdrawn her support and that they were left to do for themselves until some other power should take them under its protection.\footnote{4}

\footnote{1}{Can. Archives, B., 184, vol. 2, p. 596.}
\footnote{2}{The memorial from Cahokia is printed in this vol., p. 531; for that from Vincennes see Can. Archives, B., 184, vol. 12, p. 421. The petition from Kaskaskia, which would have been particularly valuable for the history of Clark's occupation of the village is not calendared in the Huld. Col. and has probably been lost. A very brief memorial to Luzerne was sent by the Kaskaskians after the death of De la Balme and a copy of it is in the Menard Col., Tard. Papers.}
\footnote{3}{See post, p. 620.}
\footnote{4}{Va. State Papers, i., 382.}
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During the fall the Americans carried out the plan which they had determined upon before the attack of the British and which subsequent events had postponed, namely, the partial evacuation of Illinois. At the time of the attack on Fort Jefferson the troops had been recalled from Vincennes. Montgomery after his return from the relief of the fort remained some time in Kaskaskia and on October 18th\(^1\) went down the river to New Orleans, leaving a bad name behind him, even among the Americans, on account of his extravagance and dishonesty. He did not add to his reputation by deserting his wife for "an infamous girl" whom he took with him.\(^2\)

Captain Rogers, who was left by Montgomery in command of the few remaining troops at Kaskaskia,\(^3\) was to prove himself a worse tyrant to the French than his predecessor had been. Two other men had appeared in the Illinois in the spring or summer of this year whose names were also to become execrated, John Dodge and Thomas Bentley. John Dodge was born in Connecticut, had become a trader at Sandusky before the outbreak of the Revolution, and, since he showed his attachment to the cause of the colonists, was arrested by the British, who carried him to Detroit and later to Quebec, whence he escaped in 1779.\(^4\) In that year Washington recommended him to Congress as a man who would be useful in the West. He went to Virginia, won the friendship of Jefferson, and was appointed Indian agent.\(^5\)

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1. General Orders of Montgomery, Dr. M.S.S., 50770.
2. Mason, John Todd Papers, 535. Montgomery’s defence of his actions may be found in Mason, John Todd Papers, Chi. Hist. Soc.,’s Collections, iv., 331 et seq. On April 23, 1782, he wrote a letter of justification to George Webb, in which he said: “Had I made a fortune in the time people must had Reason to Suspected me But to the Contrary I have spent one or at least my all But am in hopes to Be Eable to Live a poor and privet Life after wards it is now almost fore years That I have not Receive a shilling from Government Not Withstanding I advanced Every Shilling I had & straned my Credit till it Became Shred Bear Rather than draw Bills on the State.” Copy from Va. State Lib.
3. Montgomery was born in Botetourt county, Va., about 1742. His use of English shows that his education was limited. He was one of the celebrated party of “long hunters” in 1777. His experience in Indian warfare had fitted him for such an undertaking as that by Clark against the Illinois. He was killed by the Indians in Kentucky in 1794. (English, Conquests of the Northwest, i., 137.)
4. Letter of Winstorn, Dr. M.S.S., 50771.
5. Woodward, Dodge Genealogy; Dr. Notes, Trip 1860, x135; Dodge’s memorial to Cong., January 25, 1779, Papers of Old Cong., xii., 9, 441.
6. Dr. M.S.S., 45735 and 50776. Dodge was one of the refugees from Canada and Nova Scotia who received compensation in land for their losses during the Revolutionary War. He must have died before 1800, since his heirs were granted 1280 acres of land in that year.
The second, Thomas Bentley, had been well known in the village at an earlier period. On an accusation made by Rocheblave of intriguing with the Americans he had been arrested and sent to Quebec, where he remained until the spring of 1780, when he made his escape. He had asserted his innocence in several persuasive memorials and had convinced even Governor Haldimand of his good faith. As a further evidence of his allegiance to England he went to Virginia and by his intercession for British prisoners with the government gained for Governor Hamilton some mitigation to the harshness of his captivity and for Judge Dejean of Detroit, release on parole. Bentley’s double dealing at this time is evident from his letters to the Americans and to the British. While he was writing to Clark concerning the activities of De la Balme and wishing the Americans success in their attack on the Indians, he was writing to the British officers that Illinois could be easily captured by a few hundred soldiers. In his deceit he was eminently successful, for Clark later wrote him a certificate of good character, in which he asserted that the latter had given great assistance to the cause; and the Governor of Canada was so persuaded of his honest motives that he thought it would be wise to allow Bentley to remain quietly in the Illinois, as he would be of great use there. On his return to Illinois, Bentley was firmly resolved to make the French pay for his captivity, for he believed that they had all been in a plot with Rocheblave against him.

The operations of Bentley and Dodge, who formed a partnership for making the most out of the situation, began while Montgomery, who gave them countenance, commanded in the Illinois. They bought up the claims of the inhabitants against Virginia for trifling sums, in doing which it was suspected that they made

_Amer. State Papers, Pub. Lands_., 1, 106. There are in existence two memorials to Congress narrating his earlier misfortunes. _Washington Papers_., 331., 357; _Papers of Old Congress_, xii., 2, 444.

1 See _supra_, p. xxxv., n., 2.


3 His most important letters are printed in _Mich. Pie. and Hist. Col._, xix. 548, 560. For his letter to Clark see _Dr. MSS._, 50351; _Can. Archives_, B., 185, vol. I, 58, 62.

use of public funds, and their financial operations in purchasing supplies for the troops also aroused suspicion. Such conduct called forth a characteristic letter from McCarty to Todd. As McCarty was feeling at the time particularly angry with the officers of the Virginia line, because he had been arrested by Montgomery for bringing an accusation against Dodge,¹ his testimony cannot be taken without reserve; but that there was some truth in what he wrote is abundantly proved by letters from Clark and others. The letter shows not only the situation brought about by the dealings of the two financiers but also the continued exactions of the troops and the effects of the visit of De la Balme. It is addressed to Todd. "When shall I begin to appologize for the Different light and Oppinioin, I saw and had of You when hear last Year, and now. the Spirit of a free subject that you inculcated thro' your better knowledge of things was hid to me. In short, Honour requires me to render You the Justice you deserv, and at the same time to inform you the reason of my altering my notions of things. I then thought the Troops hear would be duly supported by the State, and the legal expense for them paid to the people Justly. I had thought the Duty of an Officer who had any Command was to see Justice done his Soldiers, and that they had their Rights without wronging his Country. I then thought that it was also his Duty to fore see and use all manner of occonomie in Laying up provisions for these Soldiers, to carry on any Opperation that his supperiours should judge expedient to order him on, without any regard to private interests whatever, but for the Good of the State he served. I then never Imagined that an Agent would be sent hear to Trade in connection with a Private Person to Purchase the Certificates from the people at such a rate which must appear scandalous & Dishonorable to the State.

¹See post, p. 621. For the charge that public funds were illegally used, see post, p. 481.
not a certificate which is here looked on as next to nothing."

McCarty by this letter gave warning of his change of party allegiance. He had up to this time sided with the military against the civil authority and the French. From now on he attempted to win the confidence of the latter, in the oppression of whom he had formerly taken active part. Both he and Winston advised the people to refuse all supplies to the troops and starve them out of the country. For this reason Winston also found his relations with the military even more strained than under the rule of Montgomery. He wrote to Todd that: "They Stretch greatly to bring the Country under the military rod and throw of the Civil Authority. So fond they are to be medling with what is not within their Power... Since the arrival of this Captain Bentley, there has been nothing Butt discord and disunion in this place... he has left no stone unturned to Extinguish the laws of the State, and to revive the Heathen Law, being well accustomed to Bribes and Entertainments. Government ought to regulate the trade as there are many abuses Committed under Military sanction."

It is unnecessary to give the details of the trying winter of 1780-1781, for it was but a repetition of the previous one. The inhabitants wrote that the government was like that of a town taken by assault. Captain Rogers, who was young and inexperienced, was blinded by the advice of the crafty Dodge and Bentley. That the means they used to obtain provisions were cruel is proved by the piteous appeals of the inhabitants to the governor. That their methods were not always honest was firmly believed by many officers and by Clark himself. Captain Robert George in writing to Clark on October 24th after mentioning the almost starving condition of the troops, says that Montgomery told him that, "Capt. Dodge has purchased one Thousand bushells of corn and Ten Thousand lb's of Flour, which is all that is to show from a cargoe of Eleven Thousand hard dollars worth of Goods sent by Mr Pollock to You, together with

1 Va. State Papers, i., 370.
2 Winston to Todd, October 24, 1780, Va. State Papers, i., 380.
3 The court showed more spirit in opposing the soldiers. There are several interesting letters in regard to their exactions in the Memdard Col., Todd. Papers.
about five or six thousand Dollars worth from this place. . . . I have sent for all the State Horses at Kaskaskia, but it appears there is but few — what’s gone with them God knows, but I believe there will be a Very disagreeable accompt rendered to you of them as well as many other things when called for.” In March, 1781, Clark was thoroughly aroused by the complaints of the administration of the finances in his department, and in writing to Jefferson says: “I Received your dispatches by Capt. Sullivan. That part concerning the Bills counterad by Maj. Slaughter, and letters of advice, is something curious. It’s surprising to me that Maj. Slaughter, as an Officer of the State, would suffer these persons to persevere in their villany, was he as he hints truly sensible of the principal that actuated them. You know my Sentiments Respecting several persons in our Imply. Those he accuses, are gentl men of fair Character. I have long since determined to conduct myself with a particular Rigour towards every person under me. They shall feel the stings of Remorse, if capable, or the sweets of public applause, either as they demean themselves. . . . Those gentlemen Major Slaughter points at, with himself, may expect to undergo the strictest scrutiny in a short time, as Orders are prepared for that Purpose. Mr. Jno. Dodge & others, of the Illinois, also.”

While the officers were using their positions for private gain and reducing to abject poverty the French by their levies, the troops of Virginia were suffering the severest hardships. In August, 1781, Colonel Slaughter wrote from the Falls of the Ohio: “The situation of my little Corps at this place at present is truly deplorable. destitute of clothing, vituals & money, the Commissaries have furnished them with little or no provisions these three months past nor don’t give themselves the least concern about it.” Montgomery wrote that at Fort Jefferson there was not a mouthful for the troops to eat, nor money to purchase any, and that the credit of the government was threadbare. On

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1 Va. State Papers, i., 382. For other evidence of dishonesty see Slaughter’s letter, January 17, 1781, Va. State Papers, i., 440. Jefferson was convinced of Dodge’s dishonesty, Dr. M., 511, 57. In the petitions of the Cahokians to Virginia it is stated that public supplies were used to buy in the drafts and other forms of credit, see this vol., p. 481.

2 Va. State Papers, i., 597.
August 6, 1781, Captain Bailey wrote from Vincennes: "My men have been 15 days upon half allowance; there is plenty of provisions here but no credit. I cannot press, being the weakest party."

The contest of Rogers, Dodge, and Bentley with the court was brought to a crisis at the end of January by the acts of the last. Bentley was inspired by his desire for revenge, and his malice is shown by a long letter which he addressed to, "The inhabitants particularly those who are not my friends," wherein he sets forth his grievances at length. There was little that he could say by way of accusation, so he had recourse to abusive language. The letter is too long to quote, but a few extracts will give an idea of its character. "I know that most of you are mortified at seeing me succeed in surmounting the difficulties with which you together with that rascal Rocheblave, Cerré, and others have burdened me. I am persuaded that there is not one among you in this village who did not wish to crush me under the weight of my misfortunes. I know that it is a crime for a damned Englishman to remain among you. The Irish suit you better. They are your equals in perfidy, lying, flattering, and drinking tafia. . . . Some infamous vagabonds have had the audacity to demand an inspection of my books. Nothing but ignorance without parallel, joined with the most complete Irish impertinence could have thought of that. A man of the least honor would not have conceived such an idea.

"I am informed that the cause for which you came was concerning some tafia given to the negroes. On this subject I satisfy you on the honor of a man of integrity that it was not from me that they had it. . . .

"I am informed that Lachance and Brazeau are getting together all the corn for M. Cerré. Why should not I have the same liberty, since perhaps I should give better merchandize and at a better bargain. The reason is that M. Cerré, concerning whom I will prove some day that he is a man without moral feeling, is a Frenchman and I am a damned Englishman."

1 These letters are printed in Ve. State Papers, ii., 306, 313, 338.
INTRODUCTION

A suit brought by Bentley against Richard McCarty and Michel Perrault was begun in the court of November, 1780; but the court refused Bentley any recognition until he had taken the oath of fidelity to the United States and Virginia. In the January court Bentley appeared with two Americans and said he was ready to take the oath. This the justices tendered him in the French language, which both he and his companions understood; but Bentley refused to take it, claiming that it was the oath of office that they were offering him. He immediately left the court and soon after returned saying that he had made oath before Captain Rogers. The court, however, stood firm in regard to its rights.

Rogers took up the matter and wrote to the court that he was surprised at their audacity in not recognizing his certificate given to Bentley. "It seems to me that Mr. Bentley has the same right to justice as you yourselves and you can be assured that I can give reasons and proofs to impartial justices of his conduct which will make him appear perhaps a better friend of the state than you, since your court appears to be one for injustice and not for justice. And should you dare to refuse my certificate in the case of the oath of fidelity, I will take it on myself to set your court aside and become responsible for the consequences. You have only to consider and render justice or I will do what is mentioned above."

The court was not frightened into submissiveness, but answered: "We have received your letter of to-day in which you give us over your signature the most complete mark of your capacity in the trust which you imagine you hold.

"We do not doubt the desire on your part to make yourself absolute master; but we have acts of the legislative power of the state of Virginia to govern us and to which we believe we are bound to conform, even as you are yourself, when we require your assistance.

"As to the injustice with which you charge us, there will, perhaps, come a more happy day when we shall prove our good faith, which is always the only motive which leads honorable men."
Possibly Bentley realized the weakness of Rogers threat, for he now drew up a protest against the action of the court in which he appealed to Virginia. In the February session the court considered the protest, after previously receiving the promise of support from the county lieutenant, Winston. They affirmed that the right oath had been tendered to Bentley, and offered again to permit him to take it either before the court, one of the justices, or the county lieutenant; if he did not wish to do this he was permitted to bring in and show the oath which he claimed to have taken.

Bentley’s answer was a public announcement that he was starting for Virginia to carry his case before the governor and council. Another reason for his going was his desire to collect the money for the certificates which he and Dodge had bought up, and about the first of April he together with his two assistants, Dodge and Captain Rogers, departed.

This proceeding of Bentley called for immediate action on the part of the French in order to counteract the influence which would be exerted against them, and it was decided to send representatives to Virginia. But there were preparations to make before they could take their departure. Besides the affair with Bentley the inhabitants wished to send the bills and accounts of the people against the state, and asked Cahokia to unite in this. The Kaskaskians chose Richard McCarty and Pierre Prevost to represent

1 All the papers here indicated belong to the Menard Collection and are therefore copies from the Kaskaskia Register, except the letter of the court to Rogers, which is among the Kaskaskia records. They are all written in French. Besides those mentioned in the text are two certificates that the oath tendered to Bentley was the oath of fidelity, one by Winston and the other by Daniel Murray. The latter had been brought into court by Bentley himself to witness the taking of the oath. The only explanation of Bentley’s action is that he feared the news of his having taken the oath would reach Canada.

2 Va. State Papers, ii., 258 and 260; Dr. MSS., 51 J52. After arriving at the Falls of the Ohio, criticisms of his conduct came to the ears of Captain Rogers and he wrote a letter to Governor Jefferson defending himself. He accused Winston and McCarty with being the authors of his difficulties by persuading the inhabitants not to furnish provisions for his troops; and had not Bentley offered his personal credit the troops would have starved, although meat was abundant. He enclosed the affidavits of officers and citizens to prove his statement. He ended by writing: "I cannot conclude without informing you that 'tis my positive opinion the people of the Illinois & Post Vincennes have been in an absolute state of Rebellion for these several months past & ought to have no further Indulgence shewn them, & such is the nature of these people, the more they are indulged, the more turbulent they grow — & I look upon it that Winston & McCarty have been the principle instruments to bring them to the pitch they are now at." (Va. State Papers, ii., 76.)

I should have given greater weight to the testimony of this letter, were not the character and actions of Bentley and Dodge at this and other times well known from various sources. See this vol., pp. 475, 621; Kas. Rec., Petitions, etc.
them. The agreement with them was made on the fifth of May and signed by forty-one inhabitants, the most representative of the village. The people of Cahokia had not learned to trust McCarty, even after his change of parties, for they remembered his arrogance and tyranny while he commanded the troops in their village. They therefore chose only Prevost. Meanwhile the clerk of the Kaskaskia court had prepared copies of all the papers throwing light on the hard treatment the people had endured and all other matters. These were countersigned by Richard Winston, deputy county lieutenant, who at this time was supporting the French party. A five page memorial was written to the governor setting forth in detail the grievances of the people and was signed by sixty-two Kaskaskians.

It was an unpropitious time to petition Virginia, since the scene of war in the East had been shifted to her territory and she could give little heed to her western dependencies. The Kaskaskia papers did not, however, reach their destination; for one of the bearers, Richard McCarty, while on his way was met and killed by the Indians and his papers carried to Detroit. What became of Prevost is not known. This event was to bear immediate results. Learning from McCarty's papers that the French were heartily weary of the Virginians, the British officers determined to use other means than war to recover their dominion over the Illinois.

Since Clark with his half-naked Virginians had surprised them

2 See post, p. 479.  
3 Menard Col., Tard. Papers, the original memorial with signatures. A copy of the memorial is in Papers of Old Cong., xlviii., 1. A similar one was sent from Vincennes on June 30. Va. State Papers, ii., 102. It is from the papers prepared at this time that the foregoing narrative is largely drawn. They never reached Virginia, but in the year 1787 these same papers were given to another agent, named Tardiveau, who had them in his possession when he died. As he was indebted for a considerable sum to Pierre Menard, the later lieutenant governor of Illinois, the judge of Cape Girardeau, where Tardiveau was living previous to his death, turned them over to Menard. These I found in a warehouse on the banks of the Mississippi at Fort Gage, Illinois; and they have been presented by their owner, the grandson of Pierre Menard, to the Illinois State Historical Library.  
4 De Peyster to Powell, July 13, 1781, Mich. Pio. and Hist. Col., xix., 646. See also Papers of Old Cong., xlviii., 90. Since the papers, which should have been in the possession of McCarty at the time of his death, were in Kaskaskia in 1787 (see previous note), it is necessary to conclude that McCarty did not carry with him the important copies from the record-book that Prevost, who was to have carried them, never started or returned with them, or else that duplicates were made for the two messengers. The last alternative is probably the correct explanation.
on that July night in 1778, the people of Illinois had passed through many phases of feeling towards the Americans. They had at first rejoiced that at last the liberty which had been the subject of their dreams was to be enjoyed. There followed a few months of peace under Clark’s mild rule, when the French actually stripped themselves of their property to supply the troops with necessities and to further the cause which they had adopted. Then the anxious days came when the vandalism of the troops and the doubt about the payment for their goods made them less jubilant. They received Todd with his civil government as a prophet of a new era. Todd had failed and had handed them over to the military, and Montgomery had succeeded in so thoroughly cowing them, that their power of opposition was weak. De la Balme had aroused them by the new born hope of once more coming under the dominion of France, and he too had failed; but their pride in the name of Frenchmen had been awakened and from that hour their opposition to the Virginians was more forceful. The number of troops in the Illinois under Rogers was not large, so their boldness had little cause for fear from that source; but the long struggle against poverty and tyranny was telling on their courage, and many were beginning to look to England, their allegiance to which they had so lightly repudiated, as a power that might possibly offer them protection. The feeling was not an active force, but simply an indifference in regard to what might happen. The intercourse with Canada had not been completely broken off by the war, for the French there found opportunity now and then to send their goods to their brothers in the Illinois.

This feeling of a possible renewal of relations with England was not confined to the French of the Northwest. Among the western Americans also the same attitude was to be found. George Morgan, writing at this time, mentions a letter he had received in regard to Kentucky, where the indifference to the American cause appears to have been widespread, due largely to events somewhat similar to those affecting the Illinois.¹

¹ Dr. MSS., 46159.
INTRODUCTION

It was this feeling that gave the British hope that they might persuade the French to renew their allegiance to the British crown. In June the lieutenant governor of Michillimackinac sent six men to the Illinois to see what could be accomplished. In the three accounts, printed in this volume,¹ their exact mission is differently described; in one it was to excite the people to offensive action against the Spaniards, in another to raise militia to be paid by the British, and in the third to make a commercial treaty. The agents made the mistake of going first to St. Louis, probably to open negotiations with the French of that city, who appear to have been as discontented as their relatives on the other bank. They were arrested by the Spanish commandant, Cruzat, and a letter addressed to the inhabitants of Kaskaskia and Cahokia was found in their possession. A copy of this letter was sent to Major John Williams, who had replaced Captain Rogers at Kaskaskia.

Cruzat gave every appearance of acting in good faith towards the Americans in this matter, and evidently did arouse the discontent of the people in the Illinois who felt that their letter should have been sent to them. But the Spaniard was crafty and no doubt would have been willing to see the eastern bank pass again into the hands of the British in order that Spain might reconquer it.² Cruzat was clever enough to persuade Linctot, a Virginia Indian agent at the time in St. Louis, and possibly Gratiot, of his loyalty to the Americans. This may be seen by the letters of these two written to Clark, July 31 and August 1, in praise of the action in withholding the letter and messengers from the French of the American Bottom. But six weeks before those letters were written the Spanish governor had reached an understanding with the Illinois people, and two of the British agents were permitted to go to Cahokia, provided they found bondsmen. The agents accomplished very little, however, owing to their initial mistake; but that the undertaking might have been successful or the mistake even rectified may be inferred from a letter of Antoine Girardin to Governor Sinclair.³ Girardin was

¹ See post, p. 553, 555, 559.
² Doniol, Hist. de la Participation, iv., ch. 6.
³ See post, pp. 95, 559.
one of the most important citizens of Cahokia at this time, had been elected one of the members of the first court, and was the most enterprising man in the village. His position was such that he understood the feeling of the people, and his letter probably reflected their attitude correctly. He wrote that, if a force of British soldiers without any Indians should be sent to the Illinois, he was sure the people would receive them; and at the same time he offered his assistance. It is possible that, had the British acted promptly, they might have succeeded. Yet possibly not, for shortly after this letter was written, the news of the surrender of Cornwallis reached the West and naturally raised the hopes of those who still clung to the American cause.

During the summer of 1781 the court at Kaskaskia had tried to assert itself in the interests of good order. Certain American settlers had followed the example of the troops in killing the cattle of the French. As long as the soldiers were present, they were safe from prosecution, but now, when there does not appear to have been any garrison at Fort Clark, indictments were brought against six Americans by eleven Frenchmen for shooting the cows and other animals in the commons. The Americans were arrested and tried; the charge was proved against them and three were banished from the country for three years and the others fined.¹

The justices also dared make opposition to the deputy county lieutenant. Without consulting the court, Winston appointed, as notary public, Antoine Labuxiere, son of Joseph Labuxiere who held the office of state's attorney after the resignation of Jean Girault.² The first opposition to this appointment came from the notary-clerk of the court, Carbonneaux, who, perhaps, was not anxious to have a rival. The court supported their clerk and Winston was obliged to yield. The principal reasons alleged by the court for their objection were the youth of Antoine Labuxiere and the law that no officer could be appointed except

² See post, p. 487.
by the vote of the people. Winston answered that he was in no way responsible for his actions to the court but only to the state of Virginia.\footnote{Five letters in \textit{Kas. Rec.}, written in August, 1781.}

The unfriendly relation existing between the county lieutenant and the court that is evident from the foregoing instance had existed ever since the appointment of the former, and from now on appears to have increased, until Winston had few adherents among the French inhabitants, a circumstance which he was to regret in the future. Exactly what bearing this disagreement had upon a new election of justices at this time it is impossible to say. Four justices from Kaskaskia, Lasource, Janis, Lachance, and Charles Charleville, had held office for over two years, in fact ever since the election held by Todd. The other two members had been Duplasy and Cerré. The former had been killed in the De la Balme expedition and the latter had gone to St. Louis. As far as the record shows only one of these places had been filled, by the election of Michel Godin. The two justices from Prairie du Rocher were to remain unchanged for another year. It is not known what became of the Sieur de Girardot who represented St. Philippe. All the justices desired to continue in office, but since the list of magistrates was not complete, two more, J. Bte. Charleville and Antoine Bauvais, had been elected to fill the vacancies on July 19th. The prolongation of their tenure of office by the justices was not popular, and it is possible that Winston utilized the opportunity to bring such pressure to bear that the court was obliged to submit; for on the tenth of September he was requested to permit the summoning of an assembly of the people to “elect magistrates to fill the places of those who had held their position for two years or more.”\footnote{\textit{Kas. Rec.}, Petitions.} The assembly was called the same day and there is in existence the polling sheet that was used. Perhaps on account of the shortness of the notice or for some other reason only twenty-seven votes were cast, not exceeding by many the number of candidates which was sixteen. Antoine Morin was the most popular candidate receiving twenty
votes. The next one on the list was Pierre Langlois with eighteen votes; the third was Vitale Bauvais, whose brother had been elected in July, and whose family was at this time and later one of the most influential among the French population; the fourth was Pierre Picard with eleven votes. The other candidates had only a few supporters. The analysis of the vote would indicate that Winston had not been supported at the poll and that his opponents had carried their candidates. At the bottom of the polling sheet is written the certificate of election. The clerk first wrote the name of Pierre Langlois, who was more friendly to Winston than the other justices, as president of the new court, although he had received fewer votes than Morin. He then crossed this name off and substituted that of J. Bte. Charleville, one of the justices chosen in the July election, who may have had a prior right to this position. His vote had been cast for the four successful candidates and he was and remained a firm adherent of the French party. Whatever the explanation of the erasure is, neither of the two men became president of the court, for the position was held during the following year by Antoine Bauvais, who was one of the justices elected in July.¹

Kaskaskia was not to have the burden of many troops during the next winter; but the village did not wholly escape persecution, for two of the men formerly most troublesome returned. It is true that the one who had made himself most offensive, Thomas Bentley, never again visited this country. He failed in his attempt to realize on all the certificates which he had bought from the French. His petition to the Virginia council was denied, and that body intimated that the gentleman was an impostor. Bentley defended himself against the accusation and appealed to the letter of General Clark and to the testimony of Colonel Montgomery and John Dodge.² Possibly on account of the character of his attestors, one of his claims was afterward allowed. He was still in Richmond waiting for its payment in July, 1783, and

¹ *Kos. Rec., Pol. Papers and Petitions.* A year after this date both the clerk, Carbonneau, and Langlois were supporters of Winston.

probably died during the year, for his wife began the process for the settlement of the estate shortly afterwards.\footnote{Kaz. Rec., Petitions.}

When Rogers and Dodge returned to Kaskaskia I do not know, but there is a characteristic letter from Rogers dated November 10, 1781, demanding supplies. His threats were somewhat modified. He said that if the people did not give him what was needed for his thirty troops, two hundred would be sent; but there was no suggestion of setting aside the court. He claims to have been acting under orders\footnote{Monard Col., Tard. Papers.} and was probably sent to Kaskaskia more to reconnoiter than to act as a guard, for Clark expected that the British would make one more attempt to win the West, which had become more important to them now that the southern campaign had ended in the capture of Cornwallis. Rogers evidently did not remain long in the country, for before the winter ended Clark informed the governor that Vincennes had been completely evacuated and that only a few spies were kept at any of the villages.\footnote{Va. State Papers, ii., 68; a letter from Colonel Davies to the governor implies the same. \textit{Ibid}, iii., 108.} Dodge had probably returned with Rogers and remained in the village. Before twelve months had passed the records were to give no uncertain account of the activities of the ‘illustrious Dodge.’

There is among the \textit{Kaskaskia Records} a long and interesting letter in the French language written in December by George Rogers Clark to the court of Kaskaskia, in which he states that he has learned that there are in the village numerous refugees and vagabonds who are disturbing the peace and tranquility of the community by stealing property in spite of the authority of the court. He laments this fact and urges the court to use its power even to the extent of inflicting corporal punishment or the death penalty. He tells the justices to make use of their militia and to call on the other villages for aid. Just what circumstances drew this letter from Clark will probably never be known; but the things he speaks of were constantly happening, so that he might have written such a letter at any time after he
entered the country. The interesting point is that he desired the
court to uphold its authority, and there is nothing to indicate
that he authorized the unnecessarily harsh and arbitrary mea-
sures of his officers. In notifying the French of the surrender
of Cornwallis he gave them the hope that a better day was coming
for them.\(^1\)

Of the winter of 1781–1782 there are no records except such as
show that the court was regularly sitting and performing its
duties. A single document should be mentioned. On February
10th another election was held to appoint a single magistrate.
Fifteen votes were cast of which Stanicles Levasseur received
five and was elected. Whose place he filled cannot be discovered,
for there remain no lists of the judges like those of the court of
Cahokia.

The year 1782 was to be the last one of the war. The Vir-
ginians had managed to hold the country northwest of the Ohio
for almost four years and this last was to pass without real danger.
Rocheblave, the former acting commandant of the Illinois, had
returned to Canada and laid before the government a plan for
the reconquest of the whole territory, but his suggestions were
without influence.\(^2\) Several parties of Indians were sent into
the Northwest, however, and one of these defeated the frontiers-
men at Blue Licks—it was in this engagement that John Todd was
killed; but no serious attack was made on the French villages.
Clark retaliated by leading a large party against the Miami
villages and inflicting severe punishment. It was his last achieve-
ment in the war.\(^3\) On November 30th, a few days after the Miami
campaign, a provisional treaty of peace was signed by England
and the United States. The danger to the Illinois from Canada
was for a time at an end. On January 18, 1783, the Illinois regi-
ment was disbanded\(^4\) and in the following July Clark was
relieved of his command.\(^5\)

\(^1\) Kas. Rec., Letter.
\(^2\) Va. State Papers, iii., 150; Hald. Col., B., 122, p. 545; and 123, p. 141.
\(^3\) Va. State Papers, ii., 286, 381; Winsor, Westward Movement, 203 et seq
\(^4\) Memorial of Timothe de Monbrun, Va. State Lib.
\(^5\) English, Conquest of the Northwest, ii., 793.
INTRODUCTION

In the villages of the Illinois during these years of neglect we find as close an approximation to the form of the classic city-state as has ever existed in the western hemisphere. For a short time they were practically cut off from the rest of the world and from the only power which might legally exercise authority over them, so that each village was a self-governing community. As we shall see later the period was for Cahokia one of moderate prosperity and peace; but the more important village, Kaskaskia, passed through all the sufferings which her earlier prototypes experienced during periods of social anarchy. The Greeks gave the special name of stasis to that disease which was so common to their peculiar form of civil organization. It was caused by one party within the state making the political issue the subjugation of all others, an issue which was pursued with maliciousness and violence. In a famous passage Thucydides has described the results of this disease: “The cause of all these evils was the love of power, originating in avarice and ambition, and the party spirit which is engendered in them when men are fairly embarked in a contest. . . . . . . Striving in every way to overcome each other, they committed the most monstrous crimes; yet even these were surpassed by the magnitude of their revenges, which they pursued to the very uttermost, neither party observing any definite limits either of justice or public expediency, but both alike making the caprice of the moment their law. Either by the help of an unrighteous sentence, or grasping power with the strong hand, they were eager to satiate the impatience of party spirit.” The description is as applicable to the conditions existing in Kaskaskia during the years following the withdrawal of the Illinois regiment as to the cities of Greece, which Thucydides had in his mind.

The factional strife and the personal enmities, which had been engendered by the past years in Kaskaskia, but had been somewhat controlled by the presence of the military force, broke out in the most virulent form of stasis, during the course of which the

1 Fowler, City-State of the Greeks and Romans, 254.
2 Thucydides, Hist. of the Peloponnesian War, Jowett’s translation, 1., 24.
love of power, avarice, and personal animosities seized control of the government, overthrew it, and left behind only anarchy. Three parties entered into this struggle for power, and probably the final blame for the result must be ascribed in part to all. The mass of the French inhabitants made up what may be called the French party, the leaders of which were the justices of the district court. These latter considered themselves the chief representatives of sovereignty and would have been glad to compel submission by all rivals. The strength of this party was rather greater in the district than in the village proper, where the people were more divided in their allegiance and more cowed by their opponents. Its members were hostile to the Americans who had settled among them and feared that they would be finally overcome in numbers and lose their French laws and officers. They looked upon the deputy county lieutenant in particular as an enemy, who would take the first opportunity to make himself supreme and whose action in trying to placate the Virginians and at the same time to incite the French to opposition they regarded as treacherous. It is probably true that the leaders of the party were ignorant, as Winston asserted, and incapable under the existing conditions of fulfilling the duties which the accidents of war and geographical position had thrust upon them.

Winston had a small following among the French, led by Pierre Langlois, one of the justices, and Carbonneaux, the clerk of the court. Some of the Americans had also attached themselves to his party. His contempt for the French was only less than his hatred of John Dodge, the leader of the third party, whom he regarded as his chief rival. The hostility of the two men dated back to the time when Montgomery was still commanding in the Illinois, and, since Dodge had always been associated with the military party, the personal strife between them appears to be a continuation of the struggle be-

1 The strength of the party is learned from the various petitions and memorials sent to Congress and elsewhere, to which reference is made in the text. (See p. cxvii., n. 2.) When the party gained control of the government in 1786, its leaders were men of Prairie du Rocher.


3 Deposition of Carbonneaux, who was an adherent of Winston, Va. State Papers, iii., 430.
tween the army and the civil government, which had broken out when John Todd was still in the county. 1 That Dodge actually held a military commission at this time is extremely doubtful. He had been appointed Indian agent for Virginia and even used that title occasionally during the year 1782. Since Clark had never trusted him and his reputation among the Virginia officials was none too good, it is not probable that he had been promoted to a position in the army. 2 However, after the departure of Captain Rogers, Dodge gave himself out as commandant of troops in Kaskaskia and was able to persuade many of the French people to acknowledge his authority. With him were associated Israel Dodge, 3 who seemed ready enough to follow his energetic and capable brother, and the more turbulent American immigrants. For the next few years John Dodge is the power in the village of Kaskaskia. Unfortunately most of the records of his interesting career, which the clerk of the court carefully preserved, have been destroyed, so that the details can only be obtained from the rather unsatisfactory petitions of the inhabitants to Congress.

Dodge's first attack was on the deputy county lieutenant, in the summer of 1782. The fear of renewed British invasions and possible treachery were his excuses. Winston had become thoroughly exasperated with the actions of the Virginia troops, and probably desired to identify himself with the French party. At any rate he went about among the people telling them that Dodge and the officers who had been in the Illinois were vagabonds and robbers, who had only come to the French villages for the purpose of pillaging. There is no proof that he entertained treasonable designs, and his remarks give evidence of be-

1 Winston to Todd, October 24, 1780, Va. State Papers, i., 380; Dodge to Clark, March 3, 1785, Dr. MSS., 32178.

2 I have failed to find any such commission. He was always called captain, but the title was not received for service under Clark, as his name does not appear in any list of officers and troops serving in the West. (English, Conquest of the Northwest, ii., 1000 et seq.) Colonel Davies wrote to the governor of Virginia on June 20, 1782, that he did not think there were any troops in the Illinois or had been for some time. Va. State Papers, iii., 308.

3 Israel Dodge was the father of Hon. Henry Dodge, whose life is so closely connected with the history of the West.
ing inspired solely by personal dislike and enmity to individuals; for he excepted Clark from his general condemnation.

On April 29th John Dodge issued an order, which he signed as captain commandant, to his brother Israel to take a party and bring Richard Winston before him to give an account of his conduct. Even if he had held a military commission such an order was entirely illegal; and his next act was still more so, for he ordered that Winston should be imprisoned because he, "has been guilty of treasonable expressions Against the State and officer who have the hon' of wearing Commission in the Service of their Country; damned them all a set of thieves and Robers and only come to the Country for that purpose. The above Crime being proved before. i now deliver him to you prisoner and request of you to Keep him in surety until he may be brought to justice."¹

The day of the arrest Mrs. Winston appealed to Antoine Bauvais to assemble the court and summon the Dodgers to appear and justify their actions. The court met at one o'clock the same day but refused to take cognizance of the affair, probably being willing that their two enemies should fight it out. On the next day Dodge wrote to Joseph Labuxiere, state's attorney, and asked for his co-operation. Labuxiere's training was not such as fitted him to oppose the military power. He had served under France and Spain where orders from the captain in command were obeyed, so he took up the case; but he protested that he would not hold himself responsible to the state or to Winston for the events and prejudice which might result therefrom. He said, however, that he was bound to give information to the council of Virginia and to General Clark and that he had been unable to persuade the court to draw up the process against Winston without a deposit of money, which neither he nor Dodge possessed. Labuxiere summoned the witnesses, who were named by Dodge, to appear before him. The first was Michel Perrault, captain of infantry, who testified that he wrote to Winston for some supplies belonging

¹ The charge against Winston was true, for the French themselves said the same thing in a memorial to the Virginia Commissioners. Menard Col., Tard. Papers.
to the state and that Winston sent part of them; that later the witness, being reduced to "indigence," had sold some of these, and Winston had then said to him that he was following in the footsteps of his superiors who were a band of thieves. The next witness was Major John Williams, former captain of infantry. He said that he had frequently heard Winston swear at all the officers of the Illinois troops except General Clark and declare that they had come to the country only to rob and steal. The third witness was Henry Smith, who called himself improperly a former captain in the Illinois battalion. He repeated the testimony of Williams. Labuxiere ended his account of the testimony with a statement that he was aware that he had exceeded his duties in thus summoning witnesses before him, but that he thought the importance of the case demanded his action.

While Winston remained in prison, some friend or his wife obtained possession of John Todd’s record-book, which was probably in Winston’s house as it was the property of the county lieutenant, and entered therein this protest: "Kaskaskia in the Illinois 29th april 1782. Eighty and touce. This day ten o’clock A.M I was taken out of my house by Israel Dodge on an order given by Jno. Dodge in despite of the civil authority Disregarded the Laws and on ther Malitious accusation of Jhn Williams and michel perault as may appear by their deposition I was Confined By Tyrannick military force without making any Legal application to the Civil Magistrates. 30th the attorney for the State La Buxiere presented a petition to the Court against Richard Winston State prisoner in their Custody the Contents of which he (the attorney for the State) ought to have Communicated to me or my attorney if any I had."

Winston was detained in prison for sixteen days, and after his release persuaded the justices to hear the case in which the civil authority had been so defied. On June the 30th they ordered

1 In 1781, when he was among those prosecuted by the court for killing cattle (see supra, p. 184) he testified that he was a laborer. His name does not appear on any list of Clark’s troops.

2 John Todd’s Record-Book in the library of the Chicago Hist. Soc. This protest is not in Winstons’ handwriting. I have quoted it in full in order to correct several mistakes which are to be found in the printed version in Chi. Hist. Soc.’s Collections, iv., 280.
Labuxiere to inform them of the witnesses whom he had interro-
gated and to send them a list of questions which he desired
to have asked, for they wished to end the affair, seeing that
Winston intended to leave the country. The records do not
contain an account of the proceedings before the court, but
Winston was acquitted. After this interesting episode we lose
all sight of Dodge for a few months, and when he reappears
he has won for himself the mastery of the village of Kaskaskia.
The steps by which he acquired his power are unknown; but the
acts of Winston during the last months of 1782 no doubt prepared
the way.\footnote{The papers in the foregoing narrative may be found in the following places. In the
\textit{Papers of Old Congress}, xlvii., 4., are the two orders for arrest and imprisonment of Winston
and Mrs. Winston's appeal with the call for the court on April 29. The correspondence
between Dodge and Labuxiere with the depositions of the witnesses and the court's letter to
Labuxiere belong to the Cahokia Records in Chicago Hist. Library.}

Winston had good reasons for feeling that the court had not
given him cordial support in his contest for the rights of the civil
against the military power, and it was probably due to his influence
that a new election of magistrates for Kaskaskia was held shortly
after his release. On the sixteenth of June, an assembly of the
people of Prairie du Rocher was held in the house of J. Bte.
Barbau, commandant of the militia, to elect magistrates to fill
the places of Barbau and Louvieres, who had been magistrates
"during the time fixed by the code of government." They had
held their positions since June, 1779. The two newly elected
justices were Aimé Compte and J. Bte. Jacquemain.\footnote{\textit{Kas. Rec., Pol. Papers.}} On the
fifteenth of September Kaskaskia held a new election, only twenty-
one men exercising the franchise, and six new magistrates were
chosen—J. Bte. Bauvais, Louis Brazeau, François Charleville,
François Corset, Vitale Bauvais, and Antoine Morin; but Winston
issued a certificate of election to only the first four, to whom he
also wrote a letter of congratulation.\footnote{\textit{Kas. Rec., Pol. Papers and Letters.}}

It is to be noticed that Vitale Bauvais and Morin were both
members of the former court, which had refused to support Win-
ston against Dodge. In spite of the act of the county lieutenant
the other justices gave their support to their rejected associates and Vitale Bauvais was made president, a position he held as long as the court continued to sit.

Beaten once again at the election, Winston determined to use other means of asserting his authority, but he allowed at least two months to pass before proceeding to the final act. That act was decisive. Towards the end of November, he posted on the church door a notice abolishing the court of the district of Kaskaskia. Thus by act of the civil authority, and not by that of the military, the court of Kaskaskia came to an end. From this date until June, 1787, no bench of justices held sessions in that village.1

Winston himself had decided to go to Virginia. He wished to obtain justice against John Dodge, to petition for the remodeling of the government, and to recover the money which he had advanced to the state. His loans to Virginia had been considerable and he found himself reduced from affluence to extreme poverty by his support of the American cause. One of the officials of the court, the clerk François Carbonneaux, had supported Winston in his action and was to accompany him to Virginia. On December 3d, they persuaded a few Kaskaskians to appoint them their agents either to Virginia or to Congress for the above purposes. The signatures to this document reveal the strength of the party of the county lieutenant. Of the signers seven were Americans and ten were Frenchmen, of the latter five only could write and but one, Pierre Langlois, had held the position of justice of the peace.2

1 The existence of the court can be proved up to November 15th. (Kas. Rec., Petitions. That it was set aside by a placard on the church door is proved by a letter of the two Bauvais and Corset in 1787. (Kas. Rec., Letters.) Winston is unquestionably the one who set the court aside, for in a memorial to the Va. commissioners, the French party wrote that he had "annulled, set aside, and revoked the good law which you have given us for the security of the country." Menard Col., Tard. Papers.

2 From now on the petitions to Congress are numerous and it is necessary to depend upon them for much of the narrative, since the local material has been lost or destroyed. These petitions must be used with caution, for they emanate from different parties in the Illinois and their value can only be estimated after a careful analysis of their contents to determine who were the petitioners. First there was the party of Winston. The first petition was carried by Winston and Carbonneaux, but since Winston died in Richmond in 1784. (Dr. MSS, 4137.) Carbonneaux was the representative of this party at Congress. They wanted to remodel the existing government and to make Illinois into one district under a county lieutenant having sufficient power to maintain order. They had a contempt for the French, for their lack of intelligence, and for their failure to rule themselves. (Papers of Old Cong., xxx., 453.) The second party was that of John Dodge, who was more success-
Before leaving the country Winston made provision for the maintenance of the county government by the appointment, on January 8th, of Jacques Timothe Boucher Sieur de Monbreun, as his successor, but this he did not make public till January 21st, at which time he confirmed the sale of the office of notary-clerk by Carbonneau to Pierre Langlois.1 Before the arrangements for his departure were completed, the announcement of the arrival of the commissioners for western affairs, sent by the state of Virginia, had reached Kaskaskia, so that he had a further incentive for haste.

Although, for lack of other name, it is necessary to continue calling the government in the Illinois, the county of Illinois, legally the county had ended twelve months before Winston appointed his successor. It had been established by the act of the Virginia assembly in December, 1778, and was to last for one year and thereafter until the end of the next session of the assembly. It was renewed in May, 1780, and continued for a similar period.2


2 Hening, Statutes at Large, ix., 555; x., 308; this vol., p. 9.
INTRODUCTION

At the next session there was an attempt to have the act continued, but without success.¹ On the fifth of January, 1782, the general assembly adjourned and, "the statutory organization of Illinois expired" and from that time there was no government resting on positive provisions of law in the Illinois country, until Governor St. Clair inaugurated the county of St. Clair in 1790.²

The reason for this action of the legislature of Virginia is to be found in the negotiations with the United States in regard to the cession of this territory. A bill to that effect was passed by the assembly as early as January 2, 1781; but the business dragged through several sessions of the United States Congress, and the cession was not consummated until March 1, 1784.³ As is well known, it was not until 1787 that Congress passed an effective law regulating the government in the Northwest and not until the spring of 1790 that the governor appointed under that act reached the French settlements, so that during the period of eight years the people of the American Bottom were left to themselves to settle the problem of government as best they could.

After repeated petitions from the West and many accusations against officers, Virginia determined in the year 1782 to send a board of commissioners to these regions to investigate the claims against her and the whole question of the finances of the Western army. The accounts and bills as they had come to Virginia were greatly confused; for Montgomery, George, and other officers had made drafts without authority, and the amounts appeared large and were drawn for specie, so that fraud was suspected.⁴ The commissioners did not start for the West until October. They sent from Lincoln county on December 4th a notice of their appointment and powers to Kaskaskia and Vincennes and

³ *Jour. of Cong.,* viii., 199, 293, 253; ix., 47 et seq.; Hening, *Statutes at Large,* xi., 371 et seq.
⁴ Montgomery was authorized by Clark to draw on him and the treasury of Virginia; but the people preferred drafts on Pollock in New Orleans. These Montgomery was forced to give and justified his action before a court of inquiry in 1781. *Va. State Papers,* iii., 433. See also iii., 56, and instructions and letter of Governor Harrison, *Dr. MSS.,* 45, J60, 72.
requested that word be sent to Cahokia and St. Louis. A meeting at the Falls of the Ohio was set for January 15th.1

On arriving at the appointed place of meeting, the commissioners found no one. They suspected that Clark and his officers were conspiring to keep the French representatives from them, for they learned that the clerk of Kaskaskia, Carbonneaux, and the delegates from Vincennes had arrived at the Falls and been sent away.2 Whether their suspicions were correct or not it is impossible to say. If correct, the attempt was not successful; for the commissioners were overtaken at Logan in the spring by Winston and Carbonneaux. The latter made an accusation of ignorance and neglect of duty against the justices of Kaskaskia. He also recommended a stronger government for the country and said that some persons were setting themselves up as lords of the land. The commissioners believed that he represented the better elements of his village, instead of a minority as was the case. Winston did not make any deposition at this time. He accompanied the commissioners to Richmond, where he died in great poverty in the year 1784.3

Winston and Carbonneaux were not the only ones to carry memorials to the commissioners. On March 1st, the members of the French party sent off a ten-page petition concerning the affairs in the Illinois, in which, although they tried to confine themselves to claims for payments, as they had been instructed to do by the commissioners, they recur now and then to the hardships which they had endured. At about the same time another memorial, signed by most of the men opposed to Winston, was forwarded and in this was given in detail an account of the double

2 In his journal Colonel Fleming, one of the commissioners, is very outspoken about his suspicions. (Dr. MSS., 32260). From the same journal it is evident that Carbonneaux and the delegates from Vincennes were at the Falls in time for the meeting on January 15. Winston did not start from Kaskaskia till the 23rd of the month and the delegate from Cahokia, Fr. Toutier, left sometime in March. (See 302, p., 149). All the representatives were at Fort Nelson on March 30th and wrote a letter to Clark from there. (Dr. MSS., 50780).
3 The deposition of Carbonneaux is obtained from an extract sent by Walker Daniel to the commissioners February 14 in Dr. MSS., 603 and Va. State Papers, iii., 430; notice of Winston’s death in Dr. MSS., 4737. I regret that I have been unable to see the journal of this board of commissioners, which is in the Va. State Lib. Dr. Eckenzedde, the state archivist, has furnished me with a few extracts from it, but there was no way of finding out what would be of use to me except by having the three hundred odd pages copied and this I was unable to have done.
dealing of the county lieutenant, who had told the military officers that the French must be ruled by the bayonet while he was urging the French to oppose further levies; and the memorialists further declared that Winston was responsible for the lawless condition which prevailed in the country.¹

Those who had given freely of their goods for the support of the American cause were never to receive full recompense for their services. Most of the bills which were presented were finally paid by Virginia, but not until they had passed into the hands of speculators such as Bentley and Dodge, who had given to the original holders a very small percentage of the face value of the claims. Later the United States attempted to compensate the French people for the losses they had suffered by granting them concessions of land; but the delays were so long, their needs so pressing, and their foresight so poor that the men to whom the grants were made sold them for a song to land-jobbers and speculators, long before the difficult land question of Illinois was finally settled a generation after the occurrence of the events for which the French and others had ruined themselves.²

Between the appearance of the Virginia commissioners in January, 1783, and that of Colonel Harmar in 1787, the Illinois people were almost completely isolated. On account of the destruction of the documents which would have furnished information on the events of the period, the view we obtain of the men and affairs is a very hazy one. This, however, is evident. The experience of the Kaskaskians during the years of the American occupation had unfitted them to rise to the dignity of self-government and the anarchy only grew worse; whereas in Cahokia the court founded by Todd remained in power and was able to preserve order. The difference in the destinies of the two villages can only be ascribed to the presence of the turbulent frontiersmen

¹ They are both in the Menard Col., Tard. Papers, the first an original MS., the other a copy by the clerk.

² Amer. State Papers, Pub. Land, passim; Record-Books at Chester, Ill. When the United States accepted the cession of the Northwest from Virginia, it was agreed to reimburse the latter for all claims for necessary supplies to Clark, provided they were allowed before September 24, 1785. Many bills were presented and allowed before that time (Winsor, Westward Movement, 247); but many still remained in the hands of the French unpaid. (Smith, St. Clair Papers, ii., 168.)
in the southern village; for the inhabitants of the villages were of the same origin, and their experience had been practically identical except for the few years of the Virginia period.

We have already seen that many traders came into the Illinois in the spring of 1779 and others had followed them. Besides these several soldiers of the Virginia line made permanent settlements in the neighborhood. In the summer of 1779, Montgomery permitted a number of families to settle, "up the creek about thirty miles," and this probably marks the date of the beginning of Bellefontaine, the first village of Americans north of the Ohio River.\(^1\) In 1781, after the abandonment of Fort Jefferson, several families which had established themselves around that post came to Kaskaskia and some two years later made a stockade at Grand Ruisseau, which was under the bluffs at the point where the road from Cahokia to Kaskaskia mounts the hills.\(^2\) The leading men in these settlements were James Moore, Henry and Nicolas Smith, Shadrach Bond, and Robert Watts. The number of Americans scattered on the bluffs, in the villages, and on the bottom was over one hundred, most of whom were in or around Kaskaskia.\(^3\)

If order was to be maintained, it was essential that these scattered communities should be brought into some relations with the courts of the French villages. On July 9, 1782, while the justices were still holding sessions, fourteen of the Americans at Bellefontaine petitioned the court at Kaskaskia that they be permitted to maintain a subordinate court in their village and that either some one should be appointed justice of the peace or they should be allowed to elect one from among themselves to that office; and they expressed a desire to live under the laws of the county and to be united with the other villages. This petition was granted and an election was held, in which Nicolas Smith received ten votes and James Garretson five. The certificate of election

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\(^1\) Montgomery to Clark, \textit{Dr. MSS.}, 40174.

\(^2\) Reynolds, \textit{My Own Times}, 59.

\(^3\) In a contract with Tardiveau in the summer of that year, there are 130 signatures of Americans.
was written by James Moore, who signed himself captain. The organization of the village of Grand Ruisseau did not take place till the year 1786. Since it was in the district of Cahokia, the petition was sent to the court sitting in the village of that name. On January 2d the Americans were permitted to elect a commandant, subordinate to the commandant of Cahokia, and to name arbitrators to decide disputes, but they were to remain subject to the jurisdiction of the court. Robert Watts was appointed commandant. It was not until the next year that Grand Ruisseau received a justice; but, since the permission to elect such an officer was dependent on of events which occurred in Kaskaskia, the account will be postponed to the proper place.

The submissiveness of the Americans to the Kaskaskia court did not last long and in their attempt to gain the control of the government, after the abolition of that body by Winston, confusion and disorder reached a climax; and anarchy was made more complete by the drunkenness, insubordination, and lawlessness of the French cour de bois and the voyageurs.

Affairs were further complicated by the presence of British merchants, who had rushed into the region to capture the Indian trade. The Michillimackinac company, which had a store at Cahokia, was particularly conspicuous in this competition. The British were able to undersell the inhabitants in their commerce with the Indians and, since this deprived the villagers of a trade which they thought rightfully belonged to them, it was the cause of several complaints.

All the British who appeared in the West were not simply traders. The British government, which looked with covetous eyes on these rich lands, sent agents into all parts to report on the disposition of the people. Some of these, although not authorized by their government, openly urged the French people to unite with England, an issue out of their

2 See post, p. 217.
3 See post, p. cxxii.
4 Papers of Old Cong., xxx, 453; xl, 113; Smith, St. Clair Papers, ii., 174; Edgar to Clark, Dr. MSS., 53355.
troubles which would not have been altogether unacceptable to the Illinoisans.¹

Over this turbulent population the Canadian nobleman, Jacques Timothe Boucher Sieur de Monbreun, had been appointed governor by Winston. He had been born in Boucherville about thirty-six years before. While still a young man, he had sought his fortune in the West and established himself at Vincennes. He there won the confidence of Lieutenant Governor Abbott during the latter's short stay in the village and was employed by him as a confidential messenger.² He had readily united with the people of Vincennes in acknowledging the sovereignty of Virginia, influenced by the persuasive eloquence of Father Gibault. He was appointed lieutenant in the militia of the village, and was one of the officers captured by Hamilton, when the British retook the place.³ De Monbreun later enlisted in the Illinois battalion and received the commission of lieutenant, a position he held with honor until the fall of 1782, when the necessities of his family compelled him to ask for his discharge and pay. His letters to Clark show him to have been a man proud of his lineage and with a sensitiveness in matters of honor.⁴

Exactly what his party affiliations were, previous to his appointment, it is impossible to say. He was connected by marriage with the Bauvais family. He ran for office in 1782 and received only one vote. His appointment as deputy county lieutenant would indicate a close relation to Winston, particularly as the other official appointed at this time, the clerk Langlois, is known to have been of that party; yet his service in the army would show some association with the military party, with which Winston does not appear to have been on the best of terms; and his later actions connect him closely with John Dodge. Every-

⁴ Letters and certificates of De Monbreun, in MSS., 55 fasc. 2073.
thing considered, it is probable that his appointment was not favored by the French party.

On January 8, 1783, Winston issued to him the commission of deputy county lieutenant and gave him the following instructions for his guidance: "On every occasion that shall offer to claim your protection in behalf of the people as well as to support the cause of the States, you will act in concert with the oldest inhabitants in order to consider jointly with them the most proper measures to take concerning the affairs which may arise.

"For your direction I cannot direct you to a better guide than the 'Code of Laws and Articles of Right' which his Excellency the Governor has sent and which ought to be in the office of the court. These you will consult from time to time and mitigate as much as possible by the old customs and usages of this country. By adding to this your knowledge of jurisprudence you cannot fall into error. . . ."

"As there is nothing else which occurs to me to call to your attention, I rely on your prudence and experience as to unforeseen cases. I wish for you a better success in preserving peace than I have had."¹

The wish was almost ironical, for the conditions in Kaskaskia were growing steadily worse rather than better, and for this Winston was in part to blame. On account of the discontinuance of the sessions of the court through Winston's act, the deputy county lieutenant no longer had the moral support of the best citizens for the preservation of order. For the next few years De Monbreun was generally the only judge and at times he is satisfied to sign this less pretentious title to his name; but the petitions were addressed to him as county lieutenant. It is evident that the government in Kaskaskia had reverted to the older French type, wherein executive and judicial functions were exercised by one man. That there was a great deal of judicial business carried on is proved by the numerous petitions and other legal documents. The notary, Langlois, also found something to do, as is shown by the inventory of instruments drawn up by

him. In 1783 there were indexed eighty-five titles and in the
next year, eighty-seven. In the year 1784, for a short time, Aimé
Compte, the last president of the former court, reappeared and
styled himself, "judge in the village and district of Kaskaskia".
In a petition of June 16, there is mention of "De Monbreun, the
late commandant". It is possible that this marks some political
upheaval which for a time overthrew the deputy lieutenant.
This may have been due to the assertion of the rights of the
district against the village, for Aimé Compte was from Prairie du
Rocher; but if that is the explanation, the revolution was not
successful, for De Monbreun's activities as governor and judge
can be traced up to the latter half of the year 1786.2

Besides attending to the legal affairs of the district, De Mon-
breun managed to maintain peaceful relations with the Indians.
Raids were becoming more frequent and dangerous during these
years. The county lieutenant held several conferences with the
savages as did the commandants of the other villages. He spent
the public money and private funds, furnished by himself and
the militia officers, to satisfy their demands. By these means a
partial treaty was effected, which in a measure protected the
Illinois country.3

He was also called upon to maintain the honor of the United
States against the infringement of her rights by Spain. In 1783
two deserters from St. Louis took refuge in American Illinois.
Cruza, the commandant of St. Louis, seized these upon the soil
of the United States and carried them back to the Spanish village.
The action of De Monbreun in the case shows him at his best.
In a very dignified letter, dated October 12th, he pointed out to
the Spanish governor of New Orleans the illegality of the act
and the insult which had been offered to the United States.4
On the whole, however, the relations between the officials of the
Spanish possessions and those of the Illinois were most friendly.

1 Kas. Rec., Inventory.
this last the date has been transcribed incorrectly or some other error has been made, for De
Monbreun had no civil office in February, 1782.
4 Memorial of De Monbreun, Va. State Lib.
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Many letters passed between them on a variety of subjects, generally of a legal character. In fact, it was the policy of Spain at this time to propitiate the French and the Americans of the West, in order to persuade them either to revolt against the United States and unite with the Spanish colonies or to emigrate to the western bank. There has been preserved an interesting letter, the motive of which must be found in this policy. Shortly before the episode of the Spanish deserters, Cruzat wrote to De Monbreun that the merchants of American Illinois might have the protection of the Spanish convoy in sending down their merchandise to New Orleans.¹

Where De Monbreun failed in his government was where Todd and Winston had failed before him, namely in preserving peace between the factions. In his memorial to Virginia he has recorded the policy which he adopted, "in quieting the animosities between the French Natives and American Settlers." He writes: "Without troops to oppose the hostile designs of the savages, without any coercive means to keep under subjection a country where a number of restless spirits were exciting commotions and troubles, the greater circumspection and management became necessary, and the Commandant was induced to temporize with all parties in order to preserve tranquillity, peace, and harmony in the country."²

The temporizing of De Monbreun meant that he permitted the American settlers, who had found in John Dodge a leader of force and ability, to control the village. These men understood better than the French the anomalous position of Illinois—no longer a part of Virginia and not yet under the control of the United States — and took advantage of it. Many of them had obtained concessions of land from the court and many more from De Monbreun, who was particularly free-handed in making grants.³ It is very probable that the Kaskaskia government was not strong enough to deny or limit such concessions. A good example of

¹ Memorial of De Monbreun, Va. State Lib.
² Ibid.
³ Smith, St. Clair Papers, ii., 169.
the illegal occupation of land is offered by the case of this same
John Dodge. He seized the old French fort on the bluffs, and
fortified it with building materials and two cannon from the
Jesuit building, known as Fort Clark, and was prepared from
this vantage ground to defy what was left of the civil govern-
ment in the village; for the site commanded the defenseless com-
unity below.¹ For this seizure of public property there was not the
slightest authority, but no one dared to oppose the act. Dodge
was so audacious and the fort so favorably situated that his
influence was unquestioned in the village, and both the deputy
county lieutenant and the people were compelled to do his bidding.²

He was far more successful than Winston in building up a party
among the French by persuasion and intimidation. One of the
former judges, Nicolas Lachance, became his chief supporter, and
several of the others appeared ready to follow his lead. From
the glimpses we obtain of the French people, they appear to have
acknowledged the supremacy of the strongest and to have cringed
in a most unmanly manner before the energetic American, or as
a writer to Congress at a later time says: "But seeing they
could not give any information of their unfortunate condition
and consequently obtain any redress, they began the most shame-
full slavery, by flattering their Tyrant and serving him in the
most humiliating manner."³ Dodge, in turn, bullied the people,
struck them with his sword, insulted them, and fought with them.⁴

¹ Papers of Old Cong., xlviii., 10; this vol., p. 199. The occupation of the fort on the
bluffs by Dodge caused the old fort in the Jesuit building, which was known as Fort Gage
under the British and Fort Clark under the Virginians, to be forgotten, and the villagers
came to speak of the former as the fort, so that men like Mann Butler and John Reynolds,
coming later to Kaskaskia, supposed that it was the Fort Gage captured by Clark in 1778
and thus caused a controversy, curious if not very profitable, over the site of the fort and
Clark’s maneuvers. (Butler, Hist. of Kentucky, 13; Reynolds, Pioneer Hist., 72; for
the history of controversy, see Winsor, Nav. and Civ. Hist., vi., 710, note 1.)
² Papers of Old Cong., xxx., 403; xlviii., 10.
³ Ibid., xlviii., 13.
⁴ The fullest information in regard to Dodge is contained in the petitions to Congress of
the year 1785. These were written by that faction of the French party which remained un-
reconciled after the visit to Kaskaskia of Colonel Harman. (See ibid., p. xxviii.) The writers
were Father de la Valinriere and the clerk, Pierre Langlois. They exhibit such hostility and
animosity against Dodge that their testimony should be suspected, were not some of the
facts mentioned by them supported by other witnesses. Governor St. Clair wrote in 1790
that: "The Illinois regiment being disbanded a set of men pretending the authority of
Virginia, embodied themselves and a scene of general depredation and plunder ensued."
(Amer. State Papers, Pub. Lands, 1., 20.) The whole French party united on June 2, 1786,
in a petition to Congress in which they made charges against Dodge similar to those of De
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The people found difficulty in making their condition known; for Dodge was powerful and had many friends, so that his story was generally believed. He himself drew up a petition to Congress in June, 1784, asking that Illinóis be created an independent state, and found seventeen French inhabitants to sign it, most of whom belonged to the least intelligent of the community; eight were unable to sign their names, one was a woman, and of the other eight, only four had held office. They were not even all from Kaskaskia; one was an inhabitant of Vincennes, and the names of several of the others do not appear in any list of French inhabitants of the Illinois. The other signatures were those of Americans. The French party, a few months later, appointed Major Lebrun called Belcour to present their grievances to Congress. Petitions were prepared in both Cahokia and Kaskaskia, but Dodge "prophesyed, concerning him, be certain he shall never bear the west coat that he asketh." This prophesy was fulfilled, for the bearer of the petitions was killed on his way east near the Falls of the Ohio. A copy of the petition from Cahokia finally reached Congress, but not until it had been somewhat disguised and changed.

Dodge maintained his ascendancy in the village until 1786, in which year the inhabitants became thoroughly aroused and finally succeeded in overthrowing this representative of "Greek tyranny." The initial impetus to this action probably came from George Rogers Clark, who had always entertained a poor opinion of Dodge. In a letter he wrote to Congress in May, recommending that body to establish a government in the

la Valiniere but without so many details. (Papers of Old Cong., xii., 113; see post, p. cxxx.) In the placard of Commissioner Janis (See post, p. 495) there is an unmistakable reference to the seizure of building material from Fort Clark. In the record of the court held by De Monbrun the influence of Dodge is very evident and that in a case mentioned by De la Valiniere. (Kaz. Rec., Court Register.) Several papers in a suit brought by Madame Bentley against Dodge, give witness of his violence. (Kaz. Rec.) There should be added to these the succession of events which occurred after the departure of Dodge and his later attack on John Edgar. (See post, p. cxxi.) For these reasons it seems proper to accept the testimony of the leaders of the smaller faction as that which would have been given by the prominent Frenchmen at an earlier date, had they had occasion to write about the same events.

1 Papers of Old Cong., xxx., 435.
2 Ibid., xlviii., 10.
3 See post, pp. 567 et seq.
Illinois, he says that he had advised the French to revive their former magistracy.¹ There is nothing to show, however, that any steps were taken in Kaskaskia at that time; but an opportunity was afforded shortly afterwards by the presence of Joseph Parker to send a communication to Congress.² On the 2nd of June a very earnest petition was drawn up asking for an immediate government, because of the wrongs the inhabitants were suffering from the British merchants, who threatened to take the country under the law of that nation, and who were supported by John Dodge and Nicolas Lachance. These last had made themselves commandants and were acting most tyrannically.³ With this petition they sent a copy of the one which had been written by the Cahokians in 1784, but which had never reached its destination. This was now somewhat altered so as to give it the appearance of being also directed against Dodge.⁴

The petition from the French party was read in Congress on the 23d of August and caused that body to change its action, after it had supposed that two petitions from the French had already been considered. The first had been presented by Carbonneaux, former clerk and follower of Richard Winston, and had asked for some one with powers to govern;⁵ the second was the petition prepared by Dodge on June 22, 1784, which, being accompanied by a letter from the county lieutenant, De Monbreun, had an official appearance. Action had been taken on these two in February and March, 1785, and it had been decided to send a commissioner to investigate titles, to have magistrates elected, and to reform the militia; but for some reason no commissioner was sent.⁶ On December 28, 1788, three years later, the secretary called the attention of Congress to this omission, but the needs, for which the commissioner was to have been appointed, had already

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¹ Papers of Old Cong. 1st, 178
² I have found nothing concerning Parker.
³ Papers of Old Cong. XII, 111.
⁴ See post, p 360
⁵ Papers of Old Cong., XXX, 441.
⁶ Ibid., XXX, 431, 488.
been supplied by the ordinance of 1787 and the appointment of Governor St. Clair.\(^1\)

Upon the receipt of this third petition, Congress instructed its secretary to inform the inhabitants that "Congress have under their consideration the plan of a temporary government and that its adoption would not be longer protracted than the importance of the subject and a due regard to their interest may require."\(^2\) In accordance with instructions the secretary sent the message, employing as messenger the same Parker by whom the Kaskaskians had sent their petition.

During this critical period the French party received an important addition. For some years the only priest in the region had been Father Gibault, whose assistance to Clark has made his name so well known in the West. He had taken up his permanent residence in Vincennes, and therefore the churches in the American Bottom were neglected.\(^3\) Gibault had been sent by the bishop of Quebec, and his right to exercise his duties still rested on that earlier appointment. But now the Catholic Church of the United States had received a head in the person of the Prefect-Apostolic John Carroll, whose jurisdiction was extended to the Mississippi valley. The first priest sent by him to this district was the wandering Carmelite, Father St. Pierre, who undertook the charge of the parish in Cahokia in 1785 and continued there until 1789.\(^4\) Sometime in the summer of 1786 the Rev. Pierre Huet de la Valiniere arrived at Kaskaskia with an appointment as vicar general of the Illinois.\(^5\) He was the kind of man needed to draw the French out of the stupid timidity into which they had

\(^1\) Papers of Old Cong., clxx., 11.
\(^2\) Journals of Congress, iv., 688.
\(^3\) Shea, Archbishop Carroll, 460.
\(^4\) Ibid., 227; this volume, pp. 630, n. 78, 250, 260, 303.
\(^5\) Amer. Cath. Hist. Researches, New Ser., ii., No. 3. In this magazine the editor, Mr. Griffin, has published the most important papers on the life of De la Valiniere, where may be found the various disputes between him and the other priests. It is impossible to discuss them here, but Gibault claimed to be vicar general under his appointment by the bishop of Quebec and was unwilling to acknowledge the superiority of the new appointee. The matter was peaceably adjusted by the Canadian bishop withdrawing his jurisdiction from this region. (Shea, Archbishop Carroll, 466.) De la Valiniere entered into a dispute with Father St. Pierre also, but the latter was supported by the Cahokians, who appealed to the bishop of Quebec.
fallen. By nature he was impulsive and erratic, but full of enthusiasm for any cause to which he had given himself. In the year 1779 he had been expelled from Canada for his open espousal of the American cause; later he came to the United States and served at Philadelphia and at New York. He was now sent to a region where his peculiar talents would have an immediate effect, and, since the French regarded him as a representative of the United States, to which the Illinois now belonged, his advice carried great weight. It was undoubtedly his example and inspiration that encouraged the French to continue their resistance to the tyranny of Dodge.

Before the return of the messenger who had carried their petition to Congress the French people had themselves taken steps to gain control of their civil government. They first brought about, in July, the appointment of Maturin Bouvet of St. Philippe as civil and criminal judge. On August 14th Timothé de Monbreun, who had supported Dodge, resigned his office of deputy county lieutenant and appointed in his place a man who had consistently supported the French party, Jean Baptiste Barbau of Prairie du Rocher. It is noticeable that neither of the two newly appointed officers was a Kaskaskan.

Barbau was a man well advanced in years, when he was called upon to lead the French in their struggle for political liberty. In 1746, when he married his first wife, he was over twenty-five, so that in the year 1786 he must have passed his sixty-fifth birthday. His parents were not Canadians, but had come directly from France to New Orleans, where he was probably born.

The long expected reply from Congress was brought to Kaskasia by Joseph Parker in January, 1787. The people were eager to learn its contents, and sent in haste to Barbau at Prairie

1 Hald. to Bish. of Quebec, Can. Archives, B., 66, 161.
3 Kas. Rec., Petitions; Memorial of De Monbreun, Va. State Lib. De Monbreun remained only a short time in Kaskasia after laying down his office. The records show him still there in 1787, but after that he appears no more. He went to Tennessee and at an advanced age died in Nashville in 1826. He had accumulated considerable property which he left to his children. (Chester Probate Records, March 19, 1827, Randolph County.)
4 Marriage contract, Cah. Rec. in, Belleville, III.
du Rocher that he might come and open it. But the deputy county lieutenant being ill and unable to come gave his permission to the clerk to read the communication to the inhabitants.¹ There must have been some disappointment felt when they heard that the government for which they had so ardently hoped was not yet to be established, but was still to be determined upon. However, they had succeeded in communicating with Congress, which was some consolation.

At almost the same time an emissary appeared from a different quarter. George Rogers Clark had, during the fall of the previous year, led a force of Kentucky militiamen, without the authority of the United States, against the Indians in the Northwest territory. He then decided to garrison Vincennes, and now sent John Rice Jones to buy provisions in the Illinois, where some of the merchants had promised him assistance.² The name of Clark had always been honored by the French, for they still remembered the kind but firm rule they had enjoyed during that year when he held not only the military but the civil authority. They were therefore easily persuaded that Clark and this agent represented the United States. Jones was well received and his purchases were guaranteed by a prominent American merchant, John Edgar, whose relations with the French were far more kindly than those of his fellow countrymen.³

Dodge, who had never forgiven Clark for his suspicions, and

¹ The letter from Barbau is torn so that there remains of the date only the year and "avant." Kaz. Rec., Letters.

² For the expedition of Clark see Winsor, Westward Movement, 272 et seq.; Secret Journals of Cong., iv., 313, but see also pp. 301 et seq.

³ Papers of Old Cong., xlviii., 19. John Edgar was born in Belfast, Ireland, of Scotch-Irish parents. During the years 1772-1775, he commanded a British vessel on Lakes Huron and Erie. He then went into business at Detroit, where he was arrested on August 24, 1778, for corresponding with the Americans, and remained in prison until 1781, when he escaped. He had learned while in prison of the treasonable correspondence of the Vermonters with the British government and by giving information concerning it won the confidence of Washington, George Clinton, and Congress. In 1784 he went to Kaskaskia to establish himself in trade. The trying years which followed almost drove him to cross to the Spanish bank; but with the coming of Governor St. Clair conditions became better and he was appointed to important positions under the new government. For twenty-five years he held the office of justice of the Court of Common Pleas. During this time he purchased many of the land claims of the French for a few dollars and in the course of years became the richest land owner of the American Bottom. In 1798 Congress voted him 3240 acres of land in consideration of his losses in Canada during the Revolutionary War. He died in 1830. Roberts, Life and Times of General John Edgar, Address in MS. to be printed in Transactions of Ill. Hist. Soc., for 1867; Amer. State Papers, Pub. Lands, passim; see post, p. cxiii, et seq.
who, in this case, had right on his side, since Clark was acting in a most illegal manner in invading the territory of the United States, opposed the collection of supplies by Jones and was powerful enough to prevent any sales. Jones went to Vincennes, however, and returned with troops. The narrator's account of what then occurred is interesting. "Mr Jones seemed a fine gentleman who caused no hurt to any body, but entered in the above said fort on the hill occupied by John Dodge. he threatened him to cast him out from it if he continued to be contrary to America, as he was before. he stood there some days with his troops, during which time the wheat had been delivered peaceably and no body has been hurted."\(^1\)

With the rising anger of the French and the promised assistance of Clark, Dodge began to feel that his position was becoming a dangerous one. He therefore collected his property and sometime in the spring crossed to the Spanish side, leaving a farmer to guard the fort and such of his possessions as he left there.

With the departure of Dodge all difficulties were by no means overcome. Since the expected authority from Congress to form a government did not arrive, the people began to clamor for some immediate form of judiciary, and they naturally turned to the government which had been established by John Todd. They knew no other nor was there any semblance of legality to be found except in the revival of their former civil organization. The final decision to revive the court came from the people and not from the county lieutenant, who, however, when consulted gave his unqualified approval.\(^2\)

The clamors of the Americans, who numbered over one hundred, were heeded in this new establishment and they were given the franchise. Unfortunately for the French party the newcomers were more familiar with the use of the ballot, and by concentrating their votes were able to elect three of their own number to office. These were Henry Smith, John McElduff, and Thomas Hughes. The other three candidates elected were Antoine

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\(^1\) De la Valinere in *Papers of Old Cong.*, xlviii., 10.

Bauvais, François Corset, and J. Bte. Bauvais. These last had all held office before. Henry Smith was made president of the court. He was about fifty years old, and had come from Virginia to Illinois in 1780 and settled at Bellefontaine.

The first session was held on June 5, 1787, probably without the presence of the French justices, who were not willing to admit Americans to the bench. At this session no business was transacted. On the 7th of July the French justices posted on the door of the church a memorial addressed to the people, in which they set forth their objections to serving on the same bench with the Americans. The chief difficulties they raised were the impossibility of the American and French judges understanding each other and the hopelessness of finding an interpreter capable of successfully performing his duties. The protest contained their definitive decision, and the two parties were compelled to separate. The result was that the Americans outside the village were turned adrift, and Bellefontaine, from this time, ceased to belong to the Kaskaskia district. An agreement was drawn up the day after the protest, in which the signers promised that the court should remain French as it had been constituted by John Todd, and that the Frenchmen receiving the next largest number of votes should be added to the list of judges. These were Vitale Bauvais, Nicolas Lachance, and Louis Brazeau. The number of signatures was not large, but the presence of John Edgar's name gave some promise that his influence would be thrown on the side of peace. The presence of the three members of the

1 Certificate of election by Barba. Kas. Rec. I prefer to explain the composition of the court as above rather than to regard it as the result of agreement, because the protest of the French justices, noted below, would have been made before rather than after the election, if there had been any agreement to divide the court between the two classes of inhabitants.

2 Mason, John Todd's Record-Book, 308; Kas. Rec., Petitions. The government thus revived is probably the one to which Colonel Harmar refers, when he writes: "There have been some imposters before Congress particularly one Parker, a whining, canting Methodist, a kind of would be governor." (Smith, St. Clair Papers, ii., 31.) In a petition to Congress written by Tarlton, who favored the American party in the Illinois, it is said: "That a simple report of a committee of Congress recommending the situation of the Illinois country has been by some designing persons palmèd upon them for a frame of government actually established." Papers of Old Cong., xlviii., 209.

3 See post, p. cxxvi.; In Mason, John Todd's Record-Book, 312, there appears a jury trial attended by several Americans from Bellefontaine. They were probably called in on account of an insufficiency of Americans in the village to form a jury.

4 Both papers in Kas. Rec. The record of the sessions of this court may be found in the back of John Todd's Record-Book, 308 et seq.
Bauvais family among the justices may be explained by the fact that few important French families had remained in Kaskaskia during these trying years, for the majority had preferred to seek refuge under the Spanish government.

The question of the court had hardly been settled, when Colonel Harmar, who commanded in the Northwest, appeared in the village with some United States troops. He had been sent to the Illinois to make a general inspection of conditions, particularly to put an end to the anarchy at Vincennes due to Clark's garrison, and arrived at Kaskaskia on the 17th of August.† He was accompanied by Barthélemy Tardiveau, a French mercantile adventurer, who had had relations with the Kentucky separatists ‡ and was a personal friend of John Dodge, with whose brother he had lived at the Falls of the Ohio.§ Tardiveau had very little knowledge of the conditions existing in the Illinois other than what he had learned from the Dodgers; but Harmar was persuaded that he was the best informed man in the country and made him his interpreter and chief adviser.¶ Dodge returned to his fort above Kaskaskia where he entertained the colonel, whose associates from this time were almost exclusively members of the Dodge party. Even after Harmar had visited the orderly village of Cahokia, his opinion of the French still remained somewhat affected by the influence of these men, so that he reported: "I have to remark that all these people are entirely unacquainted with what the Americans call liberty. Trial by jury etc. they are strangers to. A commandant with a few troops to give them

† Smith, St. Clair Papers, ii., 22, note, 30 et seq.
‡ Roosevelt, Winning of the West, pt. v., ch. i. I have found several notices of Tardiveau to prove his importance in the development of the West, but such notices are so disconnected that almost nothing can be said of his life. He lived for a time in Holland and was later engaged in the fur trade at Louisville, before 1786. His influence with Governor St. Clair was as great as with Harmar, and he was appointed colonel of militia and judge of probate of St. Clair County. (Smith, St. Clair Papers, ii., 164.) He evidently did not remain long on the American side, for he was shortly afterwards at New Madrid and engaged in the Mississippi trade with Pierre Menard and others. This enterprise failed. (Menard Col., Tard. Papers.) In 1793, he was associated with Genet's scheme and was appointed chief interpreter. He died before 1800.
§ Papers of Old Cong., xlvii., 13.
¶ Smith, St. Clair Papers, ii., 31, 35.
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orders is the best form of government for them; it is what they have been accustomed to.” 1

Although the majority of the French were ready to accept without question any disposition that might be made of them, some members of their party were by no means satisfied with the course of events. The leader of this faction was the Vicar General Huet de la Valiniere. His most important follower was the clerk, Pierre Langlois, who had been an adherent of Richard Winston and was an irreconcilable enemy of John Dodge. The priest, however, had lost all influence over the French by his own tyrannical methods. His was a nature to make enemies, and during the past year by his close adherence to the canonical law and his harsh and personal attacks in his sermons against individuals he had managed to stir up every community of the American Bottom against him. 2 He and his associates were not willing to give up the old issues against the Americans, and were particularly exasperated that Tardiveau, a friend of John Dodge, should be the spokesman for the villagers; for said they, “that frenchman who speaketh easily the English language is come lately here with Col. Harmar whom he inspired with sentiments very different from those which we could expect from a gentleman in his place. He deceived him in their way as he was himself deceived. He made him stay, live and dwell only in the houses of friends of Dodge, he accompanied him everywhere like his interpreter, but he could not show him the truth being himself ignorant of it, he gave allways an evil idea to every word proceeding from those who Dodge thought to be his enemies.” 3 Tardiveau could not ignore this attack and declared that Langlois was opposed to any change in the regulations made by Todd. To justify himself Langlois, accompanied by the priest, presented himself before Colonel Harmar and said: “We desire and expect every day one regulation from the honl Congress, but now till it may come, having none,

1 Smith, St. Clair Papers, ii., 32. A further proof of the influence of Dodge is given by Harmar’s unfavorable opinion of Parker, who had carried the message of the French party to Congress. Harmar writes that he was very “unpopular and despised by the inhabitants.” (Ibid, ii., 35.)


3 Papers of Old Cong., xlvi., 19.
we did by common consent agree to keep the same brought by Mr Todd, till the other may come, and Mr Tardiveau would do better to deceive not others as he is deceived himself." The narrative continues: "Afterward the same Mr Langlois having shown the above said proofs against John Dodge who was present, the said Dodge was so much angry that in the presence of the Lieutenant Makidoul [Ensign McDowell] with several others in the yard he did cast himself upon the said Mr Langlois and putting his fingers in his eyes and hair he would have made him blind, if the officer had not cried against him."¹

Harmar did not care to become mixed up in the local quarrel, which he probably regarded as beneath his notice, and gave his support to the government which had been established, so far as to tell the inhabitants to obey their magistrates.² Dodge, however, felt that the victory belonged to him, and after the departure of the troops assembled his friends in his fort and "fyred four times each of his great canons, beating the drums etc."

Harmar brought discouraging news to the American settlers, who had received land grants from the deputy county lieutenants and courts. They were informed that such titles had no legal value, since Congress had forbidden settlements on the north side of the Ohio.³ This affected the villages of Bellefontaine and Grand Ruisseau. In this condition Tardiveau saw his opportunity. He agreed with the settlers to represent their case before Congress and obtain for each of them a concession of land, in consideration of one tenth of all land thus granted. The agreement was signed by one hundred and thirty Americans. He also represented to the French that their sufferings merited payment in land and offered to obtain for each of them a grant of five hundred acres on the same terms. The French had begun to learn the American habit of speculating in land, at least they thought they saw their opportunity to imitate that example, and most of them took advantage of the offer. In

¹ Papers of Old Cong., xlvi., 10.
² Smith, St. Clair Papers, ii., 32.
all fifty-three signed the contract at Kaskaskia, as did also the most representative citizens of Cahokia. To Pierre Langlois this act seemed to be a surrender to the enemy and he realized that the French would never reap the benefit, as in fact they did not, for the majority were too indolent to cultivate the ground they already possessed. He therefore wrote a letter to Congress saying that the French had been deceived and were not in need of that form of relief.\footnote{Papers of Old Cong. xlvi., 89.}

For the next year Tardiveau deluged Congress with petitions. They were long wordy affairs full of glittering generalities and flowery phrases. He had been given copies of all the previous petitions and other important papers, and out of these he wove a story to soften the hearts of the congressional delegates; but he was careful not to mention names or particular events of the last few years, for his constituents were of all the parties which had divided Illinois politics, and he wished to obtain lands for all. He painted the French as living in Arcadian simplicity, guided only by the dictates of conscience and innocently bowing to the hardships thrust upon them, but through all their troubles retaining an unbounded faith in the goodness of Congress and a faithfulness to the American cause. The Americans he pictured as making settlements with all faith in the power of the courts to grant land, and as being greatly surprised at the illegality of the titles thus obtained. He allowed himself to speak against Clark and his officers who, on account of the recent attack on the Indians and the garrisoning of Vincennes, were in little favor.\footnote{See his petitions in Papers of Old Cong. xlvi., 119, 123, 209; xli., 275.} He found that George Morgan and his associates were attempting to obtain a grant of land for a colony in the same region and protected the interests of his constituents from them.\footnote{Papers of Old Cong., xlviii., 80.}

Tardiveau was successful in arousing an interest in the French and gaining for them grants of land. Between the years 1788 and 1791 three laws were passed, either by the Continental Congress
or the Congress of the United States, by which four hundred
acres were given to every head of a family living in the villages
in the year 1783, and a hundred acres to those enlisted in the
militia in 1790; to satisfy the Americans they were granted titles
to lands which had been taken up under concessions of a sup-
posed authority and which had been improved.\(^1\) The history
of these land grants belongs to a later era; for twenty years were
to pass before the many difficulties arising out of them were
settled. Sufficient for our purpose is the fact that very few of
the petitioners or their families were benefited by the concessions,
for, long before the claims were settled, the rights of the original
grantees were purchased by American land speculators. That
story is but a continuation of the present one, the supplanting
of the French by the more virile Anglo-Saxons.\(^2\)

While Tardiveau was thus representing the misfortunes of the
Illinois to Congress, the Court which had been founded with
such hopes had, after a short period of innocuous existence, passed
away.\(^3\) The French of Kaskaskia were not experienced enough
to inaugurate a new movement after the events of the past years.
Had they been left to themselves they might have succeeded as
well as the Cahokians with self-government; but their spirit had
been broken, and their natural leaders had taken refuge on the
Spanish shore. Influenced by the example of the Americans,
the French themselves gave no obedience to the court which they
had established. In 1789 John Edgar summed up the character
of the people of Kaskaskia in these words: "It is in vain to expect
an obedience to any Regulations, however salutary in a place
where every one thinks himself master, & where there is not the
least degree of subordination. You know better than I, the
dispositions of a people who have ever been subject to a military
power, & are unacquainted with the blessings of a free govern-
ment by the voice of their equals. To the commands of a Superior

\(^1\) A good account of these laws is given by E. G. Mason in Chi. Hist. Soc. Col., iv., 192
et seq.; see also Amer. State Papers Pub. Lands, ii., 124.

\(^2\) In Chester Ill., there are several record books containing the record of these sales of
claims. The prices paid for each four hundred acres range from fifteen dollars upwards.

\(^3\) Mason, John Todd's Record Book, 313.
there are no people readier to obey; but without a superior there
are none more difficult to be governed.”¹

The end of the court was without doubt hastened by the
charge of illegality of its decisions made by the Kentuckians, who
refused to recognize any civil organization in Illinois, saying
that under the act of Congress, neither the people nor the com-
manding officer was authorized to appoint magistrates.² This
reference is to the “Ordinance of 1787”, which created a govern-
ment for the Northwest and under which ordinance Arthur St.
Clair was appointed governor in 1788; but, since the effects of
this act were not extended to the Illinois till the spring of 1790,
the people were without other authority than that which resided
in themselves and were for the moment weakened by the ordi-
inance itself, since it annulled all other jurisdiction than that which
might be established in accordance with its decrees.

The history of the “Ordinance of 1787” does not fall, however,
within the limits of this Introduction; but in one point it was to
affect the Illinois seriously and immediately. It prohibited
slavery in the Northwest. As soon as this was learned, the French
supposed that the slaves which they had always owned would be
set at liberty. This fear was used by the Spaniards to draw the
inhabitants of American Illinois to their territory as settlers. In
1788 George Morgan, who was, as we have seen, well known in
the lands on the Mississippi, was attempting to make a settlement
at New Madrid. He had been disappointed in obtaining a grant
of land for a settlement on the American side and so accepted the
offer of the Spanish government for a large tract on the western
bank.³ He advertised extensively the advantages of the colony,
where he had been accorded religious toleration and the free
navigation of the Mississippi. One of the arguments he used was
the action of Congress in making the land of the Northwest free
soil. He attracted many French and Americans by this means
in spite of the efforts of Tardiveau and Major Hamtranck, com-

¹ Edgar to Hamtranck Dr. MSS., zw124–142.
² Hamtranck to Harmar November 11, 1789, Dr. MSS., zw124–142. This was said
of the court of Post Vincennes, but was equally true of Kaskaskia.
³ Winsor, Westward Movement, 366.
manding at Post Vincennes, who tried to stop the emigration by assuring the French that Congress had no intention of freeing the slaves already owned in the territory, an interpretation of the ordinance which St. Clair later confirmed.¹

Another cause of the emigration at this time was the danger to life and property from the Indians. Several tribes of the Northwest were on the warpath and had ceased to spare the villages, as they had previously been inclined to do, when the attachment of the French to the Americans was uncertain. The Miami, the Wabash, the Kickapoos, and the Pottawattamies were all accounted enemies and had made attacks on the unprotected settlements.² The villages in the Illinois suffered most, however, from the Piankeshaws of the Spanish bank, who were incited by the Spaniards to burn and murder until the inhabitants should be forced to take refuge under the Spanish government. A writer from Kaskaskia says: "It is well known that the minds of the Indians are continually poisoned by the traders on the other side, who set off America in the most despicable light possible, which has not a small influence with the Indians. Government may not encourage it, but surely if friends to us they ought to put a stop to it."³ On October 8, 1789, John Dodge, who was glad enough of an opportunity to revenge himself, led a band of these Indians and some whites into the village of Kaskaskia and attempted to carry off some slaves belonging to John Edgar, the most prominent and one of the last Americans to cling to that village. Although he failed, the lives of Edgar, his wife, and John Rice Jones were for a time in the greatest danger.⁴

It is possible that the Spanish government did not send out such expeditions as that led by Dodge, yet the purpose accomplished by such a policy was in accordance with the instructions from the government, if we are to believe the report of Chouteau,

¹ Smith, St. Clair Papers, ii., 103, 117, 122, 176; Dawson to Governor Randolph, January 20, 1780, Va. State Papers, iv., 554; Hamtramck to Harmar, March and August, 1789, Dr. MSS., 2w17, 70.
² Hamtramck to Harmar, Dr. MSS., 2w17, 30.
³ Edgar to Hamtramck, October 28, 1789, Dr. MSS., 2w124-142.
⁴ Ibid.
who informed Edgar that "orders had been received from New Orleans by the Lieut. Gov" of St. Louis, for him to make every difficulty possible with the people of this side, so that they might thereby be forced to go to live on the other."1 That they might be induced to change their allegiance, Governor Miro issued a proclamation offering land gratis and other attractions to all new comers.2

A further means of inducing immigration was the enticement of the French priests to the Spanish side. Father Le Dru, who had succeeded De la Valiniere at Kaskaskia, Father St. Pierre at Cahokia, and later Father Gibault were persuaded to take parishes in the Spanish territory. The cause mentioned was not the only one which affected the priests; for they found the French of the American Bottom very indifferent about religion and both unable and unwilling to pay tithes, thus making it impossible for the priests to live among them.3

The result of the hardships which the French had endured during these years and the long deferred fulfilment of their dreams of peace and independence was a striking decrease in the population of Kaskaskia. We have seen that in 1778, when George Rogers Clark occupied the village, there were about five hundred white inhabitants.4 In 1783 there were 194 heads of families. As thirty-nine of these were newly arrived Americans, the figures apparently prove that the French population had remained about stationary.5 By the census of 1787, there were 191 male inhabitants in the village.6 Counting 150 women and female children, which is probably too high an estimate for a frontier community, the population was about 341, which would mean a decided decrease. The period of the greatest emigration occurred between the years 1787 and 1790, when anarchy reached its climax in Kaskaskia, and the Spaniards were holding

1 Jones to Hamtramck, October 29, 1789, Dr. Mss., 2w124-142.
2 Smith, St. Clair Papers, ii., 122.
3 Jones to Hamtramck, October 29, 1789, Dr. Mss., 2w124-142.
4 See supra p. xvi.
6 Papers of Old Cong., xlvii., 181.
out the greatest inducements to settlers on the western bank of the river. There has been preserved a list of the male inhabitants in Kaskaskia for the year 1790, in which the heads of families are enumerated. The number is 44.1 This is a decrease of over 77 per cent in the French population of the village since 1783. This list is interesting on account of the names which are missing. Almost all the men who had been leaders of the French people throughout the period of the county of Illinois were no longer residents of Kaskaskia. We look in vain for the names of Cerré, Vitale, J. Bte., and Antoine Bauvais, Corset, Lasource, the elder Charlevilles, Morin, De Monbreun, Langlois, Levasseur, Lafont, Carbonneaux. They have crossed the river to seek peace and safety under the flag of Spain.

The picture of the village of Kaskaskia as described by its people in these last days in a petition to Major Hamtramck is one of utter misery and despair. They wrote: “Our horses, horned cattle & corn are stolen & destroyed without the power of making any effective resistance: Our houses are in ruins & decay; our lands are uncultivated; debtors absconded and absconding, our little commons destroyed. We are apprehensive of a dearth of corn and our best prospects are misery and distress, or what is more probable an untimely death by the hands of the savages.

“We are well convinced that all these misfortunes have befallen us for want of some Superior or Commanding authority; for ever since the cession of this territory to Congress we have been neglected as an abandoned people, to encounter all the difficulties that are always attendant upon anarchy and confusion. neither did we know from authority until latterly, to what power we were subject. The greater part of our citizens have left the country on this account to reside in the Spanish dominions; others are now following, and we are fearful, nay certain, that without your assistance, the small remainder will be obliged to follow their example.”

In the foregoing petition the people begged Major Hamtramck

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2 *Dr. MSS.*, 2124-142.
to send twenty soldiers with an officer to maintain order and to give them authority to establish a civil government. The petition was accompanied by a letter from John Edgar, who promised to furnish barracks and supplies for the soldiers at the very lowest price until the governor could make other arrangements. This Hamtramck had no authority to do, nor could he afford to send the men; but he forwarded the petition, and so far exceeded his powers as to authorize the formation of courts of justice. These were never established, since justices without troops would have no means of enforcing the law.

The trials of the last year broke the courage of John Edgar, who had realized the possible greatness of the territory, and had used his influence to promote peace and to bring a government to the disordered and disheartened village. In November, 1789, he wrote: "The Spring it is possible I can stand my ground, surrounded as we are by Savage enemies. I have waited five years in hopes of a Government; I shall wait until March, as I may be able to withstand them in the winter season, but if no succour nor government should then arrive, I shall be compelled to abandon the country, & I shall go to live at St. Louis. Inclination, interest & love for the country prompt me to reside here, but when in so doing it is ten to one but both my life & property will fall a sacrifice, you nor any impartial mind can blame me for the part I shall take." Edgar was not compelled to abandon the country of his adoption, for in the month designated Governor St. Clair arrived in the village of Kaskaskia.

The history of the village of Kaskaskia at which the county government had been established is the story of the prolonged suffering of the French population. Tyranny followed upon tyranny. After the Virginia troops had stripped the people, came John Dodge with his policy of terrorism, and when he had been overthrown and the French people had seized the power, their hands were too feeble to maintain order at home, and their village

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1 Dr. MSS., sw24-142.
2 ibid.
became the prey of the savages and Spaniards. From this picture, it is a pleasure to turn to the village of Cahokia at the extreme north of the American Bottom. Here the troubles were somewhat similar in kind as those at Kaskaskia, but never so virulent and the court of the district of Cahokia was able to establish itself and its authority so securely that even the abandonment by Virginia and the United States could not shake it. The letter from the state’s attorney, Joseph Labuxiere, printed in this volume draws the contrast between the conditions existing in the two villages in the following words: “The misunderstanding of the magistrates of Kaskaskia and the extreme disorder of the business of the individuals, occasioned by some persons greedy for money, have compelled me to withdraw with my family to Cahokia, where I have found the inhabitants filled with the unity of peace and fidelity to the states, and a court which the justices are careful to administer with equity to those who ask its help.”

Another fact gives striking proof of the condition described by Labuxiere. At the beginning of the period the population of Cahokia numbered about 300 inhabitants. In the year 1787 a careful census was made and there were 240 male inhabitants, which would make the total population over 400, and in 1790 Cahokia was capable of supporting three companies of militia while Kaskaskia had but one. Thus while Kaskaskia was decreasing, Cahokia was growing both in size and in importance, and becoming the “metropolis” of the American Bottom.

As far as can be learned François Trottier was the commandant of the militia throughout this period and it is due largely to his efficient administration of the police that the village prospered. The justices were elected annually by the assembly of the people until the passage of the Ordinance of 1787, when, in anticipation of a new government, regular elections ceased and the same jus-

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1 See post, p. 589.
2 See supra, p. xv.
4 In 1785 Antoine Girardin held this office temporarily as did J. B. Dubuque at a later period.
INTRODUCTION

tices continued in office. In August, 1788, there was an election of three magistrates to fill vacancies made by resignation. It was the last election held in the county of Illinois. The justices held their sessions with great regularity and their administration was admirable.

The relation of Cahokia to the county government was never very close. In fact the people of that village did not appear to have any very great respect for the Kaskaskians; for in their petition to Congress in 1786 they begged that body not to submit them to the jurisdiction of the southern village, because they knew “the incapacity, spite, and partiality of those who would exercise it.” The high sounding title of deputy county lieutenant meant little more than head of Kaskaskia. This at least was the feeling of the Cahokians, and the only hint that such was not the actual condition is the fact that Timothe de Monbren made several journeys to Cahokia in order to negotiate with the Spaniards and Indians in the interest of the whole territory.\(^1\) That he or any of the other deputies of John Todd really had the power to interfere in the affairs at Cahokia is not apparent from the records, and, in the absence of proof and in view of the actual powers exercised by the court of the village, it seems best to regard the county government as more formal than actual.

We have seen that the Kaskaskians complained of the establishment of the Michillimackinac company at Cahokia. From the year 1783 many British merchants found their way to the Illinois and established stores in the village. Among the names which occur are J. B. Perrault, representing Marchisseaux of Montreal, James Grant, Meyers, Tabeau, Guillon, William Arundel, John Askins, and others.\(^2\) These merchants practically monopolized the fur trade of Illinois; but the Cahokians, finding that they interfered with the Indian trade as well, were strong enough to make regulations to protect their own interests and gave a limited monopoly of that trade to one of the citizens

\(^1\) See post, p. 587.
\(^3\) Narrative of Perrault in Schoolcraft, *Indian Antiquities*, iii., 535; this volume, passim; Smith, *St. Clair Papers*, ii., 174.
of the village and prohibited all sale of liquor to the savages by others. When the Indian outrages reached their climax in the year 1789 and Kaskaskians were begging the military officer at Vincennes to send troops for their defense, the court of Cahokia still further regulated intercourse with the Indians and forbade all sale of liquor by any one.

Exactly how the Cahokians were affected by the intrigues of the Spaniards in the later years, it is impossible to say. At the end of the record of the sessions will be found an unexplained punishment of a Frenchman from St. Louis who was evidently attempting to undermine the power of the court; but once again that body was equal to maintaining its authority and, from the complaint of the prisoner, it would appear that the support of the villagers was given to the government.

Cahokia was not disturbed by the Americans in the same way as her sister village, for the American troops did not remain in the village after 1780 and very few individuals took up their residence there. Aside from the British merchants only four non-French names appear in the later years as actual citizens, Thomas Brady, Philippe Engel, Isaac Levy, and William Arundel, and of these the first three seem to have become completely gallicized and to have married French women. The American settlers who came in closest contact with the Cahokians resided at Grand Ruisseau, which fell within the district of the village. In 1786 they were permitted by the magistrates, as we have seen, to appoint a captain of militia, but they remained subject to the immediate jurisdiction of the court except in such cases as might be decided by arbitrators.

Cahokia, however, was not to escape wholly without trouble from these neighbors. After the failure of the Americans in the spring of 1787 to capture control of the court of Kaskaskia the settlers of Bellefontaine and Grand Ruisseau determined to establish a rival and independent court, for which purpose

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1 See post, p. 73. 125. 215. 250. 575
2 See post, p. 607.
3 See post, p. 437
4 See post, p. 317
they held an election and chose magistrates. If the movement had been confined to the first named village, which was in the district of Kaskaskia, the Cahokia government might not have made any opposition; but the inclusion of the village of Grand Ruisseau was an affront to the one French court which had proved its right to exist. Fortunately for the Cahokians, the leaders of the movement wished to supplant Robert Watts, their appointee, in his office of commandant. This aroused Watts to immediate action, particularly as his rival was James Piggott, a man who represented the more restless and impatient element among the Americans.1

Watts came to Cahokia and addressed the court in Ciceronian periods, pointing out the danger which threatened the law and order of the district by this innovation or revolution. The danger was not exaggerated. The court at Cahokia represented the only stable power in the Illinois at the time, and with a rival court of Americans at Grand Ruisseau and Bellefontaine, there would inevitably have followed disorders which might have taken on the character of a civil war between the two peoples. Certainly the two courts would not have acted together for the suppression of lawlessness. The action of the court of Cahokia was prompt and energetic. It prohibited the holding of any independent assemblies of the people or sessions of the court, and condemned the leaders of the movement to be put in irons for twenty-four hours and, in case they disobeyed the order of the court, they were to be driven from the territory. The magistrates of Cahokia were not weak. Their decrees were executed. In striking contrast to the timidity and inefficiency of the court of Kaskaskia is the action recorded by the hussier under that decree against the Americans: “The present decree has been executed the same day.”2

This revolution occurred in August or early in September. The Cahokia justices now felt the need of taking some steps to

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1 Piggott was later appointed by St. Clair one of the first judges in the district of Cahokia. Smith, St. Clair papers, ii., 165; for some account of him see post, p. 190, note 1.
2 See post, p. 597 et seq.
satisfy the demands of the Americans. Those at Bellefontaine belonged by right to the Kaskaskia jurisdiction, but to expect from the Kaskaskia French the maintenance of law and order was hopeless. Therefore, when all the Americans of the region petitioned for admittance to the district of Cahokia and the right of electing a justice of the peace at each of the two chief settlements, the petition was granted at the October session of the court, and the election of a justice and a militia officer at Bellefontaine and of a justice at Grand Ruisseau was confirmed on November 2d.\(^1\) Thus around Cahokia there centered all the forces which made for peace and order, and even the American settlers, who had assisted in the overthrow of the court of Kaskaskia, were able to escape the anarchy which their presence had produced only by submitting to the Frenchmen of the northern village.

As may be seen in the following pages, the court at Cahokia continued to maintain order in its district until other and more legal regulations were made. During the last years the court was constantly expecting the arrival of the governor, who had been appointed in 1788 under the law creating the Territory Northwest of the Ohio River; but Governor St. Clair was unable to reach the Illinois until two years after his appointment. Finally after long delay, on March 5, 1790, he actually arrived in Kaskaskia. This was the limit of time John Edgar had fixed to which he would wait for the inauguration of a government at that village. The Cahokia court held its usual meeting in the same month, and again on the first of April the court heard suits brought before it and adjourned to the first of May. Here the record of the sessions of the Court of the District of Cahokia of the county of Illinois ends, for on the 27th of April the county of St. Clair was instituted and two days later the appointment of the judges of the new courts was announced.

The history of these new courts is of a later date than the limit of the present Introduction, but the next period in the history of Illinois is a continuation of that which we have already

\(^1\) See \textit{pass}, p. 307
reviewed. The French were not able to struggle against the Americans, who were now placed in the ruling positions, and a new exodus of the population began. To follow the destinies of the more energetic families named in these pages, it is necessary to cross the river. The descendants of J. Bte. Barbau, of the Bauvais, the Sauciers and the Trottiers are to be sought not in the territory or state of Illinois, but in that territory which for a few years remained under the dominion of Spain, where the French took refuge. The census of several old French towns of the western banks of the Mississippi reveals the presence of many families once inhabiting the American Bottom. The French have not figured prominently in the later history of Illinois, but the continuation of their civilization is found in the sister state of Missouri, where they still form an important element in the population; or else in the far West, where many descendants of the sons of Kaskaskia and Cahokia fled before the advance of the American settlers and followed the life for which they had been trained, that of trader, pioneer, and trapper.

In the foregoing history of the "County of Illinois" I have based the narrative upon the source material that has been preserved from that time, some account of which should be given, since several of the collections studied have been unknown to previous historians of the period and none have been used so extensively before.

1 Kaskaskia Records: These were found by myself in the office of the circuit clerk of Randolph county at Chester, Illinois, in the late summer of 1905. They consist of 2804 eighteenth century documents of all sizes, ranging from the scrap of paper to a volume of 444 pages, and of all kinds of legal instruments, ordinances, and letters. The number issuing from the county of Illinois is 506. I have classified them according to character, i. e., certificates, land grants, political papers, etc. They are cited as follows:

ILLINOIS HISTORICAL COLLECTIONS

Kas. Rec., Pol. Papers, etc. This collection belongs to the county of St. Clair and is kept in the fireproof office of the circuit clerk. Temporarily it is loaned to the library of the University of Illinois for my use. One document, which I failed to see at the time of the discovery, is still in Chester. Since it is of great value and no report has yet been made upon it, I give a description of it here. It is a court record of 256 pages. Pages 1-57 contain the records of the sessions of the court of judicature founded by Colonel Wilkins in 1768 and of the judgments of the military commandants, acting as judges after the abolition of the court, up to January 30, 1773. Pages 57-90 were used to record deeds, etc., from May 9, 1776, to June 23, 1778. The rest of the book contains the registrations for the next two years, made by the clerks after the occupation of the country by Clark. Several of the pages are missing.

2. Cahokia Records: These belong to the county of St. Clair, Illinois, and are kept in a fireproof museum in the courthouse at Belleville. The most important of these documents are printed in this volume and need no further description. Besides those printed, there are a number of marriage contracts and other instruments in Belleville; and 170 documents, which were formerly in the county treasurer's office, are now in the library of the Chicago Historical Society. The proper citation is Cak. Rec. in Chicago or in Belleville, Ill.

3. Menard Collection: This consists of the correspondence and letter-books of Pierre Menard, who settled in Kaskaskia in 1790. The majority of the letters date from the latter part of Menard's life; but in the collection are four large bundles of letters and documents which belonged to Barthélemy Tardiveau, agent of the Illinois people in 1787 and 1788. Two of these bundles are composed of copies of records from the Kaskaskia record-book and some original manuscripts, which he used for his information in drawing up his petitions to Congress. There are in all sixty-one selected documents emanating generally from the French

2 I have learned too late to make the necessary changes in the foot-notes that the Chicago Historical Society has returned these documents to Belleville.
INTRODUCTION

inhabitants, which makes this collection one of the most valuable for the history of the county of Illinois. The majority of these documents were copied by the clerk of the court in the spring of 1781, at the time the people of Kaskaskia commissioned Prevost and McCarty to represent them at the capitol of Virginia. They are all properly authenticated by Richard Winston, deputy county lieutenant.

4. Draper Manuscripts: These are so well known that a description of them is unnecessary. They were collected by Lyman C. Draper during his long and useful life, which he devoted to the collection of material for the study of western history, and they form the most valuable part of the Wisconsin Historical Society’s collection of manuscripts. For my purposes the George Rogers Clark Manuscripts, contained in sixty-five volumes, have been of the most use. They are cited as Dr. MSS. 52J50, the first number being the volume, the second the page and the letter (J) the library symbol for the Clark MSS. I went through these volumes and had copies made of all the manuscripts which would be of value to me. Most of the copies were from original documents, but, since on the copies it was not indicated whether they were from original manuscripts or copies, I have not dared trust to my memory to indicate this distinction in the footnotes. I have made some use of other collections in the Draper Manuscripts, particularly the Harmar MSS. These are copies made by Mr. Draper.

5. Haldimand Collection: Frederick Haldimand was appointed governor of Canada in September, 1777, and held this position until 1784. During this time his correspondence was large and this he carefully preserved. It is now in the British Museum and the Public Record Office in London. The collection contains the letters, reports made to him, and copies of important papers which were enclosed in these. The Canadian Archives has had transcripts of this collection made and has calendared it in its Reports. The copies I have used were made

1 See supra pp. ciii., n. 3, cxxviii.
2 Thwaites, Descriptive List of MSS. Collections.
from the Canadian transcripts. These are cited as *Can. Archives, B.*, etc. Many of these have been printed in the *Michigan Pioneer and Historical Collections* and the *Illinois Historical Collections*, Vol. I.

6. Papers of Old Congress:¹ Many petitions with enclosures were sent by the people of Illinois to Congress. These have recently been transferred to the library of Congress.

7. Collection of Virginia State Library: There is a quantity of unused manuscripts in Richmond, to which I have had partial access; but, since they have not been catalogued, there are many important documents which I have not seen.

8. Miscellanies: I have used letters and documents in the possession of other institutions and several private individuals, to which references are made in the proper places.

It is to be regretted that I have not seen several important collections, which might have thrown light on the subject. They are the following: Private library of C. M. Burton of Detroit, Michigan; collection of documents from Vincennes in Vincennes University and Indianapolis Public Library; private library of Colonel R. T. Durrett of Louisville, Kentucky; and the Bancroft Library of the University of California.

The printed sources for the history of the county of Illinois are numerous, and an effort has been made to see everything. Those used will be found listed in the bibliography at the end of this volume.

After considerable study of the problems of transcription and translation, I determined to make the former as similar to the manuscript in every particular as the printed page will permit. For this reason the superior letters and repetitions have been retained, as being very characteristic of the methods of the writers. All erasures, however, have been omitted, after a careful consideration of each case had made it certain that no information of value would be lost thereby. Insertions made by the clerk in the margin have been included in their proper places in the text.

¹A practically complete inventory of these papers is printed in "Bulletin of the Bureau of Rolls and Library," No. 1.
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The punctuation and paragraphing have been copied as in the original, with the exception of the periods placed at the end of each paragraph. These are not always found in the text. There were numerous cases of doubtful paragraphing, each of which has been decided in accordance with what seemed to be the intention of the clerk. In order to save space the list of judges is printed in double instead of single columns, as is the rule in the record. Occasionally I have inserted a word in brackets which had been omitted by accident or torn out. Brackets throughout the volume indicate insertions by the editor, the word or words being in roman letters, where an evident omission or mistake by the original writer; in italics, when merely an explanation. Assurance of the correctness of the transcription in cases of bizarre spelling, etc., has been indicated by the conventional sic, which has been used only when the mistake appeared very extraordinary or might be thought an oversight in the proof-reading. The writers of these records, like many of their contemporaries, preferred the phonetic to the historic spelling. The most common mistakes are made in the vowel before the nasals and in the endings é and èr, these latter being spelled in any way that will produce the sound. Frequently the pronunciation of an unrecognized word will lead to its identification. To the duplication and transposing of letters are due such forms as defendeur, effort, defient. In transcribing I have followed this principle, that, when there was a legitimate choice between an apparent bizarre spelling and a possibly correct one, preference should be given to the latter. I feel quite confident that the number of mistakes in the transcription is very small, for, in the preparation of the manuscript and in proof-reading, Mrs. Alvord has collated it twice with the originals and I have made five such comparisons. This is true of all the transcriptions except those of the Cahokia records in Chicago, for which I have had to trust to my original copies.

The translation of the records has offered many difficulties, due largely to the haste with which the clerk was obliged to write the testimony as he heard it. The sentences are frequently involved, abbreviated, or not finished. The French is on the
whole good, by no means a *patois*,¹ and the legal phraseology excellent, particularly that of Joseph Labuxiere, who was a well-trained notary. In making the translation I have had in mind the needs of the many readers who do not understand the original language. The first requisite in such a work has seemed to be a faithful and clear interpretation, which should follow closely the original rather than the production of a piece of finished English. Since the translation may be used by the reader of French as a running commentary, it has obviated the need of numerous footnotes to the text. All proper names have been spelled in the translation in accordance with the following principle: in all cases where I have found a signature, that spelling has been adopted; in all other cases, the modern form as found in Canada has been used, provided identification was possible.

¹ I would not undertake to pronounce upon the character of the written French without the support of other authority. A French traveler to the village of Vincennes in the eighteenth century was surprised to find that the language of the people was not a *patois* as he had been led to expect. (Volney. *View of the United States*, 372; see also Flagg. *Far West in Thwaites, Western Travels*, xxvii., 55.) Mr. Benjamin Sulte, who has read the proof of this book, writes that the French is near to the best and the legal phraseology excellent. My colleague, Professor Thomas E. Oliver of the department of modern languages, who has given me great assistance in the translation, laid down the principle for guidance in the interpretation of difficult passages that aside from misspelling and abbreviated sentences, the writers follow the correct usage. By the application of this principle many difficult problems of translation have been solved.
PETITION TO CLARK

To George Rogers Clark Esq' r Collonel and Commandant of the Eastern Illinois &ca.

The Petttition of Jean Bte DeCoste.

Humbly Sheweth —

That he has had a Considerable demand against Mr. Hanson of this Town and has never been able to make him answer thereto, and the Petitioner having heard that the said Mr. Hanson is about leaving this Place he has recours to you, begging you will be Pleased to order the said Hanson not to depart without giving sufficient security for the Settlement of the affair between him and the Plaintiff and will ever as in duty bound pray &c.—

Kahos the 27th Augt 1778.

his


mark.

Ce que J. B. De Coste a payer pour la Societte

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De Coste a paye Hanson

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1 Original manuscript; Chicago Hist. Soc., Cahokia Records. Transcription by the editor. These records were formerly in the treasurer's office of the courthouse in Belleville, Ill. Alford, Eighteenth Century French Records, in Annual Report of Amer. Hist. Assn., 1905, i., 305.

2 Livres, which was equivalent to the modern franc.
STRAY LEAVES FROM THE COURT OF THE COMMITTEE OF CAHOKIA

Illinois ss
By ordre of the Committee of Cahôs
Il est ordonner a M^e Antoine Harmand d^e Sanfaçon de parroître devant la Cour de Committee des Cahôs Vendredy prochain trent du present mois pour repondre a la Demand de Dominique O’flanigan a cela vous manquera point et de celluy faite votre retour Donne au Kahos 29^m d’Octo9 17782
a Mons Gabr^e Constante Richard M^e Carty Clke3
pour Signifier celluy

Virginie Illinois ss
By Joseph Bowman4 Esq. Capt. Commandant, Presid^e of the Court of Cahôs &ca. &ca.

Whereas Mr. De Breuil of St. Louis makes complaint to me that M^e Antoine Lepage of St. Josephs is indebted unto him in the Sum of eighty eight livres five Sols Peletries by his note of hand Dated 11th January 1770. and tho’ several times Demanded

1 Original manuscripts; Chi. Hist. Soc., Cah. Rec. Transcription by the editor. The first is the earliest known document issuing from the court established by G. R. Clark at Cahokia. See Introduction, p. xiv.

2 Translation: "M. Antoine Harmand called Sansfacon is summoned to appear before the Court of the Committee of Cahokia Friday next, the thirtieth of the present month, to answer the prayer of Dominique O’Flanigan. In this you shall not fail and make thereby your return. Given at Cahokia, October 29, 1778. To Gabriel Constant, to make service thereof. Richard McCarty, Clerk."

3 Richard McCarty came from the colony of Connecticut. He was living in Cahokia before 1775, and built a mill there on some land he had preempted. See pp. 455, 529. At the coming of Clark, he joined the Illinois battalion and took part in the Vincennes expedition. In the fall of 1779 he was appointed commandant of Port Bowman at Cahokia and made himself very unpopular with the inhabitants by his tyranny. Later he joined the French party and was killed in the spring of 1781 while carrying a petition from the inhabitants to the governor of Virginia. See Introduction, pp. lxxiii., xvii., cli., also 905, pp. 543-549.

4 Joseph Bowman was one of the captains with Clark in the Illinois expedition and was sent by the latter to receive the submission of Cahokia. He remained in command of the village till the Vincennes expedition and seems to have won the hearts of the French. After his return from Vincennes he remained in Cahokia for a short time. He established the first popular court of justice in the Illinois and was himself elected to the position of president of the same. For further particulars see Introduction, p. xvi. He died at Vincennes, August 14, 1779.—English, Conquest of the Northwest, i., 108 et seq.
CAHOKIA RECORDS, 1778

hath not been paid and whereas said D Breuil is afraid If said Antne Lapage Leaves this Country that he will Loose his said Debt.

These are therefore in vertue of the Power and authority to me Given to Command you to Seize so much of the Effects of the Said Antoine Lapage If to be found in this district to pay & Satisfie said Debt & Costs (or that Sd. Lapage pays Sd. sum & Costs,) and them safely keep, return whereof make to next fryday the 27th Ins Court of Committee hereof fail not this being your Sufficient Warrant.

Given under my hand at Fort Bowman 24th of Nov. 1778.

Jos. Bowman.

To Gab. Constant constable this to execute

En vertue de cet Warrant, je a été a la requisition de Mr De Breuil, je a saisé une Barrique de taffea dans la maison de Mr Lapage, de laquelle Mr Ant. Girardin sa rendue Caution au Cahôs 24 de Novr 1778.

Gabriel Constant.

Il est due encore 641b 15 Sols en peletries et les frais.¹

¹ Translation: "In virtue of this warrant and on the requisition of M. Dubreuil, I have attached a barrel of taffea in the house of M. Lapage, for which M. Ant. Girardin has given bond. At Cahokia, November 24, 1778, Gabriel Constant. There is still due 64 lires 15 sols and the costs." The "sol" is the modern "sow", and was pronounced like it.
COURT OF THE COMMITTEE AT CAHOKIA

[1st sheet]

Execu...[MS. torn]...ecuring any slave so found in the
...[MS. torn]...or elsewhere, Contrary to this order, and to in-
form & prosecute in behalf of the Publick any other person that
Should act Contrary to the same.

Thursday 31st Decr 1778.
Joseph Bowman Esq' Capt Touranjeau
Mr. Langlois Mr. Gratiot Present

Bap' Bastien Neagor of Mr' Saucier alias of Belcour call'd &
Examined touching his Poisoning the negor of Marie Laurant of
St Louis as sd negor hath Declared.

1 Four leaves from the record of the court founded by George Rogers Clark in the archives
of the courthouse at Belleville, Ill. They have been bound by mistake with the Minutes
of General Court of Illinois Territory, St. Clair Co., April term, 1811. Transcription by the
editor. Except for the time of the Vincennes expedition, McCarty was clerk.

2 For the convenience of repeated reference, all biographical notes on those who were living
in Cahokia in the year 1778 will be found with the census of that year, p. 624. Notes on others
will appear in their proper place and may be found by consulting the index.

The full name of Turanjeau was Pierre Godin called Turanjeau. He died in 1779.
The parents of Charles Gratiot were French, but on account of their Huguenot faith
were dwelling in Switzerland, when their son Charles was born in the year 1755. Charles Gratiot
received a mercantile education, and before he reached his majority went to Canada to engage
in the fur trade. In 1777 he was in Cahokia and in August of the next year opened a store in
partnership with some British merchants from Canada, although in the month before Illinois had
submitted to the Virginians. From letters of his it appears that he maintained relations with
his uncle in Canada and probably with his partners as long as he remained in Cahokia. He
gave financial assistance to Clark, as did all the other French inhabitants. Gratiot was elected a
justice of the court established by Clark and later of the court at Cahokia under the county of
Illinois. Finding the conditions on the American bank too stormy for his business interests,
he moved to St. Louis in 1781, where he became wealthy and prominent. His sons held many
important positions in public life. Charles Gratiot was a cultivated man, traveled extensively
both in this country and Europe and was favorably known both for his business capacity and
social qualities. Wisconsin Hist. Col., x, 230 et seq.; Menard Col., Trav. Papers; Dillon,
Annals of St. Louis, i, 374, 486 et seq.

3 See Transcripts from the Cahokia Record, p. 15. The following is the translation of a
day of December at 3 o’clock in the afternoon, in virtue of the order of Don Fernando de
Leyba, lieutenant governor of the Illinois, which was given me this day, I, Bernard Gibkins,
physician, of this post, betook myself into the house of the woman Laurent, inhabitant of this
post, in order to examine her negro. I found the said negro in bed, and after a careful
examination, I perceived that the sickness, by which he was attacked, proceeded from a violent
poison. His body was in convulsions and his limbs rigid on account of the corrosive poison,
which had insinuated itself into all parts of his body. The negro was in danger of death and
it will be only the result of chance, if he recovers; in which case the use of his limbs may
be lost for the rest of his days. In faith of which I give the present report, which I affirm
to be true, to you, M. Lieutenant-Governor. At St. Louis the said day, the 29th of December,
1778. B. Gibkins.”

4
From a photograph of a crayon portrait, in the library of the Missouri Historical Society.
CLARK'S COURT AT CAHOKIA

Questioned whither he gave any Cake or anything Else to eat to sd Neagor.

answers that sd neagor met him and after salutations sd neagor says, I am told you intend fighting with me. I asked for what, on acco of Martin's wench. oh Brother says I. we shall never Quarelle for that your Country people besides she is every ones Whore, therefore shall never Quarelle about that. after which sd neagor sd he had a peine in his Breast. I asked him if he had over strained himself. he sd not unless it was by Carrying 30 Bushl of Corn that day into the Garret, and that he Neither Eat or Drank with Him nor gave him Even a pipe of Tobac.

Bap' Le Neagor d'Mr Robert. Declare n'avoir Veu Donne p'r Bastienne au'cune Gallet ni autre chose a man[ger] ou à Boir a la dl Neagor de M'd Laurant.

B' neagor of M'r Robert Declares that he did not see Bastienne give Cake or any other thing to Eat or Drink to M'd Laurant's Neagor.

the other neagor . . [MS. torn] . . he was at no Place with the neagor of M'd Laurant except at his masters house where he gave him a Glass of wine as he was going off that he did not see Bastienne with him.

Thursday 7th January 1779.

MICHEL BEAULIEU vs L' LACOMPT

a Summons to appear fryday 8th to answer such alligations which shall be made against him with his witness if he has any.

a summons to appear fryday 8th to give Testemony in the above Cause. Jean Racette & Haugon La Croix.

Fryday 8th January 1779.

Jos. Bowman Esq' Mr Langlois
Cap' Trottier Mr Graciot

Present

MR BEAULIEU vs LS LACOMPT

Plt Demands that proves what he has advanced to Mr Langlois, that he Mr. Beaulieu said to his Neagor take care dont Confess anything or you will be hanged.

Defendt say's he heard it from Jean Raccette, who say's he
heard it said at the Court house the day the neagor's were punished but of whom or from whom he dont kno'.

Louis Louisgaut Sworn, that Mr LaCroix told him in the street, after the neagor of La Croix was whipped that Mr Beaulieu staid in the C't house with him, and that LaCroix said I believe Beaulieu tells his neagor not to Confess or you will be hanged.

[2nd sheet]

sworn into office as President of the Court of Committee at Cahôs.

Lieu't Perrault, Presidant Mr Girirdin
Mr Graciôt Mr Trouttter Present.

[MS. torn] .. Complains to the C't that whereas he has ..
[MS. torn] .. several artecals to Mr Wills & has Received his money in Payment thereof & as the money is now Cried down in the Village he Demands that the said Wells should gave [sic] further security for the goodness of the money before he should take the affects out of the vilage.¹

Mr Wells in answer says that he Bought the artecals of the said Marthan & as he is a man fair from home and on Business, therefore he Desires that the C't would Either Prove it and Condemn his money to be bad, or if not to Gave [sic] him his Effects that he Bought of said Marthan and that he Does not understand that the Voice of any Disaffected Person should without any Lawfull grounds be hurtfull to his trading in this Country as he has a Proper Passport from all the officers of Post on the Ohio River & that he Could Prove that Mr Marthan Refused to Deliver the affects.

Mr. Bournes sworn says that this morning s'd Marthan came to Mr Wells Lodging and said that s'd marthan Refused to .. [MS. torn] .. go out of the Village without .. [MS. torn] .. Further security for the goodness of the Currency that wells had Payed him.

Mr. Wells further says that if any Person would Come before

¹ The first and fourth sheets are in McCarty's handwriting and the other two were written by some one else.

² On the assurance of the Virginians the French accepted in payment for their supplies the continental paper at face value in gold. It was not until the winter of 1779 that they began to suspect that they had been deceived. The above is the earliest reference to their suspicions.
the C't and Refuse to take the said money for Payment of Debt that upon the same he would Gave good security for his Remaining in this Place till Col Clark some other officer should Return to this Place that was Proper Judges of the s'd money.

Upon which Mr. Marthan sent for Jos Beautheau whome he said Refused to take the money for a note he had Given him s'd Beautheau said that he did not Demand his Payment as not Being Due till spring Come a Year so he had not Refused any sort of Payment that was Lawfull.

[3d sheet]

Lieut Perrault President Mr. Beaulieu
Capt Trouttier Mr. Girirdin
Mr Graciot Present

LOUIS LASOUDRAY Pltf Mr Deneau & Mr LaPadge Deft Mr Deneau & Mr LaPadge appeared the third time to satisfy themselves of the Crime laid to their Charge [and] no Person Came to Prosecute them & They Declared themselves Innocent of The Crime laid to their Charge. The Honorable Court Therefore thought Proper to Dis[charge] them and Clare them of the said Crime laid [to] their Charge &c ordering that the said Lasoudray [shou]ld pay all Cost and Expence whatsoever the said [De]neau and La Padge has been at to Justify themselves of this Hanious Crime Laid to their charge also Gaving The said Deneau & LaPadge Privalage to Prosicute the said Lasoudray for the same on the other side.

Adjourned Mr Perrault.

Fryday the 2nd day of April 1779.

C't Oppened.

Lieut Perrault President Mr Graciot
Capt Trouttier Mr Touranjeau

Present.

J. B't LACroIX Plff. vs MICHEL CHARLE Deft.

J. B't LaCroix Complaines to the Court that whereas he Engaged Micheal Charle in his service for the space of one y[ear] and his time of servace not yet Being accomplis[ed] Refuses to serve him any longer & Therefore ..[MS. torn].. to kno. some
lawful Reason for his so doing. sd Charle in his defence says that the said La[Croix] imposed upon him too hard by ordering him to [work] late & Early & in the night which he Refused [MS. torn] upon which they had some Despute after which he the sd Charle Left his house & Refused to serve him any longer.

After Desputing some time between the...[MS. torn]

[4th sheet]

him do it and that it was with this Depo's Gun.

C's are of opinion that it was not the shot Caused the Death of the...[MS. torn]

Plt. to pay costs.

JACQUE METHOD Plt vs RENOCH LOCAT Deft for his sister MD Vve METHOD

Plt Demands the rent of 3 years for a piece of Land Deft has occupied amount'g to 99lb in Pelet[ries].

Deft's says there is no writing to produce and Desire's to kno in whose Name sd Lands were Cried to hire and B Method Plts Brother held said Land, only for making the fence.

C's are unanimous of oppinion that the widow has no Right to pay any Part of rent, & Plt to pay Costs.

C's adjourned to fryday next 30th. Apr Inst.

Jos Bowman

Fryday 30th. April 1779.

Major J' Bowman Presidt L' Beaulieu

Madame Capitaine, by authority from her Husband desires to give up a house Bought of Deceased Mr De Lintot, being incapable of paying the same. Mr McCarty the Executor named by this Court, in consequence of her giving up same prays that the Court will order that said house be sold by publick outcry for the paying a Certain Sum due on said house by said Mr Delintots Estate, pr mortgage to Mad'm Detolsey and the overplush If any for the Good of his sd Lintots Creditors.

Members not being present Sufficient to form a majority adjourned to fryday next the 7th. May.

Fryday 7th. May 1779.

Jo's Bowman Presidt Capt Touranjeau
Capt Trottier L' Beaulieu

members Present.
ACT CREATING THE COUNTY OF ILLINOIS.

AN ACT for establishing the County of Illinois, and for the more effectual protection and defense thereof.

Whereas by a successful expedition carried on by the Virginia militia, on the western side of the Ohio river, several of the British posts within the territory of this commonwealth, in the country adjacent to the river Mississippi, have been reduced, and the inhabitants have acknowledged themselves citizens thereof, and taken the oath of fidelity to the same, and the good faith and safety of the commonwealth require that the said citizens should be supported and protected by speedy and effectual reinforcements, which will be the best means of preventing the inroads and depredations of the Indians upon the inhabitants to the westward of the Allegheny mountains; and whereas, from their remote situation, it may at this time be difficult, if not impracticable, to govern them by the present laws of this commonwealth, until proper information, by intercourse with their fellow citizens, on the east side of the Ohio, shall have familiarised them to the same, and it is therefore expedient that some temporary form of government, adapted to their circumstances, should in the meantime be established:

Be it enacted by the General Assembly, That all the citizens of this commonwealth who are already settled, or shall hereafter settle, on the western side of the Ohio aforesaid, shall be included

1 Hening, Statutes at Large (Virginia), ix., 552. A committee was instructed by the Virginia assembly on November 30, 1778, to prepare a bill for the formation of the county. This was presented to the assembly November 30, 1778, and passed in its final amended form on December 9th. It was signed by the speaker of the senate on the 17th and subsequently, if at all, by the speaker of the house of delegates. On the 30th of December Governor Patrick Henry issued the instructions in accordance with the provisions of the act.—Jour. H. of Del. (Va.), Oct. Sess., 1778, p. 126; Jour. of Senate (Va.), Oct. Sess., 1778, p. 58; Rowland, George Mason, 1, 307; Bogess, Immigration into Illinois, 1778-1830 (a thesis in manuscript). Dr. Bogess was the first to work out the history of the act, and I am greatly indebted to him for the loan of the thesis, from which this note is taken. No writer had previously determined the exact date of the passage of the act and all but one (Rowland, George Mason) have been indefinite or incorrect in giving it.—Winsor, Westward Movement, 122; Poole, in Winsor, Nar. and Crit. Hist., vi., 730; Thwaites, How George Rogers Clark Won the Northwest, 64; Boyd, in Amer. Hist. Rev. iv., 625; Roosevelt, Winning of the West, ii., 168; and many others.
in a distinct county, which shall be called Illinois county; and that the governour of this commonwealth, with the advice of the council, may appoint a county lieutenant or commandant in chief in that county, during pleasure, who shall appoint and commission so many deputy commandants, militia officers, and commissaries, as he shall think proper in the different districts, during pleasure, all of whom, before they enter into office, shall take the oath of fidelity to this commonwealth and the oath of office, according to their own religion, which the inhabitants shall fully, and to all intents and purposes enjoy, together with all their civil rights and property. And all civil officers to which the said inhabitants have been accustomed, necessary for the preservation of peace and the administration of justice, shall be chosen by a majority of the citizens in their respective districts, to be convened for that purpose by the county lieutenant or commandant, or his deputy, and shall be commissioned by the said county lieutenant or commandant in chief, and be paid for their services in the same manner as such expenses have been heretofore borne, levied, and paid in that county; which said civil officers, after taking the oaths as before prescribed, shall exercise their several jurisdictions, and conduct themselves agreeable to the laws which the present settlers are now accustomed to. And on any criminal prosecution, where the offender shall be adjudged guilty, it shall and may be lawful for the county lieutenant or commandant in chief to pardon his or her offense, except in cases of murder and treason; and in such cases, he may respite execution from time to time, until the sense of the governour in the first instance, and of the general assembly in the case of treason, is obtained. But where any officers, directed to be appointed by this act, are such as the inhabitants have been unused to, it shall and may be lawful for the governour, with the advice of the council, to draw a warrant or warrants on the treasury of this commonwealth for the payment of the salaries of such officers, so as the sum or sums drawn for do not exceed the sum of five hundred pounds, anything herein to the contrary notwithstanding.

And for the protection and deffence of the said county and its
COUNTY OF ILLINOIS ACT

inhabitants, *Be it enacted*. That it shall and may be lawful for the governour, with the advice of the council, forthwith to order, raise, and levy, either by voluntary enlistments, or detachments from the militia, five hundred men, with proper officers, to march immediately into the said county of Illinois, to garrison such forts or stations already taken, or which it may be proper to take there or elsewhere, for protecting the said county, and for keeping up our communication with them, and also with the Spanish settlements, as he, with the advice aforesaid, shall direct. And the said governour, with the advice of the council, shall from time to time, until further provision shall be made for the same by the general assembly, continue to relieve the said volunteers, or militia, by other enlistments or detachments, as herein before directed, and to issue warrants on the treasurer of this commonwealth for all charges and expenses accruing thereon, which the said treasurer is hereby required to pay accordingly.

*And be it further enacted*, That it shall and may be lawful for the governour, with the advice of the council, to take such measures as they shall judge most expedient or the necessity of the case requires, for supplying the said inhabitants as well as our friendly Indians in those parts, with goods and other necessaries, either by opening a communication and trade with New Orleans, or otherwise, and to appoint proper persons for managing and conducting the same on behalf of this commonwealth.

*Provided*, That any of the said inhabitants may likewise carry on such trade, on their own accounts, notwithstanding.

This act shall continue and be in force, from and after the passing of the same, for and during the term of twelve months, and from thence to the end of the next session of assembly, and no longer.
TRANSCRIPTS FROM THE CAHOKIA RECORD.

Jeudy 10e Juin 1779.

 president pierre Godin          Bte Saucier
 francois trotier              antoine Girardin
 Charle Gratiaut.              michel Beaulieu
present.

Catherine negresse a Bte Saucier, après avoir Été appelé Ét examiné a dit que l'année Derniere son mari ayant demandé à Son maître, pour Saller promener aux Kas. que lorsque manuel et maurai negre appartenant a Messieurs LeCompte Et beaulieu ont Sut quils y aloit il luy ont apporté une Chopine de tafia, disant que Setoit pour Son Voyage, Et qu'il nût pas plutot but de cette Eau de vie qu'il Se Sentil malade Et qu'il Est encore Jusqu'a present Et que le Jour que les dits negre ont Été pris ayant Été acquis D'avoir Empoisonner plusieurs personne que ses même negres luy ont avoué quils ont Empoisonner Son mary; Elle deClare que le nomé Morau luy a dit que manuel vouloit Lorsq'il Luy a donné de la medecine il vouloit le faire mourir subitement, mais qu'il luy avoit repondu qu'il valoit mieu le faire mourir En l'engueur Et que depuis ce tembs il est Languissant La dte negresse Declare Encore que maurai luy avoit dit que manuel Voulait apsolument Empoisonner Mf Martin Et Sa femme Et que La negresse dud1 Sieur Etoit de ce Complot Et qu'un autre negre nomé Guanga appartenant aud1 sieur Martin ayant Eu nouvelle de cela Leur avoit dit

1 These transcripts were made by the Cahokia clerk for the court at Kaskaskia, which exercised superior jurisdiction in this case. They are from the Kaskaskia Records. Transcription by the editor.

The evidence of these records is very interesting, for they explain the two warrants for execution of these two negroes to be found in John Todd's Record Book in Chicago Hist. Soc.'s Publications, iv., 303 and 303. According to the Record Book, Manuel was condemned to be burned to death, a punishment against negroes which was permitted the county courts of Virginia.—Chitwood, Justice in Colonial Virginia, in J. H. U. Studies, Series xxiii., No. 7, p. 101. Although Todd issued the warrant, he repented the next day, crossed the copy of the warrant out and issued a new one, in which the penalty was hanging.—Kas. Rec. Mason in his Chapters from Illinois History, 264, suggested without sufficient authority that the crime for which the negroes were punished was voudousm, and he is followed by Roosevelt in his Winning of the West, ii., 175, where he compares the prosecution of the negroes in Catholic
TRANSCRIPTS FROM THE CAHOKIA RECORD.¹

Thursday, June 10, 1779.

François Trottier.       Antoine Girardin.
Charles Gratiot.        Michel Beaulieu.

Present.

Catherine, a negress belonging to Bte. Saucier, after having been summoned and examined, said that last year her husband had asked of his master permission to walk to Kaskaskia and when Manuel and Moreau, negroes belonging to MM. LeComte and Beaulieu, knew that he was going, they brought him a pint of tafia² saying that it was for his journey; and that he had no sooner drunk of that liquor than he felt sick and that he is still sick up to the present; and that the day on which the said negroes were arrested on the accusation of having poisoned several persons, these same negroes confessed to her that they had poisoned her husband; she declares that the named³ Moreau told her that Manuel, when he gave him the medicine, wished to make her husband die suddenly, but that he had answered that it was better to make him die slowly; and she said that since that time her husband has been pining. The said negress declares also that Moreau had said to her that Manuel positively wished to poison M. Martin and his wife and that the negress of the said gentleman was in this plot; and that another negro named Guanga belonging to the said M. Martin, having had news of this, had said to them that if they didn't take away the poison, which they had

Illinois with that of the white witches of Puritan New England. The denial of sufficient proof for this explanation of the warrants was made in Shea's Life of Archbishop Carroll, 190.

¹ Tafia was a cheap rum, which formed the staple liquor of the West. The word eau-de-vie is used throughout the record as the equivalent of liquor, without reference to any particular kind.
² Nomme is used to designate some person named in the proceedings, but not previously mentioned in the record.

13
Le sander Grefier

Le nom de M. Jaquet nomé

Le negre

Pourant qu'il avoit fait mal au

Qu'il avoit rapport à la negrese de

Comme avoit quelque Commerce

La cause pourquoi il hay avoit

Ou ne habité negre que des lorsque le
thrown into his master’s house, he would denounce them, which caused them to dig up a poison which they had buried under the threshold of the door.

Paul, a negro belonging to Madame Lapancé, after being summoned and examined, said that he had heard all the negroes, who have already given their testimony, say that the named Manuel and Moreau had poisoned all the persons mentioned in the declaration which has already been made by them.

The named Sasa, a negro belonging to Mademoiselle Buyat, after being summoned and examined, said that he was in the cottage of M. Martin to ask for a pipefull of tobacco from his negress, named Janette, and that she had told him to go to the head of her bed and he would find some, and that when he looked he had found a horn in which there was boiling blood; and as he was surprised, he had asked the negress what it was; that the negress told him not to touch that, and that it was Manuel who had given it to her to put her master and mistress to death; and that Moreau, when he knew that, had said to her: "What! Can you keep a thing like that in your house? Do you not know that it was this horn that Manuel used to poison Monsieur and Madame Nicolle?" He declares furthermore that a negro, named Samba belonging to M. Quenel, took this horn and had shown it to Moreau and that he said that it was the same horn that Manuel had given him to put to death Monsieur and Madame Nicolle.

Signed, Pierre Godin, President.

Copy conforms to the original spread on the record-book of the Court at Cahokia, June 10, 1779.

Fr. Saucier, Clerk.

First cross-examination of the negro called François belonging to M. Jaquet. After having been summoned and examined, he said that the negro, named Moreau, had told him in conversation that he had made the negro of M. Laurant of St. Louis, sick on account of the negress of M. Martin, named Janette, since both had some intercourse with her, and that this was the reason he had given him poison. The said negro declares, also,
negre de M. Laurant a Santi malade Et quil sut bien Etre Empoisonné, il vint trouvé ledit mauro e et luy dit, mon païs, ote moi donc le mal que tu ma fait, a quoy ledit mauro a repondu quil n'etoit plus tems, Ce nest pas a mon pouvoir de te l'oter, Celuy de M. Laurant luy repeta encore que si il vouloit le guerir quil le payeroit Bien a quoy ledit mauroce repondit qu'il ne le pouvoit pas. et que neanmoins celuy de m. Laurent en partant luy lessa un quatine Et un mouchoire et luy promettant que Si il ne mourroit pas qu'il le Satisferay plus Emplemment.

a une autre interogation Le dit negre du Sieur Jaquet declare qu'apres que le negre du Sieur Laurant Eut Eté traversé quil mourut peu de tems appres Et qu'il fut reprocher au deux negre Soupsoné Empoisonner En leurs disant; Comment Voila Encore un negre mort que lon dit que vous aviés Empoisonné a quoy ledit mauro luy repondit que Si il lavoit fait il netoit pas Seul que Cetoit manuel qui Etoit le chef de la medecine et qu'il luy en fournissoit Lorsqu'il en avoit Besoin.

Declare encore ledit negre que mauro ayant demandé quelque faveur a la negresse de Mons. Nicol qu'il luy promit que Si elle le luy accordoit qu'il luy Donneroit de la Medecine pour adoucir sa maitraisse Comme Setant plain a luy quelle Etoit trop Mechante Et en donnat pareillement au mari de laditte negresse pour Son maitre Et qu'apres la mort de feu m. nicol et sa dame ledit mauro demanda ce qu'on luy avoit promis, La negresse particulierement ne voulut point luy accorder ce qu'elle avoit promis ce qui fit led. mauro L'empoisonna et quelle en mourut.

A dit encore led. negre que lorsque laditte negresse de feu sieur nicol Est tombé malade que plusieurs negres du pays de laditte negresse furent trouver mauro pour le Soliciter a guerir laditte negresse a quoy ledit mauro repondit qu'il n'etoit plus a Son pouvoir de luy oter ce qu'il luy avoit donner.

Cupidon negre a Bte Saucier ayant Etté appelé et interroger, a declarer que le nomé mauro Lorsque M. et M'de Nicol furent mort qu'il dit a leur negresse; tu doit être presentement contante voila ton maitre Et la maitraisse morte tu peu te promene et aller

1 A basin for melting metals.
that as soon as the negro of M. Laurant felt sick and he surely knew that he was poisoned, he came to find the said Moreau and said to him: "My countryman, take away the sickness which you have given me," to which the said Moreau answered that, it was too late "It is not in my power to take it from you"; and that the negro of M. Laurant said again that if he would cure him he would pay him well, to which the said Moreau answered that he could not do it; but, nevertheless, the negro of M. Laurant in going away left him a basin\(^1\) and a handkerchief and promised him that if he did not die he would satisfy him more fully.

At another cross-examination, the said negro of M. Jaquet declares that, shortly after the negro of M. Laurant had been sent across the river, he died; and that he had reproached the two negroes suspected of poisoning and said to them: "What! There is another negro dead, whom they say you have poisoned"; to which Moreau replied that if he had done it, he was not alone, for it was Manuel who was the medicine-chief and had furnished him poison whenever he had need of it.

The said negro declares also, that Moreau had asked some favor of M. Nicolle's negroess and promised her that if she granted it to him, he would give her medicine to make her mistress gentle, as she complained to him that the latter was very bad, and he gave some likewise to the husband of the said negress for his master; and that after the death of the late M. Nicolle and his wife, Moreau demanded what had been promised to him, and the negress did not particularly wish to grant him what she had promised; and for this reason the said Moreau poisoned her and she died therefrom.

The said negro said also that when the said negress of the late M. Nicolle fell sick, several negroes of the country of the said negress went to find Moreau to beseech him to cure the said negress; to which the said Moreau answered that it was no longer in his power to take from her that which he had given her.

Cupidon, a negro belonging to Bte. Saucier, after being summoned and cross-examined, declared that, when M. and Madame
ou tu voudra, a quoy le mari de lad'ne negresse dud' seur nicol
luy repondit nous ne tavions pas Demander de Les faire mourir
nous ne voulion seulement que tu Les adoucissent un peu, maurau
Demanda a la negresse de luy accorder ce quelle luy ait promis,
la negresse luy repondit qu'il Etoit trop Vieux, et quelle ne Le
Vouloit pas. ha [sic] dit led' maurau tu me trouve trop vieux et
bien tu t'en repentira Et que peu de temps apres il l'empois-
sonna la negresse Suivant la declaration dud' negre.

Cette faite par Les Susdits negres, a Etté faite en presence de
Messieurs trotier, tourangeau, Beaulieu martín et Bte saucier
qui on dit que Les Depositions faittte par Les dit negre ci dessus
només, quils Etoit de leur opion quapres avoir Entendu dire
par divers negres que les dits manuel et maurau ait fait ce
dont its Etoient accusé: qu'il Doivent Etre vrayament Coupable
aux Cahôs 10 Juin 1779, a huit heure du Soir En la Maison de
Bte Saucier.

fr. saucier Greffe

Signé pierre Godin.

Copie Conforme a l'orginal resté Sur Le registre de la Court.

f. Gref.

THE ARRAGMENT BY THE STATES ATTORNEY.

Je Soussigné Procureur Pr L'Etat de la Virginie au district
des Illinois à L'honneur de Representer a La Cour Respectable
des Kas que par les deposition des differens Negres des Kahos il
Parroit que Les Negres Moreau & Manuel Sont Effectivement
Coupable du Crime Horrible a leurs Charge. et que par toutes
les declarations & temoinages il Parroit que le negre Moreau est
plus Coupable que L'autre ayant Administré les Poisons que
l'autre luy auroit donné.

Par les Quels Poisons plusieurs des bons sujets de cette Repub-
ligue & des soldats de la garnison Sont Mort.

C'est pourquoi au Nom de L'Etat Je pense Messieurs
que sy vous Trouvé les dits Negres Coupable vos prononcerés
leurs Sentence de Mort et en Nommerés le Jour et la maniere
d'Exetion qui ne peut etre trop Cruelle pour des Criminels,

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1 This document does not belong to the records of Cahokia, but since it is one of the acts in the prosecution of the negroes, it seemed best to include it. It belongs to the Kas. Rec.
Nicolle were dead, the named Moreau said to their negress: "You ought, to be content now. There are your master and mistress dead and you can take a walk and go where you wish;" to which the husband of the said negress of the said M. Nicolle, answered: "We did not ask you to make them die. We wished only that you make them a little gentler;" and that Moreau asked the negress to grant him what she had promised and the negress replied to him that he was too old and that she did not wish to; that the said Moreau said: "You find me too old, and well shall you repent of it"; and that shortly after he poisoned the negress according to the declaration of the said negro.

These depositions made by the negroes aforesaid were made in the presence of M.M. Trottier, Touranjeau, Beaulieu, Martin, and Bte. Saucier, who have said that the depositions were made by the said negroes aforesaid, and that it was their opinion, after having heard it said by divers negroes, that this said Manuel and Moreau had done that of which they were accused, and that they should be found truly guilty. At Cahokia June 10, 1779, at eight p.m., in the house of Bte. Saucier.

Fr. Saucier, Clerk. Signed, Pierre Godin.

Copy conforms to the original spread on the record-book of the Court.

F. Clk.

THE ARRaignMENT BY THE STATES ATTORNEY.¹

I, State's Attorney of Virginia, for the District of Kaskaskia, hereunder signed, have the honor to set forth to the honorable Court of Kaskaskia that from the testimony of different negroes of Cahokia it appears that the negroes, Moreau and Manuel, are really guilty of the horrible crime of which they are accused; and that from all the declarations and testimonies it appears that the negro Moreau is more guilty than the other, since he has administered the poison which the other had given him.

From which poisons several of the good subjects of this Republic and soldiers of the garrison have died.

This is the reason why in the name of the State I think, gentlemen, that if you find the said negroes guilty, you should
quï ont Comis des Choses sy Extraordinairetem Horrible & affreu.
aux Kaskaskia a 12° Juin 1779.

J Girault.

1 For a discussion of the sentence which was found, see supra, p. 12, n. 1. The warrant substituted by Todd for the one copied and erased in his record-book reads as follows: "Illinois to wit. To Richard Winston; Sheriff of Kaskaskia: You are hereby authorized & required between the Hours of Nine & Eleven in the morning of the Sixteenth of this Instant to cause to be executed Manuel a Slave in your Custody by being hung by the neck until he be dead & this shall be your Warrant. Given under my hand & Seal the 14th day of June 1770. Jno Todd Jr."—Kas. Rec., Warrants.

2 Jean Girault was born on February 24, 1755, in London, of Huguenot parents. With his brother he sailed from Liverpool for America, and on the voyage both were sick from small-pox, from which the brother died. In New York Jean was employed as clerk and book-keeper by an importing house. It is said by a descendant that he here mastered the Latin, Greek, Hebrew, English, Spanish and Choctaw languages.—Dr. M.S., 27169. The account is doubtless exaggerated, for he probably learned the classical languages in his youth and he was perfecting himself in Spanish in 1786. The descendant is also responsible for the statement that Girault went to Virginia and later raised a company to join Clark in his expedition to the Illinois. As a matter of fact, he was in that country the year before Clark's expedition; for on March 17, 1777, he purchased a piece of land in Cahokia from Father
pronounce their sentence of death, and name the day thereof and
the manner of execution which cannot be too cruel for criminals
who have committed deeds so extraordinarily horrible and
frightful.¹

At Kaskaskia, June 12, 1779.

J. Girault.²

Girault and in July of the same year he was appointed notary by Rocheblave.—Kas. Rec.,
Court Record, fols. 107 and 130. When Clark reached Kaskaskia, he found Girault very
useful. On July 6, 1778, Girault was appointed interpreter, and wrote Clark’s communica-
tions to the French. On the 10th of the same month he received a commission as lieutenant
in Worthington’s company of light horse, an appointment confirmed by the governor of Vir-
ginia on December 12th. Todd appointed him state’s attorney June 5, 1779. He was com-
missoned captain by Governor Jefferson June 3, 1781, and on the 9th of the same month
Girault appointed Labussière state’s attorney in his stead. He was made commissary by
Clark in 1781. He remained in the army till 1783, when he received his honorable dis-
charge.—Dr. Mass., 37130. He then moved from Illinois to New Orleans, and sometime after
1786 settled at Natchez.—Girault to Wm. Clark, May 8, 1786; letter in possession of H. Rob-
erst, Chester, Ill. At Natchez he held many important offices, both under the Spanish and U. S.
governments. He died in 1813.
REGISTRE DE LA COUR DU DISTRICT DES CAHOKIAS.1

a une Court .[MS. torn] .
President f .[MS. torn] . char, Gr .[MS. torn] .
ant. Girardin.

AUGUSTIN RACÉT Demendeur SENFACON Defendeur.

une requette présenté par augustin racet Demendeur qui Demande que le Sieur Sanfacon luy prouve quil Est un Coquin Et Sa femme une Voleuse Comme il a Été trité Ét accusé par Eux.
antoine arman a produit Sa Defence Contre augustin racet racet [sic] par laquel il accuse Ledit racet Detre venu chés Luy Lataquer.
pierre gatien ayant preté Serment De repondre a toute Les question que La Court Luy feroit Et a dit quarivant Du champ, quil a entendu dire par mde racet a Mde Sanfacon quelle Etoit une Voleuse a quoy mde Sanfacon a respondu quelle n'avoir jamais Été volé de lar Chés Lacroix, Et Declare D'avoir Entendu Dire par Le Sieur Senfacon quen tout cas Si Ladit Dame racette Etoit une voleuse quelle ne tiendray que de famille.


Gabriel Baron .[MS. torn] . De repondre a toute .[MS. torn] . Luy feroiç Et a dit qu .[MS. torn] . D'augustin racette et ayant eu quelqu .[MS. torn] . avec Le dit Sieur quil Lavoit tretté de Coquin a quoy Ledit Baron Luy a respondu qu'il netoit pas Comme Sa belle Soeur qui avoit Volé le lar Ch [sic]

1 Cah. Rec. in Belleville, Ill., original manuscript. Transcription by the editor. When it first came into my hands, it was unbound. It is made up of six record books, sewed together originally. These had been torn apart and some of the leaves separated. I rearranged them, and they have been rebound by the county officials. A few pages only have been lost. The size of the pages differs, but the average is 124 by 8 inches. The number of pages is 346, of which 48 are blank, 43 of which are at the beginning, when the clerk used only one side of the sheet. Beginning with page 143 the pages are numbered, but these numbers are not given in the transcription. The water-marks are various.
RECORD OF THE COURT OF THE DISTRICT OF CAHOKIA.

At a Court... [M.S. torn]...
President, Fr. [Trottier]  Ch. Gr[tiot]...
Michel [Beaulieu.]  Bte. Saucier.
Ant. Girardin.  [Present.]

AUGUSTIN RACETTE, Plaintiff, vs SANSFAÇON, Defendant.

A petition presented by Augustin Racette, plaintiff, who demands that M. Sansfaçon prove to him that he is a rascal and his wife a thief, as he has been accused and called by them [the defendant and his wife.]

Antoine Harmand 2 produced his defence against Augustin Racette and accused the said Racette of coming to his house to assault him.

Pierre Gatien, having made oath to answer all questions which the court should ask him, said that on coming from the field he heard Madame Racette call Madame Sansfaçon a thief; to which Madame Sansfaçon replied that she had never stolen lard from the Lacroix's house. And he further said that he heard M. Sansfaçon say that in any case if the said Madame Racette was a thief, she only took after the family.

George Hait, having made oath to answer all [questions the court] should ask [proved]... [M.S. torn]... written.

Gabriel Baron [made oath] to answer all [questions the court] should ask him and said that... [M.S. torn]... of Augustin Racette, and having had some [words] with the said gentleman that he had been called a rogue, to which the said Baron answered that he was not like Racette's sister-in-law who had stolen lard from the Lacroix's house and chickens from Sansfaçon's;

2 His full name was Antoine Harmand called Sansfaçon, and he is called in the record either Harmand or Sansfaçon. This additional name was very common among the French in America, and sometimes the surname and sometimes the second name has prevailed in the family. The correct spelling of his surname, Harmand, is obtained from his signature.
Lacroix et Les poule a Senfaçon Et le dit racette luy ayant
demandé quil luy avoit cela quil a repondu audb racette que
Cetoit Le Sr Dau et Sa femme qui luy avoit dit a quoy le dit
racette a repondu que D'au Etoit un j. f. Et sa femme une
putin Et qui Le prouveroit.

Gabriel Constant ayant preté Serment De repondre a toute
les questions qui luy seran [sic] faite Et a dit. que Cetant trouvé
chés Butau quil auroit Entendu demandé a Gabriel Baron par
racette ou il avoit Entendu dire quil's Etoit Des voleur de lar et de
poule a quoy ledit Baron a repondu quil avoit Entendu dire chés
Senfaçon.

Antoine Lusser ayant preté Serment De repondre a toute Les
question quon luy ferait Comme témoyn pour le defendeur Et
a dit. que madame Senfaçon ayant Ete chés mad° racette pour
y chercher une poule quelle reclamat a Elle, et que m° racette la
tréte de voleuse et quelle ne vivoit que Des volaye d'autruy a
quoy m° Senfaçon luy a repondu quelle ne luy resembloit pas
quelle n'avoyt Jamais volé De lar ches Lacroix Et ce Son dit Mil
invective.

La Court Est ajourné apres diné a une heure.

f saucier Greffier. f trottier

La Court a renvoyé Le présent procés hor De la Court Comme
une Chose honteuse Et indigne. Et a Condamné Le Demendeur a
payer Les faix du dit proces Et quant aux faix particullier Les
Deux partis sont Conduan a les payer chac'un En particulier.

Sau

CHARLE GRATIOT Demendeur CONTRE B° Hautier
Dit LACHARETTE.

Charle Gratiot ayant présenté un b[illet] a la Court Contre le
Defendeur, ayant apris quil Etoit parti pour le Detroit avec les
royaliste Demande quil luy Soit accordé de faire vendre des effest
quil a En garde ches gabriel Constant jusqu'a La Conqurence de
Sa Somme.

La Court a accordé a la demende Du Sr charle Gratiot.

Jan B°. Lacroix ayant produit un Conte Du par ledit hautier
dit Lacharette de vingt Livre Et a preté Serment desus.
and the said Racette having asked where he heard that, he answered that M. Dau and his wife had told him. Whereupon the said Racette said that Dau was a D. F. and his wife a strumpet and he would prove it.

Gabriel Constant, having made oath to answer all questions which should be put to him, said, that being at the house of Butau he had heard Racette ask Gabriel Baron, where he had heard that they were stealers of lard and chickens, to which the said Baron answered that he had heard it said at Sansfaçon’s.

Antoine Lussier, having made oath to answer all questions which should be asked him as witness for the defendant, said that, while Madame Sansfaçon was at the house of Madame Racette in search of a chicken, which she claimed belonged to her, Madame Racette called her a thief and said she lived on other people’s poultry. To this Madame Sansfaçon replied that she was not like her, that she had never stolen lard from the Lacroix’s house; and they said to each other a thousand invectives.

The court adjourned till one o’clock after dinner.

F. Saucier, Clerk.

F. Trottier.

The Court dismissed the present suit from court as a disgraceful and shameful thing, and has condemned the plaintiff to pay the costs of the suit and each of the two parties to pay his special costs.

Saucier.


Charles Gratiot brought into Court a note against the defendant, having learned that he had left for Detroit with the royalists, and prays that it be permitted him to have the goods, which the defendant has stored at the house of Gabriel Constant, sold up to the equivalent of the amount of his note.

The Court granted the suit of M. Charles Gratiot.

Jean Bte. Lacroix produced, and made oath to, an account for twenty livres owed by the said Hautier called Lacharette.

1 Possibly this means Harmand.

2 The French j. f., or Jean-fesse, is untranslatable except by some such equivalent vulgarity.
La Court Luya accordé qu'il Seroit payer Lors de la vente de Ses effest
une requête présenté a la Court par marie Louise ulim veuve de feu Jn Bte Degagné Et par pichet. Demandant de nomer un tuteur pour les mineurs De feu lapierre pour La Conservation de leur peu de bien.
La Court a ordonné une assemblé Damie pour pour [sic] proceder a lelextion D'un tuteur Suivant Les Demande

SANFAÇON Demandeur AUGUSTIN RACETTE Defendeur.

Un Compte présenté a la Court par Le Demandeur Contre le Defendeur De la Somme de vingt Sept livres. La Court a ordonné audit racette de payer Ledit Compte sans delay.
f saucier Greffier f trottier
La Court Est ajournée a vendre 29 [sic] 9bre 1779.

a une Court Vendredy 299 bre 1779.
President Mr fr trottier mœur Girardin
mœur Ch Gratiot mœur Bte Saucier

Present.

Mr RENAL Demandeur. Mr GRATIOT Defendeur
mœur renal Demande a la Court que Mr Gratiot, Soit Condanné a lui payer une Somme de trois Cent Livres pour une operation qu'il a fait. au nomé racette ayant Ét été Envoyé cherché par Ledit Sieur gratiot.

Charle Gratiot repond quil Exposera ses Defence a la Cour prochaine, vendredy 3 bre xbre.

Le nomé Charloc a produit sa Declaration Contre Mr Henson sur Sa mauvaise Conduite avec Les sauvages, Dans la traite.

Ayant Examiné La Declaration du dit charloc Contre Sieur Henson, La Court a décidé qu'il sera sinifié au Sieur Henson de repondre aujourd'hui a deux heure après midy a La Declaraton faite Contre luy.

1 In that part of France where the customary law prevailed, the *ius dative* was almost universal. It was the law of the *coutume de Paris*, and therefore of Illinois. According to this law, the guardians of minors were appointed by a magistrate, but, as in the above case, very often only after election by the relatives. Under French law, great care was taken of the property of minors, and the office of guardian was regarded as a duty, which should not be lightly refused, although the service was gratuitous. Two guardians were appointed, the second being the surrogate, whose duties were to guard against fraud by the first. The sur-
The Court granted that it should be paid at the time of the sale of his goods.

A petition presented to the Court by Marie Louise Ulim, widow of the late Jn. Bte. Desgagné, and Pichet, praying that a guardian for the preservation of the small property of the minor heirs of the late Lapierre be appointed.

The Court ordered an assembly of friends to proceed to the election of a guardian according to the petition.¹

SANSPACON, Plaintiff vs. AUGUSTIN RACETTE, Defendant.

An account presented to the court by the plaintiff against the defendant for the sum of twenty-seven livres. The Court ordered the said Racette to pay the account without delay.

F. Saucier, Clerk. F. Trottier.

The Court adjourned to Friday, November 26, 1779.

At a Court, Friday, November 26, 1779.

President, Fr. Trottier. Ant Girardin.


Present.

M. REYNAL, Plaintiff vs. M. GRATIOT, Defendant.

M. Reynal prays the Court that M. Gratiot be condemned to pay him the sum of three hundred livres for an operation which he performed on the named Racette, for which he was summoned by the said M. Gratiot.

Charles Gratiot answered that he would present his defense at the next Court, Friday, December 3.

The named Charloc produced his declaration against M. Henson concerning his bad conduct in his trading with the savages.

Having examined the declaration of the said Charloc against M. Henson, the Court decided that notice should be given M. Henson to answer to-day at two o’clock in the afternoon the declaration made against him.

¹---Note: The reference to '1779' and the style of writing suggest this is a historical document. The text is written in a style typical of legal records from that era. It appears to be a translated document, possibly from French, which is not uncommon for historical legal records. The document describes a court case and includes a petition for a guardian for minor heirs of a deceased individual. The court ordered an assembly of friends to elect a guardian according to the petition. There is also a record of an account presented by the plaintiff against the defendant for twenty-seven livres, ordered to be paid to the plaintiff by the defendant. The court adjourned to a later date for further proceedings. The document also includes a summary of a later court case involving M. Reynal, plaintiff, against M. Gratiot, defendant, seeking compensation for an operation performed on M. Racette by M. Gratiot. The court decided to give notice to M. Henson to answer at a later date. The text is interspersed with references to legal terms and procedures typical of legal documents from the 18th century. The document is a transcription of a historical legal record, possibly from a court case or legal register, intended to preserve the record of the proceedings and decisions made by the court.---
La Court Est ajourné a 2e heure après midy 26e 9bre, 1779.

f' saucier greffier. f' trottier.

a une Court du 26 9bre a 2 heure après midy.

President Mons' François trottier M' ant. Girardin
M' Charle Gratiot M'. Bte Saucier

présent.

La Court a décidé que M' Henson Continuira son Commerce
toute fois qu'il retirera Sa Dame De La quantine puisque C'est
Elle qui tien De mauvais DisCourt au sauvages suivant Les
Declaration Du nomé charloc et Celle du peoria, que Cependant
Le Dit Charloc Sera appelé pour Declaré En présence dud' sierz Henson Et tant qua tout Les accidant qui pourront arriver
par La Suite, et qui soit prouvé que ce Soit par sa faute, il En
Sera toujours responsable En tout Chose.

La Court Est ajourné a vendredy 3 xbre 1779.

f' saucier greffier f' trottier

a une Court Du 10 xbre 1779.

President M'me francois trottier pierre martin
Michel Beaulieu Bte Saucier
antoine Girardin charle Gratiot

Présent.

M' REYNAL Demendeur CHARLE GRATIOT Defendeur.

Le Demandeur Expose a la cour, par une requête que Le
Defendeur soit Condanné a luy payer une Somme de trois Cent
livres de paux de Chevreuil pour L'imputation qu'il a fait a la
Jamble [sic] De Jn° Racet, Comme ayant Été Envoyé chercher
par Led' Sieur Et que led' Sieur Gratiot avoir promis de
payer le chirugien moyenant que le nomé parisien a qui Lac-
cident Etoit arrivé de rembourser ce qui luy En Couteray Et
que Cela avoit Ete Dit En presence de Bte allary.

Bte allary ayant paru par ordre Et après avoir prêté Serment
a prouvé quil n'étoit pas aux Cahôs Lorsque Laccident Est arrivé
a Jn° racette.

Le Defendeur ayant produit Sa Deffence par Laquelle il ne De-
The Court adjourned till two o'clock in the afternoon, November 26, 1779.

F. Saucier, Clerk.          F. Trottier.

At a Court, November 26, at two o'clock in the afternoon.

President, François Trottier Ant. Girardin
Charles Gratiot             Bte. Saucier.

Present.

The Court decided that M. Henson may continue his business, provided his wife shall be withdrawn from the Cantine, since it is she who has been guilty of evil speech with the savages according to the declarations of Charloc and the Peorian; that, however, the said Charloc shall be summoned to make his declaration in the presence of the said M. Henson. The Court further decided that for all accidents, which may occur as a consequence of this continuance and are proved to be due to the fault of the said M. Henson, he shall be held responsible.

The Court adjourned to Friday, December 3, 1779

F. Saucier, Clerk.          F. Trottier.

At a Court, December 10, 1779.

President, François Trottier. Pierre Martin.
Antoine Girardin.           Charles Gratiot.

Present.

M. REYNAL, Plaintiff, vs. CHARLES GRATIOT, Defendant.

The plaintiff shows the Court by a petition that the defendant should be condemned to pay him a sum of three hundred pounds of deer-skins for the amputation of the leg of Jean Racette which he performed, as he had been summoned by the said gentleman; and the said M. Gratiot had promised to pay the surgeon on condition that the named Parisien to whom the accident had happened, reimburse him what it cost therefor. This was said in the presence of Bte. Alarie.

Bte. Alarie appeared on summons and, after having made oath, proved that he was not in Cahokia when the accident happened to Jean Racette.

1 This may mean the Cantine, a stream near Cahokia.
voit pas Etre Condanné a payer Cette Somme de trois Cent Livres, vue que ledt Racette quoi que Laccident soit arrivé ches Luy Est tout a fait Etranger Et que Dans pareille Cas il Devoit Depecher quelqu’un pour avoyer chercher un chirugien pour Soulage un pauva malheureux, Sans etre obligé D’en payer Les frais.

La Court ne pouvant pas absolument Condanner Le Sieur Charle Gratiot a payer au Sieur reynal La Somme de trois Cent Livres pour l’imputation faitte a la Jambe de racette, a décidé qu’il Etoit necessaire D’attendre Larivé du nomé parisien a qui L’accident est arrivé.

une Requette présenté En Cour par pierre Roy Contre mde Courville, pour qu’il luy Soit Defendu vendre auqu’un biens fonds, qu’apres avoir fait faire invainque, Et reconoi tre La part De Son fils.

La Court othaurise Ledt Sieur pierre roy a faire un assemblé de parens et damis pour faire invainque Des biens Delesé par feux Courville Et qu’il Sera fait un partage Egal Des biens, Entre made veuve Courville Et son fils, Et qu’il sera Elu un tuteur.

La Court Est ajourné a vendredy 17te xbre.

f saucier Greffier

f trottier

a une Court Du 17 xbre.

ou Etoit présent Messieurs Charle Gratiot Michel Beaulieu Bte Saucier pierre martin Et ant Girardin, tous Cinq Majestrat de Ladte Court — assemblé pour interoger Le peoria sur des mauvais Discourt qu’il dit avoir Entendu dire par d’autre nation.

Ledit peoria a dit qu’il avoit Entendu Le Chef du loup faire des reproche aux autre Sauvages a legar d’une medail Et un Collier rouge quils avoient, il a dit depus quayant Eté a une

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1 One of the several attempts made by the British to arouse the Indians to drive the Virginians out of Illinois. In Dillon, Annals of St. Louis, 192, is an interesting letter from Gratot to Montgomery giving further details about these events. This winter’s work ended in the fruitless attack of the British and Indians on St. Louis and Cahokia in May. See pp. 58, n. 1, 589, and Introduction, p. lxxvii.

2 Medals of silver or bronze were frequently given to Indian chiefs as tokens of alliance.

3 Term used by the Indians to designate the Virginians.

4 The French is "qu’en cas que."
The defendant offered as his defence, wherefore he should not be condemned to pay this sum of three hundred pounds, that the said Racette, although the accident happened at his house, was a total stranger to him, and that in such circumstances it was his duty to send somebody to seek a surgeon to relieve an unfortunate man without being obliged to pay the costs.

Since the Court cannot unconditionally condemn M. Charles Gratiot to pay M. Reynal the sum of three hundred pounds for the amputation of the leg of Racette, it decided that it was necessary to await the arrival of the named Parisien, to whom the accident happened.

A petition presented to the Court by Pierre Roy against Madame Courville, praying that she be forbidden to sell any land, until she has caused an inventory to be made and has recognized her son's share.

The Court authorizes the said M. Pierre Roy to hold an assembly of relatives and friends to make an inventory of the property left by the late Courville and decrees that an equal division of the property between the widow, Madame Courville, and her son be made, and that there be elected a guardian.

The Court adjourned to Friday, December 17.

F. Saucier, Clerk. F. Trottier.

At a Court, December 17:

Where were present MM. Charles Gratiot, Michel Beaulieu, Bte. Saucier, Pierre Martin and Ant. Girardin, all five magistrates of the said Court — assembled to interrogate the Peorian about the evil speech, which he said he had heard used by another nation.¹

The said Peorian said that he had heard the Chief Wolf reproach the other savages in regard to a medal² and a red belt which they had. He said that later he was at the lodge of his savages with Charloc and that a woman asked him what he had come for, since the French Big Knife³ was charged with having killed one of their people. Thereupon the said savage told Charloc to go home. This latter answered that in case he was in danger the Master of Life would save him.
Loge de Ses Sauvages avec Charloc q’une femme luy dit quesce-qu’il venoit Chercher puisque Les francois Grand Coutau Etoit taxé D’avoir tué un De leur Gens. Ladessu Ledit sauvages Dit a Charloc de sen retourner, se dernier luy fit reponce quen qua qu’il y aye du dener que le maître de la vie Le Sauveroît. Ledit sauvage pé a dit que le chef loup ait pris Charloc Et l’avoit mis Dans le Camp des hommes que la un autre Chef nomé la puce ayant pris le fusil D’entre les mains dudt charloc Luy dit pleure pour Jay le Coeur rouge Et enseglanté, ledt peoria a dit qu’une femme luy ait dit pourquoi Escequ’il venoît a Leur loge puisquil ne Se passoit rein de Bon parmi Eux, que tous les jour il se tеноit Des Conseil et qu’il ne disoit rien de bon, il dit de plus que quand la femme a Eu fini de luy parler, un Jeune homme Sest mis a la porte et que voyant Cela il s’est Sauvé et qu’a l’instant tout les autres Sauvages se mirent a Crié En voila un qui se Sauve, En plusieurs fois differentes, ledt peoria a dit encore quand se Sauvant qu’il n’a eu que le tems de prendre Son fusil et a lessé Sa Couverte.

Le dit Charloc a dit qu’il a dit au dit peoria si il Vouloit Venir avec luy Voir les sauvages Et que le pé Luy repondit qu’il le vouloit bien il dit de plus quan allant voir ses dits sauvages quils ont rencontré un homme et une femme, que l’homme et pres de boisson qu’il la fait monter a cheval avec luy et que la femme a Continuer la route avec le pé ledit Charloc dit qu’etant arrivé il dit audit péoria de desseler son Cheval et D’entrer avec luy dans la Loge Sur quoy le pé luy repondit qu’il ne vouloit pas entré, Seci fut dit En présence du pé qui a dit pourquoi Vout tu que Jentre mois qui Entans mal parlé Dans cette loge, ledit Charloc dit qu’entrant Dans La loge il ait une bouteille a sa main Voulurent luy prendre, et qu’il leur dit presé La jene m’en Souci pas, le peoria dit qu’il luy ont arraché de force.

La Court Et ajourné a 2 heure après midi 17 du present.

f saucier. Ch Gratiot.
The said Peorian savage said that the Chief Woff had taken Charloc and placed him in the men’s camp and that there another chief named The Flee seized the gun from the hands of the said Charloc and said to him, “Weep, for my heart is red and bloody”. The said Peorian said that a woman had asked him why he came to their lodge, since there was nothing good going on among them and that every day there were held councils and that nothing good was said. He said further that, when the woman had finished speaking to him, a young man started for the door and, upon seeing that, he had made his escape; and that immediately all the other savages began crying, “There is one who is escaping”. On several different occasions, the Peorian said that in escaping he has had only time to take his gun and had left his blanket.

The said Charloc said that he asked the said Peorian if he wanted to come with him to see the savages, and that the Peorian answered that he was very willing. He further said that in going to see the said savages they met a man and a woman and that the man was intoxicated, and that he made him mount on the horse with him and the woman continued the route with the Peorian. The said Charloc said that on arriving he told the Peorian to unsaddle his horse and to enter the lodge with him, whereupon the Peorian answered that he did not wish to enter. This was said in the presence of the Peorian who said, “Why do you want me to enter who understand the evil talk in this lodge”. The said Charloc said that when he entered the lodge, he had in his hand a bottle which the savages wished to take from him, and that he said to them, “Take it. I do not care for it”. The Peorian said that they snatched it by force.

The Court adjourned until two o’clock in the afternoon the 17th of the present month.

F. Saucier. ................................. Ch. Gratiot.
a une Court 17bre 1779.

m' Gratiot        m' Martin
m' Beaulieu       m' Bte Saucier

Président

suivant Les raport, Et Discourt qui ont Été tenu En Cour. de la part Des Sauvages mal intentioné, La Court a ordonné que messieurs Les Commandant de millice Donnerons Des ordres pour qu'il soit fait une Visitte generalle Dans toute Les maison pour voir Si tout Le monde ont Des armes en Etat et la munition nécessaire pour Se Defendre Si lon Si trouve obligé, Et qu'il Sera ordonné a C'eux qui n'en n'auront point De Sen pourvoir Sans auqu'un pretexe Vue que Suivant toute apparence il y a aux environ Du Village Des nations qui tiennent de mauvais propos et qui sont suivant le raport de quelque autre Sauvages très mal intentionnes.

La Court Est ajourné a vendredi 24 bre

Ch Gratiot

a une Cour du 19 Janvier. 1780.

Président M' francois trottier.       M' Bte saucier
M' antoine Girardin                   M' charle Gratiot
M' pierre martin                      Présent.

Le Colonel mongonori ayant fait asemblé La Court pour Savoir pour quoy M' henson navoit pas Été reprimandé pour Le tor qu'il parroit avoir fait suivant le raport qu'il est en a Été fait par mons'. cap'M' McCarty.

Le Colonel mongomori repente [sic] a la Cour que Comme Les autre village ont fourni beaucoup de provisions pour Les troupe au Credit des Etat qu'il Espere que Ce village cy suivant La Capacité Des habitant Voudront bien fournir quelque provision tel que L'on fait les habitant des autre villages.

La Court a représenté au Colonel quelle avoit Deja Été infor-mé des plainte porté contre Sieur henson, et qu'il ny avoit auq'-une Chose qui le regardoit Dans Les plainte porté Contre luy et qu'il sestoit justifié pour le Contraire. La Court a Consenty qu'il

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1 Colonel Montgomery was at this time in command of the forces in Illinois and was stationed at Kaskaskia. See Introduction, pp. lxxvi., lxxx. et seq.
At a Court, December 17, 1779.
M. Gratiot.            M. Martin.
M. Beaulieu.          M. Bte. Saucier.

Present.

On account of the report and testimony which have been given in Court about the evil-intentioned savages, the Court decreed that the officers of the militia shall give orders that there be made a general inspection of all houses to see if everybody has arms in condition and the necessary ammunition for defence, if occasion arises, and that orders be given to those, who have neither, to provide themselves therewith without any excuse, because, to all appearances, there are in the neighborhood of the village nations who are holding hostile talks and are very evilly disposed, according to the report of some other savages.

The Court adjourned to Friday, December 24.
F. Saucier, Clerk.                F. Trottier.

At a Court, January 19, 1780.
President, François Trottier Bte. Saucier.
Antoine Girardin.            Charles Gratiot.
Pierre Martin.               Present.

Colonel Montgomery caused the Court to assemble in order to learn why Mr. Henson had not been reprimanded for the wrong which he appears to have done according to the report made to him by Captain McCarty.

Colonel Montgomery shows [?] the Court that, as the other villages have furnished supplies of provisions for the troops on the credit of the States, he hopes that this village according to the capacity of the inhabitants will be willing to furnish some provisions, as the inhabitants of the other villages have.

The Court showed the Colonel that it had already been informed of the complaint brought against M. Henson, and that there was nothing in the complaint which concerned him and that, on the contrary, he had justified himself. The Court agreed that a census shall be made and that those who can furnish some
sera fait une recaputution Et que Ceux qui pourront fournir suivant Leurs Capacite quelque provisions soit farine ou maïs seront forcé De Le faire.

fr saucier Greffier.

a une Court vendredy 4e fevrier 1780.

Président M. trotier.      M. Martin
M. Gratiot          M. Bte saucier.
M. Girardin        Présent.

Jn. Bte LACROI X Demendeur Bte SAUCIER Defendeur

Le Demendeur poursuit Le Defendeur pour un billet de Cent quatrevingt une livres Dix sols En pelleterie qu'il Luy Doit payer En pelleterie ou farine.

Le Defendeur represente qu'il a propose En Differante occasion Le payement du billet En pelleterie Et que le Demendeur La refusé.

Disant que le Defendeur Luy avoit promis Du blé, Le Defendeur Luy en avoit Effectivement promis toute fois qu'il ne puisse pas avoir de pelleterie a lecheance Dud billet.

La Court a ordonné que le Defendeur payeray Son Billet a la Demende Du Demendeur suivant Sa teneur.

aplication fait a la Cour par La Dame Veuve Jermain Dem- mandant qu'il luy soit permis de Se Demettre De la Charge de Subrogé tuteur du mineurs Langdoc Dont feu Son mari.

autre aplication fait a la Court par la Dame Veuve pierre Godin disant que feu Son mari ayant Été Charge de la charge de Subrogé tuteur de L'afant mineur de feu Sieur Labé Elle Demande qu'il luy Soit permis de se Demettre de lad Charge de Subrogé tuteur que tenoit feu Son mari.

La Court a ordonné qu'a la demande Des Dames Veuve jer- main et pierre Godin qui [sic] Leur Serra permis de faire faire une assemblé de parant ou damis pour proceder a lelection De deux subroger tuteur qui prendra parfaite Connencence Des in- terest Des mineurs.

La Court Et ajourne a vendre 11 De fevrier.

f saucier Greffier.

1 No troops were quartered on the Cahokia this winter, but the people of Kaskaakia complained to Montgomery that the other villages were not doing their fair share for the sup-
provisions, either flour or corn, shall be forced to do so according to their capacity.¹

F. SAUCIER, Clerk.

At a Court, Friday, February 4, 1780.
President, M. Trottier       M. Martin
M. Gratiot.                  M. Bte. Saucier
M. Girardin.                Present.

JEAN BTE. LACROIX, Plaintiff, vs. BTE SAUCIER, Defendant.
The plaintiff sues the defendant on a note of one hundred and eighty-one livres ten sols in peltries, which should be paid him in peltries or flour.
The defendant shows that he has proposed on several occasions the payment of the said note in peltries and that the plaintiff refused it, saying that the defendant had promised him wheat.
The defendant had in fact promised him wheat, yet only in case that he should not be able to obtain peltries at the maturity of the said note.
The Court decreed that the defendant should pay the note according to its terms on the demand of the plaintiff.

Application made to the Court by Madame Germain, widow, praying that she be permitted to withdraw from the office of surrogate guardian of the minor Langdoc, which her late husband held.

Another application made to the Court by Madame Pierre Godin, widow, saying that her late husband had been intrusted with the office of surrogate guardian of the minor child of the late M. Labbé and praying that she be permitted to withdraw from the said office, which her late husband held.
The Court decreed that in accordance with the prayers of Mesdames Germain and Pierre Godin, widows, it shall be permitted them to summon an assembly of relatives and friends to proceed to the election of two surrogate guardians, who shall inform themselves perfectly of the interests of the minors.
The Court adjourned to Friday, February, 11.

F. SAUCIER.

¹ Port of the troops. For that reason Montgomery made this demand upon the Cahokians.

—Introduction p. lxxxii. and Post, p. 545.
a une Court du 18, fevrier 1780.

President Mr trotier
Mr Gratiot
Mr Girardin

J. B. LACROIX, Demendeur. Mr LEVY, Defendeur.

Le demendeur poursuit Le Defendeur pour Deux tombré de
maïs qu'il a acheter a l'ancan de feu Lapierr, pour Le Compte de
leur Société.

Le Defendeur raporte quayant acheter Ses Deux tombré de
maïs, En Société avec le Demendeur a L'ancan de feu Sr La-
pierre. ayant Eût fait par Mr. trotier.

Le Demendeur Et Le Defendeur poursuive Mons. trotier pour
qu'il Leur Soit fourni une Sertaine quantité de maïs a eux adjugé
aud a ancan, que leur manque Sur Les deux ditte tombré.

Mr trotier raporte que Le Demendeur ou Le Defendeur auroit
du faire prendre Le maïs qu'il Leur a Eût adjugé aud a ancan, et
non pas L'avoir Lessé trois ou quatre mois Dans un Grenier a
La discretion des rats Et que Depuis Ce temps il pourroit bien En
avoir mangé Se qui s'en manque.

La Court ayant trouvé que messieurs Lacroix Et Levy, ayant
manqué tres Ecentiellement De n'avoir pas fait enlever Le maïs
quils avoit acheter aud a ancan, qu'il Est probable que ne Layant
Lesser Sous Les Soin de personne Et De L'avoir Lesser un Espace
De temps aussi Considerable que Les rats ne leurs aient Causé tout
le Domage Dont il se plagent.

CH. DUCHARMNE Demendeur PIERRE ROY Defendeur

Le Demendeur poursuit Le Defendeur pour une tombré De
maïs qu'il Luy a Eût adjugé a L'ancan de feu allexis Courville Et
qu'il ne luy a point Ete Livré ni Si Etant point trouvé.

Le Defendeur Raporte qu'il a Eût Dit Lors de L'ancan qu'en ca
que La quantité de maïs Criè aud a ancan ne Se trouva point que
Celuy a qui il En Seroit adjugé ne Seroit tenu a payé qu'en qua
que la quantité Estimé si trouve.

La Court ayant trouvé que Le Demendeur a trop tardé a faire
Enlever Le maïs que personne n'est Dans Le Cas de La Luy

1 The tombré was a two-wheeled wooden cart, made without iron, in common use among
the French.
At a Court, February 18, 1780.

M. Gratiot.                M. Saucier.
M. Girardin.              Present.

JEAN BTE. LACROIX, Plaintiff, vs. M. LEVY, Defendant.

The plaintiff sues the defendant for two cart-loads of corn, which he bought on the account of their partnership at the auction of the goods of the late Lapierre.

The defendant states that he, in partnership with the plaintiff, bought the two loads of corn at the auction of the goods of the late Lapierre, which was held by M. Trottier.

The plaintiff and defendant sue M. Trottier that there be furnished them a certain quantity of corn, which was lacking in two cart-loads knocked down to them at the said auction.

M. Trottier reports that the plaintiff or the defendant should have had the corn, which was adjudged them at the said auction, removed and should not have left it three or four months in the granery to the discretion of the rats, and that during that time there could easily have been eaten what is lacking.

The Court found that MM. Lacroix and Levy were very negligent in not having the corn, which they bought at the said auction, carted away; and that, since they had not left it under the care of anyone and had left it for so considerable a length of time, the rats had caused all the damage of which they complain.

CHARLES DUCHARME, Plaintiff, vs. PIERRE ROY, Defendant.

The plaintiff sues the defendant for a cart-load of corn which had been knocked down to him at the auction of the goods of the late Alexis Courville and which was not delivered to him, since it could not be found.

The defendant reports that, at the time of the auction, it was said that in case the quantity of corn cried out at the said auction was not found, he, to whom it should be adjudged, would be held to pay only in case that the estimated quantity should be found there.

The Court found that the plaintiff delayed too long in having the corn carted away, and that no one is bound to furnish it to him, since he left it in the care of nobody; and furthermore that it
fournir ne Layant Léssé sous La Garde de personne Et qu'en outre il a Été Dit a L’ancan publiquement que Ceux qui acheteroit du maïs il ne Luy Seroit livré que D’autant qu'il Si trouveroit Vu que les Estimateur auraient pu Se tromperDans L’estimation.

application faite En Court par J. Bts Hts Lacroix qui Demande La vente de quelques Effets appartenant au Sr Sills qui a Entre Ses main pour une Somme De quatrevingt trois livres que led Sr Sieur Luy Doit suivant L'état qu'il En a produit En Court.

La Court ayant observé que le Sr Sills etant parti dici pour le Service Des Etat, que led Sr Sieur Lacroix Est Condanné a atendre Vue que ledit Sieur Sills peut revenir au premier Jour.

La Court a Condanné tout Les perdant de cette Court a payé tous Les frais de Justice.

La Court Est ajourné a Vendredi 17e mars 1780.

f saucier, Grefier. f trottier.

a une Court Vendredi 17 mars 1780.

Président Monsieur trotier Mr Beaulieu

Mr Girardin Mr Bts saucier

Present.

Mr Decostle Demendeur Ant Lusser Defendeur

Le Demendeur poursuit Le Defendeur pour un Compte montant a La Somme de deux Cent Soixante et dixneuf Livre En pelleteri.

Le Defendeur produisit un billet de Vingt six Livres En pelleterie passé a Son ordre par le Demendeur qui Declare quaprs avoir reglé tout Leur Compte il Luy auroit Consenti Se billet pour reglement de tout Compte Le Defendeur produisit Le même Compte qui Declare avoir Deja reglé avec le Defendeur montant a la Somme de Six Cent Cinquante huit Livres quinze Sols.

Le Demendeur Est Condanné a payer au Defendeur Le billet quil Luy a Consenti de vingt Six Livres En pelleterie et que tant qu’a Leur Compte il paroit par led billet quils ont Été reglé Et que le demendeur Luy redit quitté Sette Somme Et a payé Les frais.

Antoine Lusser, Demendeur. Lotigau, Defendeur.

Le Demendeur poursuit Le Defendeur pour Lavor taxé Da-

voir pris ches luy une pr. Dattel.

1 The clerk has made a slip here and so mixed his plaintiffs and defendants that the passage is difficult to interpret.
was publicly said at the auction that, to those, who bought corn, there would be delivered only as much as there was, seeing that the appraiser might have made a mistake in the estimate.

An application made to the court by Jean Bte. Hubert LaCroix who requests the sale of some effects belonging to M. Sills, which he has in his possession, to pay the sum of eighty-three livres, which the said gentleman owes him according to a statement, which he has produced in Court.

The Court, having considered that the said M. Sills has gone away on the service of the State, condemned the said M. LaCroix to wait, seeing that the said M. Sills will return on the first possible day.

The Court condemned all those losing in this session to pay all costs of justice.

The Court adjourned to Friday, March 17, 1780.

F. Saucier, Clerk F. Trottier.

At a Court, Friday, March 17, 1780.

President, M. Trottier M. Beaulieu.

M. Girardin M. Bte. Saucier.

Present.

M. DECASTLE, Plaintiff, vs. ANTOINE LUSSIÈRE, Defendant.

The plaintiff sues the defendant for an account amounting to the sum of two hundred and seventy-nine livres in peltries.

The defendant produces a note of twenty-six livres in peltries, made to his order by the plaintiff, which declares that, after having squared up their account, he had given this note in final settlement. The defendant produces the same account, which declares that he had already settled with the defendant [plaintiff?] to the sum of six hundred and fifty-eight livres fifteen sols.

The plaintiff is condemned to pay the defendant the note for twenty-six livres in peltries which he has given him; and as to their account, it appears from the said note to have been squared up and that the plaintiff still owes this sum; and he is condemned to pay the costs.

ANTOINE LUSSIÈRE, Plaintiff, vs. LOUGAUD, Defendant.

The plaintiff sues the defendant for having accused him of having taken a pair of hames from his house.
Le Defendeur dit savoir Jamais Dit que le Demendeur Luy avoit volé Cette p Dattelle Et qu'on Luy avoit Dit Seulement quon avoit Vue une p' a peu pres pareil ches le Demendeur.

La Court a renvoyé Le present Comme ne pouvant faire auqu'ne Decision Sur Cette affaire Et a Condanné Le Demendeur a payer Les fraix.

La Court Est ajournée a vendredy 7e D'avril.

f trottier. f saucier greffier.

a une Court du 7e D'avril 1780.

Président Capt. trottier antoine Girardin
Michel Beaulieu Bte Saucier.

Présent.

a La demende Des CREensié de feu Milhomme La Court a désidé qu'une Encans Des biens Dellessé par Ledt feu Milhomme Sera fait Dimanche prochain 9e Du Présent mois pour Satisfaire a Ses Deptes Et Si plus il y a il Sera partagé a Ses Enfans.

Par ordre f trottier. fr saucier.

A une Cour du 21 D'avril. 1780.

Président Capt. trottier pierre Martin
Michel Beaulieu Bapte Saucier
antoine Girardin Présent.

Représentation fait a La Cour par joseph lepage a Legar du negre du Monr trottier pour une insulte faite par Luy a La garde Demandant que Le dit negre Soit puni Comme il Le meritte ayant tres mal parlé Et ayant menace de Ce revenger Contre Ceux qui entreprendroit de Sen saisir.

après avoir Examiné Les plaintes porté Contre Ledit negre La Cour a Decidé que Mr trottier fera Donner a Son negre vingt Cinq Coupt de fouet, pour La Premire faute quil a Comis Et plus a lavenir Si il retombe Dans le mème cas.

La Court est ajournée auVendredy 5e may.

f trottier f saucier Greffier.
The defendant says that he never said that the plaintiff had stolen this pair of hames, but that he had been told that a pair very similar to his had been seen at the house of the plaintiff.

The Court dismissed the present suit, since it is impossible to reach any decision in this case, and condemned the plaintiff to pay the costs.

The Court adjourned to Friday, April 7.

F. Trottier. F. Saucier, Clerk.

At a Court, April 7, 1780.

President, Capt. Trottier. Antoine Girardin.

Present.

On the demand of the creditors of the late Milhomme the Court decided that an auction of the goods left by the said late Milhomme shall be held next Sunday, the 9th of the present month, in order to pay his debts; and if there is a surplus, it shall be divided among his children.

By order, F. Trottier. F. Saucier.

At a Court, April 21, 1780.

President, Capt. Trottier. Pierre Martin.
Antoine Girardin. Present.

A representation made to the Court by Joseph Lepage in regard to a negro belonging to M. Trottier on account of an insult made by him to the guard, and he demands that the said negro be punished as he deserves, since he used very bad language and threatened to revenge himself on those who should undertake to seize him.

After having examined the complaints brought against the said negro, the Court decided that M. Trottier shall have the negro given twenty-five strokes with the whip for the first offence he has committed, and more in the future, if he does it again.

The Court adjourned to Friday, May 5.

F. Trottier. F. Saucier, Clerk.
Vendredy 5th May 1780.

Président Capt. trotier pierre Martin
ant. Girardin Bte saucier.

Présent.

Gabriel Constant Demendeur. Janot Lapance Defendeur

Le demendeur poursuit Le Defendeur pour un Soc quil Luy doit.

Le Defendeur repond quil Devoit Donner un Soc ou trente Livres en pelletiere au Demendeur. Et quen outre il Devoit payer a Mre trotier Les trente Livres Layant trensporté [sic] pour Ce quil devoit a L’ancan de feu Lapierre Ce que le Defendeur a fait Sur quoy Monr trotier Luy a dit que cela ne pressoit pas Et quil L’acceptoit pour Cette Somme.


application fait par Sieur ant armant Demandant quil Soit fait un [word illegible] ancan Des Biens de feu Vadboncoeur Et Elir un tuteur au mineurs Et Sexposant a ce que Le Gendre dud’ Defucnt Le Soyent disant que Le Defucnt Vadboncour La prier de Sinteresser a Se Sujet.

La Cour a Demander aud’ St armant quelque Ecrit, ou quelque autre preuve Comme quoy il est Chargé de faire Executer Les Derniere Volonté de feu vadboncoeur.

françois alexandre ayant paru et preté Serment Sur Ce quil a Entendu Dire par feu Vadboncoeur a Mgr Girardin et a dit que quelque temps avant Le dessay de Son beau pere il La Envoyé Cherché Mgr Girardin Et quil Luy a dit a luy parlant quil Le prioit de vouloir Bien prendre Les interest de Ses Enfans Le Chargant dagir En Consequence pour quil ne leur Soit fait au qu’un tort Ce que Mgr Girardin a dit avoir promis de faire.

La Cour a dessidé quil Seroit nomé un tuteur Et Subroger

1 The small piece of iron attached to the plow.
2 The meaning is not clear.
3 The eau was equal to three livres, or sixty cents.
Friday, May 5, 1780.

President, Capt. Trottier. Pierre Martin.

Present.

Gabriel Constant, Plaintiff vs. Janot Lapancé, Defendant.

The plaintiff sues the defendant for a plowshare which he owes him.

The defendant answers that he ought to give a plowshare or thirty livres in peltries to the plaintiff; and besides he was to pay the thirty livres to M. Trottier, since the plaintiff had assigned it for what he owed at the auction of the goods of the late Lapierre. This the defendant had done, but M. Trottier had said to him that there was no hurry and had accepted the assignment for that sum.

The defendant made oath that he had agreed to pay the plaintiff ten ecus in peltries or a plowshare, and not being able to give the plowshare he is condemned to pay the ten ecus in cash. The plaintiff is condemned to pay the costs.

An application made by M. Ant. Harmand, asking that an auction of the goods of the late Vadeboncoeur be held and an election of a guardian for the minors be made, recommending that the son-in-law of the deceased be guardian, and saying that the deceased Vadeboncoeur had begged him to interest himself in the subject.

The Court demanded of the said M. Harmand some writing or other proof that he was intrusted with the execution of the last will of the late Vadeboncoeur.

François Alexandre appeared and made oath in regard to what he heard said by the late Vadeboncoeur to M. Girardin. He said that some time before the decease of his father-in-law, the latter sent him to bring M. Girardin, and that in the course of their conversation the late Vadeboncoeur begged M. Girardin to consent to look after the interests of his children, charging him to act so that no wrong should be done them. This M. Girardin had promised to do.

The Court decided that there be named a guardian and a surrogate guardian by plurality vote; and there has been named
tuteur a la pluralité Des voix Et a Eté nomé francois alexandre tuteur Et antoine Girardin Subroger tuteur. et quil Sera fait un invantaire De tous les Biens Et un ancan apprs Si il est a propos de le faire.

Demendeur LOUIS PILLET Defendeur Bte SAUCIER

Le Demendeur poursuit Le defendeur pour quil Luy Soit remboursé par Le defendeur six minot de blé Suivant Lestimation qui En a Eté fait Comme ayant Eté mangé par Les pourçeaux qui ont Passé par Sa Clauration. Le defendeur repond que Lorsque Les pourçveau [sic] ont passé Dans les grins quil navoit pas Encore acheter de Monsy St. Pierre et que Le tort a Eté fait avant quil Laye acheter.

La Cour a renvoyé Le présent procet a Vendredy 26e Du présent mois pour que Les deux parts aye a produire Leur preuve

La Cour Est ajourée a Vendredy 26e may 1780.

f trottier

fr. saucier Greffier.

Vendredy. 9 Juin 1780.

President Capt. trottier. pierre martin.
Michel Beaulieu Présent.

Jn Bte Mercié ayant produit en Court une requette Contre Le nomé George King, pour un Capot Et une paire de boucle dargent que ledit King Luy a volé. et demande qu'une Carabine a présent entre Les mains de Monsy f. trottier Commst au dt Lieu Soit Vendu, pour Satisfaire au volé qui luy a été fait.

La Cour a ordonné que la ditte Carabine Soit vendu en public pour payer a Mfr Mercié Se dont il luy a Eté prie par ledt Geo. King Et Si plus il y a il Sera Deposé Entre les mains du cherif Jusqu'a Nouvelle ordre.

LOUIS PILLET Demendeur Bte SAUCIER Defendeur

Le demendeur et Le defendeur ayant produit Leur preuve réciproque.

La Cour a ordonné que Le defendeur rendroit au demendeur La quantité de Blé, Suivant Lestimation faite.

1 The minot contained three bushels.

2 Many suits were caused by animals breaking through the fence of the common field. This was the cultivated land, laid out in narrow strips which were owned by individuals.
François Alexandre as guardian and Antoine Girardin as surrogate guardian. It has been ordered that an inventory of all the goods be made and an auction afterwards, if it is expedient to hold it.

**Louis Pillet, Plaintiff, vs. Bte. Saucier, Defendant.**

The plaintiff sues the defendant that he may be reimbursed by the defendant six **minots**¹ of wheat, which, according to estimate, is the amount eaten by the pigs, which passed through his fence.³ The defendant answers that, at the time the pigs passed into the grain, he had not yet bought the land from M. St. Pierre, and that the wrong was done before he bought it.

The Court continued the present suit till Friday, the 26th of the present month, in order that the two parties have time to produce their proofs.

The Court adjourned to Friday, May 26, 1780

F. Trottier. \hspace{4cm} Fr. Saucier, Clerk.

Friday, June 9, 1780

President, Capt. Trottier. \hspace{1cm} Pierre Martin.

Charles Gratiot. \hspace{1cm} Bte. Saucier.

Michel Beaulieu. \hspace{1cm} Present.

Jean Bte. Mercier brought into Court a petition against the named George King for a coat and a pair of silver buckles, which the said King stole, and prays that a rifle at present in the hands of M. Trottier, commandant of the post, be sold to indemnify him for the theft, which has been made from him.

The Court decreed that the rifle be sold publicly in order to pay M. Mercier for that which had been taken from him by the said Geo. King; and if there be a surplus, it shall be deposited in the hands of the sheriff until further orders.

**Louis Pillet, Plaintiff, vs. Bte Saucier, Defendant.**

The plaintiff and defendant produced their proofs severally.

The Court decreed that the defendant render to the plaintiff the quantity of wheat according to the estimate made.

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¹ **minots**: A unit of measurement of grain, also known as a bundle or bale.
³ The phrase likely refers to a type of fence that allowed animals to pass through. This was common in early American fencing practices.
La Cour Étant assemblé pour prendre Les arangement Les plus convenable pour Les affaires de feu Sieur Bellau.

Elle a décidé qu'il Sera fait un examen Exacte de tout Ses papier afin de prendre Le plus qu'il Sera possible, Connoissance de Ses affaires, Et ensuite nomera un Sindic pour Gerer toute Ses affaires Suivant Comme il Sera ordonné par la Cour.

La Court Et ajournée a 2 heure après midy 9. Du présent.

9. juin 1780. 2 heure après Midy.

Président Capt. trottier. Pierre Martin.
Mme Ch. Gratiot. Bte Saucier.

Présent.

LOUIS LOUIGAI Demandeur JAMES FINNE Defendeur

Le Demendeur pour Suit Le défendeur pour Le payement d'un Cheval qu'il Luy a tué a force de Courir dans La prairie du pon Suivant La requette qu'il En a présenté En Cour.

Le défendeur dit que C'est par L'ordre du Colonel Montgomery qu'il a pris le cheval pour en attraper d'autre, pour le besoin de l'etat.

Thomas Brady ayant preté Serment Sur Le St Evangile de Dieu, tout puissant de respondre au question qu'on Luy feroit et a dit qu'il Étoit témoin Lorsque Monsr James finne a pris le cheval de Louis gau et qu'ils ont Été Ensemble Dans La prairie du pon, mais que James finne na point Couru Le dit Cheval, et quaprés avoir atrapé une jumen à eux apartenant qu'il auroit Laché Le cheval, qui Sest Ensuite Battu avec un autre un Ser-
tain tems et quaprés cela Voyant que Le cheval avoit beaucoup Sué quelqu'n Luy dire qu'il falloit Seigner Led1 cheval Se qui fit Sur Le Champ et que neanmoins il mourut peu De tems appres.

La Cour d'une voix unanime a Condanner m'r James finne pour S'etre Saisi du dit cheval Sans auq'une ordre a payé au Sieur Louigau Son cheval suivant Sa Valeur.

pierre Gagnon a été nommé par la Cour Sindic pour prendre Connoissance des affaires de feu Michel Bellau, et Ensuite

1 Prairie du Pont was a hamlet with commons and common field, about a mile south of Cahokia. See map at end of this volume, also note 1, p. 88.
COURT RECORD, JUNE, 1780

The Court assembled to take the most expedient measures for the affairs of the late M. Bellau.

It decided that there shall be made an exact examination of all his papers in order to obtain the best possible information of his affairs, and that afterwards there shall be named a syndic to conduct all his affairs as he shall be ordered by the Court.

The Court adjourned till 2 o'clock in the afternoon, the 9th of the present month.

June 9, 1780, at 2 o'clock in the afternoon.

President, Capt. Trottier. Pierre Martín.
Ch. Gratiot. Bte Saucier.

Present.

LOUIS LOUGAUD, Plaintiff, vs. JAMES FINNEY, Defendant.

The plaintiff sues the defendant for the payment of a horse, which he killed by running it in the Prairie du Pont, according to the petition which he has presented in Court.

The defendant says that he took the horse by order of Colonel Montgomery in order to catch another for the need of the state.

Thomas Brady having made oath on the Holy Gospels of Almighty God to answer the question which was put to him, said that he was a witness, when M. James Finney took Louigaud's horse, and that they were together in the Prairie du Pont, but that James Finney did not run the said horse; and that after catching a mare belonging to them, he let the horse loose and that then it fought with another horse for a certain time; and that, after noticing that the horse was very sweaty, somebody told him that he ought to bleed the said horse, which he immediately did; that nevertheless it died shortly afterwards.

The Court unanimously condemned M. James Finney, for having taken the said horse without any order, to pay M. Louigaud the value of his horse.

Pierre Gagnon has been named by the Court syndic to inform himself of the affairs of the late Michel Bellau, and to administer them afterwards in a manner, which he shall believe
Gerer de la maniere quil Croira Etre Le plus Convenable etant
authorise par la d' tie Cour D'agir a ce Sujet.

saucier Greffier.

a une Court 19 Juin 1780.

Président. Cap't. trotier  ant. Girardin
Messieurs Ch. Gratiot  Pierre Martin
Michel Beaulieu  Bte Saucier.

Présent.

La Court Etant assemblé pour prendre Le Serment de fidelité
ainsi que Celuy doffice, Des Sieur Joseph Lepage J'a. Bte Lacroix
Clement Langlois ch. Ducharme francois Courié philiphe Jervais
antoine armant, Comme ayant Été nomé par une assemblé public-
Dimanche Dernier 18 du Courant, dans La Maison de Mr fr.
trotier Cap'te Commandant La Milice Des Cahokias, pour prendre
Leurs place Comme En qualité de Juge de paix &c.

Les Suivant Juges Mentioné en L'autre Part par La Derniere
Election faite, ont prie Le Serment de fidelité aux États, ainsi
que Celuy de Juge de paix &c, Selon leurs liste a lexception de
Joseph Lepage absant.

La Cour a ordonné que fr. Saucier Soit appointé clark de la
Cour.

Francois Saucier a pris Serment de fidelité Et doffice Et a pris
Sa place en qualité de clark.

Nicolas Chabaut a pris Serment de fidelité ainsi que Celuy
d'office et a pris Sa place En qualité de Bailiff de la Cour.

Jean Bte Hubert Lacroix a remis a la Cour Sa Comission de
Cherif.

President Ch. Ducharme  francois Courrié.
ant. armant.  J'a Bte Lacroix.
philiphe Gervais.  Clement Langlois

Présent

Ch Gratiot ayant produit En Cour un Compte due par La
Succession de feu ferant Montant a la Somme de Cinq Soixante
et huit Livres Seize Sols.

Mon' trotier a produit un Sertificat de Bte Lamarche par
Lequel il prove que feu ferrand luy Doit quarante Sept Livres
most expedient, being authorized by the said Court to act in this matter.

Saucier, Clerk.

At a Court June 19, 1780.
Ch. Gratiot.  Pierre Martin.

Present.

The Court assembled to receive the oath of fidelity and that of office from MM. Joseph Lepage, Jean Bte. LaCroix, Clement Langlois, Ch. DuCharme, Francois Courier, Philippe Gervais, and Antoine Harmand, who have been elected by a public assembly, held last Sunday, the 18th of the present month, in the house of M. Fr. Trottier, captain commanding the militia of Cahokia, in order that they may take their places as justices of the peace etc.

The following justices, mentioned in the other part as elected in the last election, have taken oath of fidelity to the States and that of justices of the peace etc. according to the list, with the exception of Joseph Lepage absent.

The Court has ordered that Fr. Saucier be appointed clerk of the Court.

- Francois Saucier took the oath of fidelity and that of office and took his place as clerk.
- Nicolas Chabot took the oath of fidelity and that of office and took his place as bailiff of the Court.
- Jean Bte. Hubert LaCroix presented to the Court his commission as sheriff.

President, Ch. DuCharme.  Francois Courier.
Philippe Gervais.  Clement Langlois.

Present.

Ch. Gratiot produced in Court an account due by the heirs of the late Ferrant amounting to the sum of five hundred and sixty-eight livres and sixteen sols.

M. Trottier produced a certificate of Bte. Lamarche by which he proves that the late Ferrant owed him forty-seven livres ten sols,
Les qui luy a presé. Ce qui fait ensemble la somme de six cent huit livres dix sols. Le montant des dettes se fait à la somme de cinq cent vingtième francs.

La somme ordinaire que le secrétaire avait précédemment présenté a l'assemblée est la somme de deux cent quatorze livres seize sols pour dépôt privilégié. Saisie sur le compte a lui présenté est le reste des dépôts saisies aux mains de la somme.

Chaque compte a produit en cour un compte contre entre le secrétaire Michel Belleau de la somme de six cent huit livres dix sols. Sur lequel il est dû deux cent cinquante-six livres seize sols, que le secrétaire a payé par la balance et demande à la cour que cette somme soit payée par le secrétaire qui a été nommé par la cour pour ordonner les affaires du dit feu Belleau.

Chaque compte a produit encore un compte en cour contre le secrétaire montrant à la somme de cinquante livres dix sols, demandant parallèlement qu'il fût payé également comme l'autre.

Approuvé par la Cour, les comptes présentés par M. Ch. Du Charme.

La Cour a convenu que les billets dus à S. M. le roi seraient payés jusqu'à la conquérance des dépenses faite par Michel Belleau avant de payer diverses frais additionnels sur les dépenses de M. Durand et qu'au moment où le compte aurait été payé sans être approuvé de la Cour.

La Cour a approuvé à jeudi 29 juin 1780.

Du Charme présidant

au Cour 29 juin 1780

Président Charles Du Charme
Joseph Lepage
Clement Langlois
Philippe Jervais

Présent

Joseph Lepage ayant pris sa place du magistrat, et a prêté serment de fidélité ainsi que celui d'office.

A general expression for the payment of a proportional part of one's debts, without any indication of the exact percentage.
which he had lent him, which makes altogether the sum of six hundred and sixteen livres ten sols, the value of the effects of the late Ferrant amounting to the sum of five hundred and twenty-nine livres and five sols.

The Court decreed that M. Charles Gratiot should pay directly from the proceeds of the sale of the said effects the sum of two hundred and ninety-one livres sixteen sols for the debt entitled to preference according to the account presented to him, and the remaining debts shall be drawn at the rate of a mark in the pound.¹

Charles Gratiot produced in Court a current account between him and the late Michel Bellau amounting to the sum of six hundred and eight livres and ten sols, on which there is due him two hundred and fifty-six livres fourteen sols as a balance and prays the Court that this sum be paid him by the syndic, who has been named by the Court to settle the affairs of the said late Bellau.

Charles Gratiot produced also in Court an account against M. Durand amounting to the sum of fifty livres ten sols and prays likewise that it be paid as well as the other.

The accounts presented by M. Ch. Gratiot were approved by the Court.

The Court agreed that the notes due to M. Durand shall serve for payment up to the amount of the debts made by Michel Bellau, since the latter bought various goods here, which he used to pay the debts of M. Durand; and that no account shall be paid without being approved by the Court.

The Court adjourned to Thursday, June 29, 1780.

F. Saucier, Clerk.          DuCharme, President.

At a Court, June 29, 1780.  
Antoine Harmand.            Clement Langlois.
François Courier.           Philippe Gervais.
Present.

Joseph Lepage took his place as magistrate and took the oath of fidelity and that of office.

M. Sanguinette, merchant of St. Louis, produced in Court a
Mr. Sanguinette Nego² a S^ Louis a produit en Cour un État de pelletterie prêté a Mr. Durant demandant [sic] que La Même quantité des d																	
tre pelletterie Luy Soit rendu Suivant Leurs Convention.
Et a produit Encore une reconnoissance du Sieur Durant pour Le voyage d'un homme a Michelimiquina qu'il luy a fourni et un chodiére qu'il Luy a prêté.
Mr. Sanguinette demande a la Cour de condanner Mr. Durant, a Luy payer interest des pelletterie qu'il luy prêté, ainsi que pour l'homme qu'il Luy a fourni pour Le Voyage de Michelimiquina.
La Cour a acordé a Mr. Sanguinette que Mr. Durant payera interest Des pelletterie qu'il luy prêté, ainsi que pour L'homme qu'il Luy a fourni Comme ayant Besoin de Ses objest présentement, et que l'interest Sera payable de Ce Jour.
Le Sieur Isaac Levy a présenté a la Cour un mandat, tiré Sur Mr. Cerré, par J'on Conn de trente piastre gourde que Mr. Cerré refuse de payé Et Ce mêm manda Luy a Été remis par Joseph Lapensé En payment D'un Cheval qu'il Luy a Vendu.
Joseph Lapancé ayant parru a dit qu'il avoit vendu un Cheval a Jonn Conn pour La Somme de trente piastre Gourde par un Mandat tiré Sur Mr. Cerré.
La Cour a Condamné Le Sieur Jonn Conn a payé le billet qu'il a consenti de trente piastre Gourde et a payer Les fraise Et a pareillement Condamné Joseph Lapancé a payer a Mr. Levy pareille Smmoe Sauve a prendre tel a rangement qu'il voudront Entre Eux.
La Cour Est ajourné a jeudi 6. de juillet.
\begin{flushleft}
\textit{f saucier Clark} DuCharme presidans
\end{flushleft}
a une Cour jeudi 6. de juillet. 1780.
Président. Ch¹e Ducharme Joseph lepage
ant. arment Clement Langlois
fran. Courrié philipe jervais
présent

\textbf{PR. MARTIN Demendeur Jo\textsuperscript{h} ALARY Defendeur}
Le demendeur poursuit Le defendeur Suivant Sa requette pour

\footnote{1 For notice of Cerré, see Introduction, p. xx., note 2.}
\footnote{2 The \textit{piastra} was a Spanish coin equal in value to our dollar. The word \textit{gourde}, which appears always in the above combination, seems to add nothing to the idea, for \textit{piastra} and
statement of peltries loaned M. Durand and prays that the same quantity of peltries be returned to him according to their agreement.

And he also produced an acknowledgement by M. Durand for the journey of a man, whom he furnished, to Michillimackinac, and for a copper kettle, which he lent him.

M. Sanguinette prays the Court to condemn M. Durand to pay him interest on the loan of the peltries, since the time for returning them has expired, and also for the wages of the man, whom he furnished for the journey to Michillimackinac.

The Court granted M. Sanguinette that M. Durand shall pay interest on the peltries, which he loaned him, and also on the wages of the man whom he furnished, since he has need of his property now, and that the interest shall be payable from this day.

M. Isaac Levy presented to the Court a draft drawn on M. Cerré by John Conn for thirty piastres gourdes, which M. Cerré refuses to pay; and this same draft was given him by Joseph Lapancé in payment for a horse, which he sold him.

Joseph Lapancé having appeared said that he had sold a horse to John Conn for the sum of thirty piastres gourdes paid by a draft drawn on M. Cerré.

The Court condemned M. John Conn to pay the note for thirty piastres gourdes, which he drew, and to pay the costs; and likewise condemned Joseph Lapancé to pay M. Levy the same sum, subject to making such arrangements between themselves as they wished.

The Court adjourned to Thursday, July 6.

F. Saucier, Clerk. DuCharme, President.

At a Court, July 6, 1780.

President, Ch. DuCharme. Joseph Lepage.
Fran. Courier Philippe Gervais.

Present.

FR. MARTIN, Plaintiff, vs. JOS. ALARIE, Defendant.

The plaintiff sues the defendant according to his petition for a rifle, which he left at the house of the widow Germain as security piastre gourde are used synonymously. It is possible, however, that the word gourde is used to distinguish between the metal piastre and the paper.
une Carabine qu'il avait Lessé Chès Madame Veuve Germain en
depuis (?) pour une quantité de farine qu'il Luy devoit et que
Ledit défendeur a fait Saisir En Son absence Laditte Carabine
Et Sen est Servie Jusqua Son retour.

Le défendeur a produit des Billet pour La La [sic] Somme de
trois Cent quatrevingt treize Livres En pelleterie qui Luy Sont
due par Le demendeur Et Echue.

Le demendeur offre a payer Ses Billet Et que Le défendeur
Soit Condanner a Luy payer sa Caribine Cent piastre Comme
Elle a couté.

La Cour a décider que La Caribine du demendeur Sera Estimé
par trois personne Connoissante Et que Le défendeur Seroit Con-
danner a prendre Laditte Carabine au prix de L'estimation a deduire
Sur Les Billet qu'il Luy Sont due par Le demendeur Et a payer
Les frais de justice pour Setre Servie de Laditte Carabine. Sauve
au demendeur a la reprendre Si il L Veut et a payer Ses Billet.

MICHEL DUBOIS Demendeur FR. MARTIN Defendeur

Le demendeur poursuit Le défendeur suivant Sa requette pour
qu'il Luy Soit fait reparation d'honneur pour L'avoir tréité d'un
Coquin et que Setant vue trité de La Sorte il a pris Le parti de Le
Lesser quoique Son Engagé. Et declare que le Defendeur Luy a
retenu tout Ce qu'il avoit dans Sans [sic] voiture Et a defendu au
personne qui Se Sont trouvé présent de ne point Le retirer Suivant
Le Certificat qu'il a produit En Cour.

Le défendeur declare qu'il est vray qu'il a trété Le demendeur
de Coquin Mais que Ce netoit qu'an Cas que Le d° Demendeur
Venoit a le quitter Vue qu'il n'auroit pas pue trouver un autre
homme a Sa place.

Le demendeur declare Encore qu'apres avoir Eté tréité de
couin et de sclave qu'il Se trouvoit indigne de rester au Service du
defendeur Et demande que Les effest que Led° defendeur Luy a
retenu Montant Environ a la Somme de Cent Livres en pelleterie
Luy Soit renboursé par Le defendeur ainsi que Ses gages.

prinouaux ayant paru a preté Serment de dire La Verité et a
dit qu'il avoit Entendu dire au S° Cadien Générallement tout Ce
qu'il declare dans Son Certificat.
for a quantity of flour, which he owed the defendant; and he says
that the defendant had caused the aforesaid rifle to be seized
in his absence and used it until his return.¹

The defendant produced notes for the sum of three hundred
and ninety-three livres in peltries, which are due him by the
plaintiff and have matured.

The plaintiff offers to pay his notes; and prays that the defend-
ant be condemned to pay him for the rifle the one hundred piastres
which it cost.

The Court decided that the value of the plaintiff’s rifle shall
be appraised by three competent persons and that the defendant
be condemned to accept the rifle at the appraised price and to de-
duct the amount from the notes, which are due him from the
plaintiff; and to pay the costs of justice for having used the rifle,
reserving the right to the plaintiff to take back his rifle if he wishes
and to pay his notes.

MICHEL DUBOIS, Plaintiff, vs. FR. MARTIN, Defendant.

The plaintiff sues the defendant, for the purpose, according
to his petition, that there be made him reparation of honor
because he has been called a rascal and has been so treated by
the defendant that he resolved to leave him although in his employ.
And he further declares that the defendant has retained all he
had in his boat and has forbidden the people who are present to
remove it according to a certificate which he brought into Court.

The defendant declares it is true that he called the plaintiff a
rascal; but it was only when the plaintiff was on the point of leaving
him and because he could not find anyone to take his place.

The plaintiff further declares that after being called a
rascal and a slave, he found it demeaning to remain in the service of
the defendant and demands that his property amounting to
about the sum of a hundred livres in peltries, which the defendant
has retained, be given back to him and his wages paid.

Prenouau having appeared made oath to tell the truth and
said that in general he had heard M. Cadien say all that he de-
clares in his certificate.

¹ For further particulars, see p. 533.
alexis Brisson ayant Paru a preté Serment de dire La vérité et a dit qu'il est vray qu'ils ont treté Le dit demendeur de Coquin mais que Ce netoit que Sur Le menace qu'il Luy offroit de le quitter dans Le temps où il avoit plus Besoin de luy.

La Cour apres avoir Entendu reciproquement Les deux partie, a Condanner Le defendeur a rendre Exactement au Demendeur Les Effets qu'il luy appartient Etsa demendeur a payer Les fraiz.

Monsr Gabriel Cerré résidant Sur La rive Espagnol a fait La demende a La Cour de La part de Mr Le Commandant de partie Espagnol de fournir vingt Cinq homme pour Se Joindre a une même quantité qu'il fourni pour posser une Garde a Landroit que l'on trouvera Le plus propre pour veiller et Evitter toute Surprise de La part de nos Enemis, Et quel Sera relevé tous Les quinze Jour.

La Cour a decider que dici a Lundy prochain il Sera pris Des arrangements pour Cette Expedition Vue qu'il est tres a propos de Le faire.

pierre Gagnon a produit En Cour Le Compte Des payement qu'il a fait au Creancié de feu Bellau Suivant Lancan qu'il a fait faire Et a Eté approuvé.

une requette adressé au majistras Contre Ignace Chatigni pour Examinir Si il est Coupable ou non, Des accusation faite Contre Luy.

La Cour a renvoyé La presente Examination a Dimanche neuf du Court Comme ayant Deux Magistrat de moin.

augustin ané Sest rendu Cotion de La personne d'Ignace chatignie, Jusqu'au Jour ou il Doit Etre interoger. 

La Cour Est ajiourne au 9e du Courant.

lesaucier Clark

DuCharme presdan

a une Cour du 25 Juillet.

President Mr Ch. DuCharme  Clement Langlois

ant arnaut philipe Jervais

francois Courié

La Cour Étant assemblé pour prendre Des arregement pour régler Les affaires de feu John Conn. et a nomé francois Saucier

1 During the month of April there were many rumors of expected attacks by the British, and how the next in May another attack on the Illinois villages was actually made on July
Alexis Brisson appeared and made oath to tell the truth and said that it is true that they called the said plaintiff a rascal; but it was only after the threat, which he made, of quitting at a time when there was great need of him.

The Court, after having heard severally the two parties, condemned the defendant to restore accurately to the plaintiff all the property belonging to him, and condemned the plaintiff to pay the costs.

M. Gabriel Cerré, a resident of the Spanish bank of the river, requests the Court on behalf of the commandant of the Spanish territory to furnish twenty-five men to join with a like number, which he will furnish, for the purpose of placing a guard at a place, which will be found most convenient, to watch and so avoid any surprise by the enemy; and which guard will be relieved every fortnight.¹

The Court decided that between now and Monday next it will make arrangements for this expedition, since it is very expedient to undertake it.

Pierre Gagnon produced in Court the account of the payments, which he had made to the creditors of the late Bellau after the auction, which he caused to be held; and it was approved.

A petition addressed to the magistrates against Ignace Chati- gny that an examination be made to see if he is guilty or not of that of which he has been accused.

The Court postponed the present examination till Sunday, the ninth of the current month, since there are two magistrates lacking.

Augustin Angers became bondsman for the person of Ignace Chatigny until the day he was to be interrogated.

The Court adjourned to the 9th of the current month.

F. Saucier, Clerk. DuCharme, President.

At a Court, July 25.

President, M. Charles DuCharme.


François Courier. Philippe Gervais.

The Court assembled to make arrangements to settle the affairs of the late John Conn; and named François Saucier to ¹th, and was repelled by the French themselves.—Dodge to Jefferson, August 1, Va. State Papers, 1, 308.
Le 20 Octobre.

Cher Membre,

Je vous écris pour vous informer des dernières nouvelles de notre armée. Nous sommes en train de réorganiser nos forces pour une offensive majeure. Les généraux espèrent que nous pourrons avancer rapidement et mettre fin à cette guerre. Nous avons reçu de nouvelles renforts qui nous permettent de poursuivre nos objectifs avec plus d'assurance.

Dans le même temps, nous continuons à faire face à des difficultés logistiques. Nos approvisionnements sont limités et nous devons être prêts à toutes éventualités. Les échanges avec les civils sont réguliers mais il nous manque encore des ressources importantes.

Je vous prie de rester à l'écoute des nouvelles que je vous transmets dans mes prochaines lettres. Je vous assure que nous travaillons dur pour que vous puissiez recevoir de nouvelles plus réjouissantes.

Votre amitié,

[Signature]

Membre, Armée
pay the accounts and notes, which will be presented to him, and he shall receive the oath of each person in regard to his account; and afterwards he shall render exact account of all payments which he shall have made from the proceeds of the auction, which amount to the sum of 1013 livres 15 sols.

F. Saucier, Clerk. DuCharme, President.

At a Court, August 14, 1780.

President Ch. DuCharme. Philippe Gervais.
Clement Langlois. Present.

Fr. Saucier produced a note of M. Charles Gratiot for the sum of five thousand nine hundred and seventy-one livres in peltries drawn to the order of M. Ch. Sanguinette, and prayed that the said M. Gratiot be condemned to pay his note.

The Court condemned M. Gratiot to pay the said note without delay, reserving the right to the two to make arrangements, if M. Sanguinette judges it expedient.

The Court adjourned to Thursday, August 17, 1780.

F. Saucier. DuCharme, President.

At a Court, August 16, 1780.

President Ch. DuCharme. Philippe Gervais.
Clement Langlois. Present.

The Court caused all the captains of the militia and other principal inhabitants of the village to assemble in order to decide upon and take the surest means to avoid any surprise by their enemies;¹ and they decided that it would be absolutely necessary to send from here ten chosen men for the purpose of reconnoitering on the Illinois River in order to endeavor to find out positively if the English army, by which we are menaced, is on the march; and that, when they have arrived at Peoria, they shall detach some men to come and inform us what is taking place; and that the rest shall pursue their route farther, until they have certain news of the army.

¹ See p. 58, n. i., 539 note.
Et pour Cette Effet il a Été jeté. D'accord, D'un plain accordan que Chaque sait, sait tendre chez Luy Les vivres nécessaires pour Luy et les soins qui aura chez Luy pour quinze jours afin d'etre en bout de part au même moment que Les découvreurs nous avront de la nouvelle de nos ennemis. Desirant que ce pourriez aller au devant peut que de Se lessier, acharner Et même Les moins trop approcher Les village prévoyant La perte Du pays così, Le y lessié arrêté Et Consequent toute l'assemblée espère que par le seroit une autre. Deux rive il Seront a même cartier par ce moyen tous Les projet De leurs ennemis.

Et pour n'etre d'embarras pour Les Voiture il a Été decidé et accordé que toute Les voiture qui Sont Dans Ce village Seront toutes arrêtées et mis en garde, jusqu'à ce que L'on Soit sur de n'en avoir point de Bevoin.

La Cour et toute l'assemblée ont Été D'accord qu'il Seroit a propos de prier Le Major William de Sintéresser pour pouvoir avoir avant de monter qu'il Seroit possible d'avoir Des Cass moyennant qu'il fournisse Les vivres et Les voiture nécessaires pour Se joindre au Jour de ce village pour L'expédition vue que Cest Le bien de tout Le pays et qu'a Cette Effet il Leur Sera Danné de pareil ordres pour être prêt à partir Sitôt Les nouvelle de nos découvreurs renue.

Et pour Cette Effet il Sera donné Des ordres pour que toute Les chaises nécessaires pour L'expédition Seront prêt Dici a huit Jour Sous peine De punition. — aux Cahós Le 16 aoust 1780.

Du Charme présed
fr saucier Greffier

a une Cour du 25 aoust 1780.

Président Ch. Ducharme ph. Jervais
Jr Bn LaCroix Jb Lapage
fr. Courrier
Présen

Demandeur LOUIS TROTIER Defendeur ANT ARMANT
Le Demandeur poursuit Le défendeur pour trois Cent Livres de farine pour une paire de roux qu'il Luy a fait.

Le défendeur Dit qu'il Etoit Convenu de Luy donner ou

1 Very little is known of John Williams, except the very active part he took in the campaigns in Illinois. — English, Conquest of the Northwest, Index. He was in command at
And for this purpose it was decided unanimously that each inhabitant shall keep at his house provisions necessary for himself and the soldiers, whom he shall have with him, for a fortnight, so as to be ready to start at a minute's notice, when the reconnoitring party gives news of our enemies, since all desire to go to meet the enemy rather than allow them to make the attack or even to approach too near the village, in view of the loss to the country, if they are allowed to reach it. Accordingly the whole assembly hopes that by the unanimous succour of both bank they will be be able by this means to thwart the plans of their enemies.

And in order not to be embarrassed by want of boats, it was decided that all the boats in this village shall be secured and guarded until it is certain that there is no need of them.

The Court and the whole assembly have agreed that it would be expedient to ask Major Williams\(^1\) to interest himself in obtaining as large a force as possible from Kaskaskia, on condition that they furnish themselves with the provisions and boats necessary to join the people of the village on the expedition, since it is for the good of the whole country; and that for this purpose he shall give them similar orders to be ready to set out as soon as news from the reconnoitring party is received.

And for this purpose there shall be given orders so that everything shall be ready within a week, under penalty of punishment.

At Cahokia, August 16, 1780.

F. Trottier.  
DuCharme, President.  
F. Saucier, Clerk.

At a Court, August 25, 1780.

President, Ch. DuCharme.  
Jean Bte. LaCroix.  
Fr. Courier.  
Phil. Gervais.  
Jos. Lepage.  
Present.

LOUIS TROTTIER, Plaintiff, vs. ANT. HARMAND, Defendant.

The plaintiff sues the defendant for three hundred pounds of flour due for a pair of wheels, which he had made for him.

Cahokia at this time, having superseded McCarty, after Colonel Montgomery returned from the Rock river expedition.—McCarty's letter to Clark in this volume, p. 620 and also p. 543, note 7.
pelleterie ou farine mais que Ce trouvant Cour de farine il offre Soixante Livres En pelleterie au demendeur pour Ses roux.

Le demendeur dit que Le defendeur Luy a offert de La pelleterie mais qu'il Luy avoir dit que Ce n'etoit point de La pelleterie qu'il Luy devoit que Cettoit de La farine.

M's ans armant a produict La personne de George hait pour temoign qui aprés avoir preté Serment a dit qu'il Etait presente lorsque M's armant Et trotier ont fait marche pour une pe de roux Et que M's armant Luy a dit qu'il n'avoit point de farine a Luy donner avant Les recollc mais qu'apres Les recollc il Luy En donneroit ou Soixante Livres en pelleterie.

La Cour a decider que Les deux partie S'etant offert a donner Chaque'un Leur Serment que le defendeur payeroit au demendeur La moitie En farine Et L'autre moitie en pelleterie. Et payeroit Chaque'un Leur part des fraix.

francois saucier a porté plainte Contre Ignace Chatignie pour une insulte qu'il a fait a La Cour, ayant dit que tout Les majistrat Etoit tous Des Bette.

Ignace chatignie ayant Paru a dit qu'il Etait vrai qu'il Lavoit dit mais qu'il ne Croyoit pas que cela Seroit repeating.

La Cour a decider que pour L'insulte qui a Eté fait par ledt Ignace Chatignie a la Cour quelle Saddressera a M's trotier Command al au dit Lieu de Le faire mettre En prison huit Jour et payera Cinquante Livres D'amende pour Leglise Et Les fraix.

La Cour Est ajournee a Jeudi 7 de Septembre.

f saucier Greffier

DuCharme presd

a une Cour du 14e Septembre 1780.

Président Ch le Ducharme clem Langlois

Jn B le Lacroix phle Jervais

Jh Lepage ant. armant

fr. Courier present

ALEXIS BRISON Demendeur AUG, ange Defendeur

Le Demendeur poursuit Le Defendeur pour Luy avoir fait reproche d'avoir Eté La Cause de La mort du nommé Dubois,

1 Proof by oath was a survival from the primitive German law, and was modified by the influence of the canon law during the Middle Ages. This method of reaching a decision was reserved to only in case of lack of sufficient proof by witnesses. The procedure was not without formalities. It was decided by agreement between the parties which of the two should
The defendant says that he had agreed to pay him either peltries or flour, but finding himself short of flour offers sixty livres in peltries to the plaintiff for his wheels.

The plaintiff says that the defendant offered peltries, but he had said that it was not peltries that the latter owed, but flour.

M. Ant. Harmand produced the person of George Hait as witness, who, after making oath, said that he was present when MM. Harmand and Trottier made a bargain for a pair of wheels and that M. Harmand told the plaintiff that he had no flour to give before the harvest, but that after the harvest he would give him flour or sixty livres in peltries.

The Court decided that, since each party offered to give the other his oath, the defendant should pay the plaintiff half in flour and half in peltries, and that each should pay his part of the costs.

François Saucier brought complaint against Ignace Chatigny for an insult which he had offered to the Court, having said that all the magistrates were fools.

Ignace Chatigny appeared and said that it was true that he had said it, but he had not thought it would be repeated.

The Court decided that on account of the insult, which had been offered by the said Ignace Chatigny, it will make application to M. Trottier, commandant in said place, to have him put in prison for a week; and that he shall pay fifty livres fine to the church and the costs.

The Court adjourned to Thursday, September 7.

F. Saucier, Clerk. DuCharme, President.

At a Court, September 14, 1780.

President, Ch. DuCharme. Clem. Langlois.
Jean Bte. LaCroix. Phil. Gervais.
Fr. Courier. Present.

ALEXIS BRISON, Plaintiff, vs. AUG. ANGERS, Defendant.

The plaintiff sues the defendant for having reproached him with being the cause of the death of the named Dubois and prays

confirm his statement by oath. In the above case both parties appeared equally ready to make oath, and so the judges made a compromise. The procedure is illustrated by other examples in this volume.—Glasson, *Histoire du droit et des institutions de la France*, viii., 563.
Et demande a La Cour que Le Defendeur Luy prouve Se Dont il Lacuse avoir fait.

Le defendeur Declare qu'il est Vray qu'il a dit au Demendeur ayant Eu dificulte avec Luy Jusqua moment de ce fraper, qu'il en avoit fait perir un Et qu'il ne Le feray pas perir Luy, et qu'il est bien Vray quavant La dificulte que Le d' Dubois a Eu avec Le Demendeur qu'il Se portoit Bien et que Depuis Ce temps il Sest mis au Lit Et n'en est point releve et cela a la Connoissance de tout Le monde.

pierre Gatient ayant paru a preté Sermant Sur Le St. Evangille de dieu tout puissant de dire La Veritt Et a dit que il vray que Dubois Luy a dit que Brisson Luy avoit Donné une tape et qu'il ne Lavoit Jamais frapé avec Son fusil, et qu'en outre il n' avoit jamais Envoyer chercher fr saucier pour Luy Dire tout ce qu'il a deposer a la Cour de Sa part.

fr. saucier a preté Serment Sur Le Saint Evangile de dieu tout puissant Et a dit qu'il a Eté Envoyé Cherché par mr Lionay et mr Longval Et quayant eté chés Led Dubois qu'il Luy auroit Dit que Mr Brisson ayant Eté ches Luy et qu'il L'avoit frapé Luy avoit Cassé Son fusil et Luy a donne un Coup de pied dans Le Coté et qu'il avoit craché Le Sang du Coup.

Mr Lionay ayant paru a preté Serment Sur Le St Evangille de dieu tout puissant et a dit qu'il a Eté envoyé de La part de feu dubois chercher mr Saucier pour Luy Conter La dificulte qu'il avoit Eu avec Brisson Et qu'il Luy a Dit que Brisson Lavoit Battu et qu'il Croyoit qu'il n'en reviendray pas.

La Cour a decider que Suivant Les Deposition qui ont Ete fait Contre Le Dit Demendeur qu'il Sera pris et arreté et Mis En prison pour que Sous huit Jour il aye a donner Des preuve plus grande du Contraire de ce dont il Est taxé. faute de quoy il Sera fait une Semble de Juré pour Decider Son affaire.

une Lettre adressé en Cour par Mr Ducharme Signe ch Gratiot qui demende que La Cour ne termine aucune affaire Contre Luy avant Son retour.

fr Saucier porteur D'un de Ses Billet a demender a la Cour
the Court that the defendant prove that which he accuses him of having done.

The defendant declares that it is true that he said to the plaintiff, at a time when he had a quarrel with him up to the point of coming to blows, that he had made one die and that he wasn’t going to make him. He further said that it is true that before the quarrel, which the said Dubois had had with the plaintiff, the former was in good health and that after that time he went to bed and never got up again and every one knew that.

Pierre Gatient having appeared made oath on the Holy Gospels of Almighty God to tell the truth and said that it is true that Dubois told him that Brisson had given him a rap and that he had not struck him with his gun; and furthermore he had never summoned Fr. Saucier to tell him what the latter had deposed in the Court on his account.

Fr. Saucier made oath on the Holy Gospels of Almighty God and said that he had been summoned by M. Lionet and M. Lonval and that, when he was at the house of the said Dubois, the latter told him that M. Brisson had been at his house and had struck him, had broken his gun on him and given him a kick in the side and that he had spit blood on account of the blow.

M. Lionet having appeared made oath on the Holy Gospels of Almighty God and said that he was sent by the late Dubois to summon M. Saucier so that he might tell him about the quarrel, which he had had with Brisson; and that he told M. Saucier that Brisson had beaten him and he feared that he would not recover.

The Court decided that, on account of the depositions which have been made against the said plaintiff, he shall be apprehended, arrested and put in prison in order that within a week he should give greater proofs to the contrary of that with which he has been accused, in default of which there shall be held a meeting of jurors to decide his case.

A letter presented to the Court by M. DuCharme and signed by Ch. Gratiot who requests the Court not to terminate any cause against him before his return.

Fr. Saucier bear of one of his notes prayed the Court for a
une Saisi provisionaire Sur tous Les Bien dud' Sieur Gratiot.
Si il nest pas de retour dans Dix Jour de Cette datte.
La Cour a accordé a fr. Saucier appres Les dix Jour Expire
La saisie provisionaire Suivant sa Demandé.
La Cour Est ajourné a Jeudi 21 du couter.
fr saucier Grefié. 
DuCharme presd.
a une Cour tenue Le 21 Septembre 1780.
président. Ch' Ducharme fr. Courier
Jn Bte Lacroix Clet Langlois
ant. armant present
Demendeur S' ORTIS Defendeur S' HENSON
Le demendeur poursuit Le défendeur pour Des avances
quil Luy a fait Suivant Ses obligation et Billet.
Le Defendre repond par une Lettre adressé a la Cour que
vue La Situation du tems il Demandé pour dellay de Suspendre
L'exécution Jusqua Noël prochain au defaut de quoy il Sofre a
Sexecute Luy même a Ce tems pour tout Dellay.
Il a Été Decidé et accordé par La Cour que M' Henson
Donnera un bon et Suffissant Cotion a M' ortis pour Ce qu'il
Luy doit et aura un terme dici a Noël prochain pour tous Dellay
a payer ce qu'il Luy doit Et a payer Les fraix Montant a douze
Livres Dix Sols.
Demendeur ANT ARMANT Defendeur JOSEPH RELLE:
Le Demendeur poursuit Le Defendre pour un Billet Con-
senti par Luy, a L'ordre de Baptiste Bellan et Dont il Est Chargé
etant passé a Son ordre.
Le defendeur produit un Billet par Lequelle Led' bellan prie
M' Sanfaçon de remettre a Joseph relle Le Billet Dont il etoit
Chargé.
La Cour ne pouvant pas Condanner Led' Joseph relle a
payer Led' Billet a Condanner Le demendeur a rendre au De-
fendeur Son Billet montant a la Somme de Soixante Livres en
pelleterie, et a garder Le billet que bellant Luy ecrit pour avoir
Son recours Sur Luy Comme Le dit billet Etoit passe a Son
ordre et Le Demandeur a payer Douze Livres Dix Sols pour
fraix.
provisional attachment on all the goods of the said M. Gratiot, if he has not returned within ten days from this date.

The Court granted Fr. Saucier the provisional attachment after the expiration of ten days, in accordance with his prayer.

The Court adjourned to Thursday, the 21st of the current month.
Fr. Saucier, Clerk. DuCharme, President.

At a Court held September 21, 1780.
President, Ch. DuCharme. Fr. Courier.

M. Ortis, Plaintiff, vs. M. Henson, Defendant.

The plaintiff sues the defendant for advances, which he made him, according to his obligation and note.

The defendant answers by a letter addressed to the Court that in view of the conditions of the times he prays for a stay of execution till next Christmas and in default of payment at that time he offers to sell his property himself without further delay.

It was decided and granted by the Court that M. Henson shall give good and sufficient surety to M. Ortis for what he owes him and he shall have the term till Christmas and no longer in which to pay what he owes; and he is to pay the costs amounting to twelve livres ten sols.

ANT. HARMAND, Plaintiff, vs. JOSEPH RELLÉ, Defendant.

The Plaintiff sues the defendant on a note made by him to the order of Baptiste Bellan and with which the plaintiff is charged, as it has been assigned to his order.

The defendant produces a letter in which the said Bellan begs M. Sansfaçon to return to Joseph Rellé the note with which he was charged.

The Court, not being able to condemn the said Joseph Rellé to pay the said note, condemned the plaintiff to return to the defendant his note, which amounts to the sum of sixty livres in peltries, and to keep the letter which Bellan wrote him in order to have recourse against the same, since the said note was assigned to his order. The Court condemned the plaintiff to pay twelve livres ten sols for costs.
Le demandeur M. le Gentil D'Hammett, a dit que le défendeur par deux fois a refusé de donner au demandeur deux Sols de return Sériément, et de donner au demandeur le fusil de return Sériément.

En ce qui concerne les deux parties, Lautre a été convié de donner au demandeur les deux Sols de return Sériément.

La Cour a été adjourné Jeudy 5 8ème.

Du Charme présidé.

La Cour étant encore assemblée, et a pris Le Serment des dix hommes qui ont été nommé comme il a été accordé à une Cour du 14 du présent pour juger Laffaire Entre Brison et Lautre et que Lautre a suspendu la déclaration faite en l'assassinat de Jacques de la Montagne de la Seigneurie de Buisson qui proove que le Contraire de la déclaration de d'après Laffaire dit même et fait le serment de sortir par Pierre Gatien qui affirme que la Cour de la Montagne de d'après Laffaire de Buisson et de par D'après nous n'avons trouvé aucune preuve la Cour de d'après Laffaire de Brisson qui a été donné par la Cour de l'affaire de d'après Laffaire de Buisson et D'après nous n'avons trouvé aucune preuve suffisante pour condamner Led' Brisson a quine Chose que ce Soit Et que la Cour condamnera qu'elle jugera a proprie aux frais Depends &c. aux Cahôs Le 21ème 7 bre 1780.

1 The clause "Et faitte a D'autre pareillement" was not originally written by the clerk that way. The "Et" is an insertion and after "pareillement" a contraire was inserted and then crossed out.

2 As far as is known, this was the first jury trial in Illinois or the Northwest, certainly the first recorded one. The system of trial by jury was not introduced by the British government,
M. Levasseur, plaintiff, vs. Prenouvaux, Defendant.

The plaintiff sues the defendant on account of a difficulty between them in regard to an exchange of a gun barrel, which he changed with the defendant in consideration of five livres in peltrees to boot for the barrel and fifteen livres for making a stock for it; but since the defendant refused to pay him the five livres to which he agreed for the exchange, he had returned his gun barrel and demands that the defendant pay him for the stock, which he had made for the barrel, because he is not able to use it on another.

The defendant says that he agreed to give the plaintiff only one ecu to boot.

Since both parties offered to take oath and they had no witnesses, the Court dismissed them, ordering each to pay half the costs and the plaintiff to lose half of what he demands for the gun stock.

The Court adjourned to Thursday, October 5.

DuCharme, Pres.

The Court being still assembled received the oath of the twelve jurors, who were named in accordance with the order of the Court of the 14th of the present month, to judge the case between Brisson and Angers. And they now demanded that the declarations, which were made, be read to them, and this was immediately done. After a careful examination they decided that the affidavit of Pierre Gatien made under oath proves the contrary of the accusation of Dubois himself which was made to others also; and since there is no other proof to the contrary, they return this verdict: "We the undersigned jurors, in virtue of the order given us by the Court to decide the cause of Brisson and Angers, have not found any proof sufficient to condemn the said Brisson on any count whatsoever; and recommend that the Court condemn whomever it judges proper to pay the costs etc."

At Cahokia, September 21, 1780.

as has been frequently said.—Kas Rec., Edict of Colonel Wilkins. In this edict Wilkins gave the court of judicature, established by him in 1768, jurisdiction in criminal matters, but he said that the people were not sufficiently familiar with English law to permit trials by jury. The use of trial by jury in the courts of the county of Illinois was due to the influence of the Virginians.—Introduction, p. lxiii.
La Cour Setant rassemblé pour Examiner L’opinion Des Juré Si Dessu nomé president Ch¹e Ducharme, Jⁿ Bᵗe Lacroix Clement Lenglois, ant. armant, tous quatre present Et ont Condamné et Condamnne Le Sʳ augustin angé aux fraix qui auront Eté fait, &c nayant pas produit Sufisante preuve Contre L’ataque qu’il a fait a alexis Brisson.

f saucier Greffier.

a une Cour du 15 8bre 1780.

président Ch¹e Ducharme clement Lenglois
Bᵗe Lacroix philipe Jervais

a La demende de plusieurs personne de ce Village pour avoir Des permis pour aller ou Leurs petite affaires Les appellent, La Cour Sest assemble pour Ce Sujete et a decidé qu’il Sera donné Des permis a quelque personne d’une reputation et Caractere reconnu et qu’il Sera Defendu tres Expressement a qui que Se Soit D’importer avec eux aucune Boison anivrente Et Donneront Cotion qui repondra de toute malversation de Leur par. 

pierre Gatien ayant preté Serment Sur LeS Evangille de rien faire ni faire auqu’une Chose Contraire aux Etat Et a Donné La personne de mʳ fr trotier pour Cotion il Luy a Eté accordé un permis pour aller Dans Le mississipy ou Ses affaires La-pellent.

La Cour Est ajourné Jeudy 19, 8bre.

fr saucier Gref DuCharme prd.
[Signed.]

his  
Charles + Buteau.  
mark  

his  
Bte. + Lussier.  
mark  

his  
Fr. + Prenouvau.  
mark  

his  
Bte. + Baron.  
mark

his  
CH.  

Pierre + Grandmont.  
mark  

his  
G. Blin.  
mark  

his  
B. Saucier.  
mark  

his  
F. + Chretien.  
mark  

his  
Louis + Chatel.  
mark

September 21, 1780, The Court reassembled to examine the opinion of the jurors above named, President Charles DuCharme, Jean Bte. Lacroix, Clement Langlois, Ant. Harmand all four being present; and has condemned and does condemn M. Augustin Angers to pay the costs of the trial, since he has not proved his accusation against Alexis Brisson.

F. Saucier, Clerk.

At a Court, October 15, 1780.

President, Ch. DuCharme.  
Clement Langlois.  
Bte LaCroix  
Philip Gervais.

Present.

On the petition of several persons of this village for permission to go where their private business calls them, the Court assembled to consider this subject, and decided that permission shall be given to some persons of recognized reputation and character, and that it shall be very expressly forbidden everybody to import with them any intoxicating liquor, and that those to whom permission to go is given shall present bondsmen who will be responsible for all misdemeanors on their part.

Pierre Gatient made oath on the Holy Gospel to do nothing and to cause nothing contrary to the interests of the State and presented the person of M. Fr. Trottier for bondsman. He was granted permission to go on the Mississippi, where his business calls him.

The Court adjourned to Thursday, October 19.

F. Saucier, Clerk.  
DuCharme, Pres.
October 26.

President J. Lepage.
Jean Bte LaCroix.
Clement Langlois.
Pierre Dorion, Plaintiff, vs. Ch. Ducharme, Defendant.

The plaintiff sues the defendant for having given bond for the named Joseph Desloges, from whom the plaintiff won four hundred livres at cards¹. He says that he played with Desloges only because of the assurance of his money which the defendant gave by his surety.

The defendant declares that he acted as bondsman to Joseph Desloges up to the sum of four hundred livres, but says that the said Desloges told him that he had not lost that amount.

The Court continued the present suit to be decided at the next Court and ordered that the said Desloges be sued by the plaintiff before suit is brought on the surety of the defendant.


The plaintiff sues the defendant because he was not able to go one day and draw off the lime from a kiln which they had made together without any contract or agreement except their word; and he says that the defendant made him pay a bill for work, which he had ordered done on the kiln after it was fired, without informing the plaintiff of the work he intended to have done on it.

The defendant declares that he went one time to tell the plaintiff to go and draw off the lime, since he was not able to go himself.

The plaintiff repeats that he told the defendant that day that the kiln might go to ruin before he would leave the work he was doing; and that he could get a man to send in his place and that he would pay him.

The Court condemned the defendant to give the plaintiff half the kiln, and both to pay the expenses which had been made for the preservation of the kiln, and to pay equally the costs of justice.

The Court adjourned to Thursday, November 2.

F. Saucier, Clerk. Jos. Lepage, President.
VIII

ILLINOIS HISTORICAL COLLECTIONS.

a une Cour du 16 9bre

Président Jos Lepage ant. armant
Chr Ducharme fr. Courrie
Jn Bte Lacroix Present

Demendeur PIERRE MARTIN Defendeur Chr LACROIX

Le Demendeur poursuit Le Defendeur pour un pourçeau qu'il a pris Dans La prairie Du pon Et qu'il a renfermé Ches Luy, Et Demande qu'il Luy Soit rendu.

Le demendeur dit Encore que Mr Pierre roy a dit au Defendeur Lorsqu'il a pris et amener Led pourçeau Ches Luy qu'il ne Luy appartenoit pas qu'il Etoit au demendeur a quoy Led defendeur a repondu que Celuy qu'il Le reclameroit Le Viendroit Chercbé.

Le Defendeur Dit qu'il Croyoit Bien Le dtpourçeau a Luy Lorsqu'il a pris Et que Si Le Demendeur Donne Des preuve qu'il Soit a Luy qu'il Consent a Luy rendre.

Le Demendeur a produit Deux temoins qui ont fait La Visite au dit pourçeau pierre roy et Louis Chatelle ont preté Serment Sur Le Saint Evangile de dieu tout puissant de repondre au question qu'on Leur seroit, et ont Dit qu'apres avoir Visité Le pourçeau qu'ils ont reconnu que La marque Etoit Celle du demendeur quoiqu'il paroit qu'il aye Été un peu Deguisé Soit par la gelé ou par quelque Branche mais que malgré cela que Leurs opinion Est qu'il Croye que cest La marque du demendeur.

La Cour a D'un plain accorde Condanne Le defendeur a rendre au demendeur un pareille Cochon Comme Etoit Celuy qu'il Lui a pris Sujet a Être visité par Celuy qu'il L'a vue Lorsquil a Été prie Et a payer Les fraix.

Jean Bte Lacroix Demande a la Cour qu'il Luy Soit permis de faire vendre quelques Effest appartenant au Sieur Sills, pour une Somme de quatrevingt et quelque Livres qu'il Luy doit.

La Cour a permis a Mons Lacroix La vente Des dits Effest dut Sills dimanche prochain.

La Cour Est aijonné Jeudy 7 xbre
f saucier Greffier

Jh lepage pre
At a Court, November 16.

Ch. DuCharme.  Fr. Courier.
Jean Bte. LaCroix.  Present.
Pierre Martin, Plaintiff, vs. Ch. LaCroix, Defendant.

The plaintiff sues the defendant for a pig, which he had taken in the Prairie du Pont and shut up at his house and demands that it be returned to him.

The plaintiff further says that M. Pierre Roy told the defendant at the time he captured and carried the pig away to his house that it didn’t belong to him but to the plaintiff, to which the defendant answered that he who claimed it might come to fetch it.

The defendant says that he really believed the said pig his, when he took it; but if the plaintiff gives proof that it belongs to him, he would consent to return it.

The plaintiff produced two witnesses, who have inspected the said pig. Pierre Roy and Louis Chatel made oath on the Holy Gospels of Almighty God to answer the question which was put to them; and said that, after examining the pig, they recognized that the brand was that of the plaintiff, although it appeared to have been somewhat disguised either by frost or some branch, but that in spite of that their opinion is that it is the brand of the plaintiff.

The Court unanimously condemned the defendant to return to the plaintiff a pig similar to the one he had taken, subject to inspection by him, who saw the pig when it was taken, and to pay the costs.

Jean Bte. LaCroix prays the Court to be permitted to have sold some goods belonging to M. Sills for a sum of eighty odd livres which the latter owes him.

The Court permitted M. LaCroix to hold the sale of the said goods of the said Sills Sunday next.

The Court adjourned to Thursday, December 7.

à une Cour le 19 Xo 1730

Président Joseph Lapage
Le 3e Larocq
ant armant
philippe Jervais
pres

Demandeur en cause Defendeur PIERRE MARTIN

Le Demandeur prétendit Le Defendeur pour un cheval qu'il Luy a Chagré pour un Boeuf et que Le Defendeur refuse de Luy donner.

Le defendeur répond que le demendeur Luy avait promis de Luy donner un bon Boeuf tel qu'il Luy avoit demender pour appareillë en Des Sieu
At a Court November 23, 1780.

President Jos. Lepage. Clem. Langlois.
Ch. DuCharme. Philippe Gervais.

Present.

Jean Bte. Lacroix presents in Court an account of Joseph Matelot due to Bte. Lamarche and demands that Matelot’s horse be sold to pay a sum of one hundred and twenty-two livres, which the said Lamarche owes him and that the surplus, if it sells for more, be returned.

The Court granted to Jean Bte. Lacroix the sale of the horse to pay the account of Jean Bte. Lamarche and another if there is any, but only after Jean Bte. LaCroix shall have deducted seventy livres in peltries, which he paid to Pierre St. Martin for having brought the said horse, and forty livres to the same for the said Lamarche.¹

Jean Bte. LaCroix presented another account of Samuel Sills amounting to the sum of seventy-eight livres and presented also the statement of the sale of his goods amounting to the sum of one hundred and ten livres ten sols.

The Court granted to Jean Bte. LaCroix seventy-eight livres in peltries, and ordered that the balance be deposited in the hands of the sheriff for the payment of expenses and other creditors, if there are any.

The Court adjourned to Thursday, December 7.

At a Court December 19, 1780.

Jean Bte. LaCroix. Philippe Gervais.

Present.

Fr. Trottier, Plaintiff, vs. Pierre Martin Defendant

The plaintiff sues the defendant for a horse, which he exchanged with him for an ox and which the defendant refuses to give him.

The defendant answers that the plaintiff promised to give him a good ox, such as he had demanded, to match one of his own.

¹ Thus sparing Matelot these expenses.
Vue Les Difficulté des partis La Cour a demandé Des preuve
dermoin de Leur Echangé.
pierre roy ayant prêté Serment a dit que martin a dit a Mr
trotier que Son Boeuf navoit jamais tiré Et que Mr trotier Luy a
dit qu'il gageroit Le Boeuf qu'il av[oit] tiré.
appres avoir Entendu Les parties reciprocement La Cour,
a Condanné Le defendeur a tenir Lechange avec Le demandeur.
Et quand a Leur gajur Elle a Été renvoyé Sans auq'une Condan-
nation, Et quand au fraix de Justice il Sont Condanné a En
payer Chauqu'n La moitié.
La Cour Est ajourné Jeudy 21 xbre.
fr saucier Greffier                  Jh lepage presidan.
a une Cour du 18e Janvier 1781.
président Jb Lepage                Jn Bte Lacroix
ant armant                        Chte Ducharme
présent
Demendeur Bte Bargeon        Deffendeur Alexis Tabaout
Le demendeur poursuit Le Defendeur au Sujet d'une acte
de Donnation de toutes Ses biens moyenant que Le Defendeur
ne manque pas a aucune chauce Dont il Etoit oblige par Ladte
Donnation Et quau Contraire qu'il est Sorti de Ches Luy Sans
Seulement L'en avertir ni San Savoir pourquoii Et demande que
Le Defendeur Luy paye un Dedomagement, ou que La Dona-
tion aye tourjour Lieu.
Le Defendeur repond par requette qu'il Est Sorti de La
maison du Demendeur pour Eviter a lavenir accident facheux
Vue que Led1 Demendeur a fait Son possible pour pousser Son
Exès de Libertinage et de subornation envers La femme Du
defendeur et demende La Cassation de La ditte Donation Etquil
Luy Soit Livre de Sortir de la maison dud1 Demendeur avec Ses
effest Et Le Condanner a payer Sa pention et Blanchichage
depuis qu'il Est a Ses sarge
La Cour a accordé au Sieur tabau suivant sa demande La
Cassation de Ladte Donnation Et a ordonné au St Bergeron de

1 This kind of donation was very common. The donor owned by deed of gift all his
property to the donee in return for board, lodging, etc., for life. Ferme, l'habitation de Paris.
In view of the difficulty between the parties the Court demanded proofs by witnesses of their exchange.

Pierre Roy took oath and said that Martin told M. Trottier that his ox had never drawn and that M. Trottier answered that he would warrant the ox that it had drawn.

After having heard both parties, the Court condemned the defendant to hold to the exchange with the plaintiff and as to their pledge [?] it has been dismissed without any condemnation, and as to the costs of justice they are each condemned to pay half.

The Court adjourned to Thursday, December 21.
F. Saucier, Clerk. Jos. Lepage, President.

At a Court, January 18, 1781.
President, Jos. Lepage. Jean Bte. LaCroix.

The plaintiff sues the defendant in regard to an act of donation of all his goods made on condition that the defendant should fail in nothing, to which he was bound by the said donation.¹ Contrary to the agreement the defendant has left the plaintiff's house without giving notice and without the plaintiff's knowledge of the cause. He now demands that the defendant pay him a compensation or that the donation continue in force.

The defendant answers by petition alleging that he left the plaintiff's house to avoid any future disagreeable accidents, because the plaintiff tried his hardest to extend his excessive licentiousness and subornation to the defendant's wife; and he demands the annulment of the said donation and that he be free to go forth from the plaintiff's house with his property and that the plaintiff be condemned to pay his board, lodging and washing, since he is bound to support him.

The Court granted M. Tabeau, in accordance with his prayer, the annulment of the said donation and ordered M. Bergeron to return to the said Tabeau whatever he might have belonging to

¹ refers to a footnote: 

remettre aud' tabau ce qui peut avoir a luy appartenant Ches Luy et a payer trois mois de pention aud' tabau et Blanchissage a raison de trente Cinq Livres par mois et a payer Les fraix de Justice Le tout Contant.

Bte BARGEON Demendez MICHEL CHARTIER Defendeur

Le demendezeur poursuit Le defendeur pour Le Loyer d'un terrin quil a occupé pour faire du tabac moyennant quinze Livres de tabac que Le defendeur devoit remettre au Demendezeur: et quil refuse de faire aujourdhuy.

Le defendeur repond quayant Louer Le terrin Du Demendeur et y ayant mis du tabac, que quel que tems aprés Le demendeur a pris un homme chés Luy et que Son Cheval Luy a fait un tor Considerable Et que L'ayand [sic] d' au demendezeur il Luy auroit repondu qu'un cheval ne mange pas de tabac Le defendeur dit que le demandeur ne devoit pas permettre a qui que se soit De mettre aucun animal dans un terrin des quil Le Loue.

Le demendezeur repond qu'il a permis de mettre Le cheval de l'homme quil a voit chés Luy dans Le terrin Mais quil Luy avoit Deffendu de Le Lesser Livre.

La Cour a Condanner Le demendezeur a payer Les fraix de Justice et a perdre Les quinze livres de tabac que le defendeur Devoit Lui Livrer.

La Cour Est ajourné a Jeudy 1\textsuperscript{er} fevrier

\textit{Jh lepage presidan}

a une Cour du 1\textsuperscript{er} fevrier 1781

Président Joseph Lapage ant. armant
Ch Ducharme philipe Jervais
J\textsuperscript{e} B<sup>e</sup> Lacroix fr. Courrié

\text{J\textsuperscript{e} B<sup>e</sup> LACROIX Demendeur LEFEVRE Defendeur}

Le demendezeur poursuit Le Defendeur pour une somme de trente trois Livres En pelleterie que le nomé Jan marie troitié Luy devoit Luy ayant repondu de Luy payer Comme ayant Ches Luy un peu de maïs a luy appartenant.

Joseph Bissonette ayant parru a prété serment et a dit quil Etoit témoins Lorsque mr Lefevre a promis de payer a mr Lacroix
the latter at his house and to pay three months' board, lodging and 
washing for the said Tabeau at the rate of thirty-five livres a month, 
and to pay the costs of justice, all in money.

BTE. BERGERON, Plaintiff, vs. MICHEL CHARTIER, Defendant.
The plaintiff sues the defendant for the rent for land, which 
he occupied for the cultivation of tobacco. The rent, which the 
defendant was to pay the plaintiff, was fifteen pounds of tobacco, 
which he refuses to pay to-day.

The defendant answers that some time after he had rented 
the land of the plaintiff and had set out his tobacco, the plaintiff 
brought into his own house a man, whose horse had done the plants 
considerable damage; and when he told the plaintiff about it, the 
latter had answered that a horse did not eat tobacco. The defendant 
says that the plaintiff ought not to permit any one to put an 
animal in a field after he rents it.

The plaintiff answers that he permitted the man, who was at 
his house, to put his horse in the field; but that he had forbidden 
him to let it loose.

The Court condemned the plaintiff to pay the costs of justice 
and to lose the fifteen pounds of tobacco, which the defendant 
was to pay.

The Court adjourned to Thursday, February 1.

Jos. Lepage, President.

At a Court, February 1, 1781.

Ch. DuCharme. Philippe Gervais.
Jean Bte. LaCroix. Fr. Courier

Present.

JEAN BTE. LACROIX, Plaintiff, vs. LEFEBVRE, Defendant.
The plaintiff sues the defendant for a sum of thirty-three livres 
in peltries, which the named Jean Marie Trottier owed him, and 
for the payment of which the defendant was responsible, since 
he had at his house some corn belonging to the said Trottier.

Joseph Bissonnette appeared and made oath. He said that he 
was a witness, when M. Lefevre promised to pay M. LaCroix
vente de ses livres et pelettes que Je m'asseoir Luy devoir Ce a quoi M. Le devoir a demander moyens que Le maitre qui avoit
Les livres et pelettes Luy rendre

La Cour a ordonner Le sieur LePage a payer au sieur
Lacroix vvente de ses livres et pelettes Comme il paroit qu'a
requeri de Le faire par Le sieur qui a prent serment et a gar-
cer Le maistre qui peut Luy rester appartemment avec feu trudier et a
payer les frais

La Cour est adjointe au a de Cour

Jn lepage

A une Cour du 3 mars 1781

President. Ch Ducharme Clement Langois

Jn lepage

Demendeur Jn Bte Lacroix

Le Demendeur presente En cour un Billet de feu Jean Bte
amelin de La vemme de Cinq cent une Livres qui Lui est Due, Et
Demende qu'il soit fait une vente Des Effest Djd feu amelin
pour Satisfaire a Se quil Luy Est Du.

La Cour a accordé qu'il soit fait une vente par Encan public
des Effest Djd feu amelin pour Satisfaire a Ses Déptes, aux
illinois et par privilege a Ce qui peut Etre Due au Demandeur
pour pension et fourniture qu'il Luy a fait Et que Ladte Vente
soit faite Dimanche 11 Du present, Et ont a Cette Effest Ellu
La personne de Mr Jn Bte Lacroix pour Gerer et regler Les
Compte Djd feu amelin, Et Lobligeon de De [sic] rendre Compte
de Ladte Succession Lorsquil En Sera requis.

Du sancier

DuCharme présid.

A une Cour du 29 mars 1781

President. Jn lepage ant Armant

Charle Ducharme Jn Bte Lacroix

Pres

M Leurent Durochs presente a la Cour un Billet de huit
Cent Soixante Et Douze Livres en pellerie a L'ordre de Mr

1 Hamelin was undoubtedly the J. Bte Hamelin who led the expedition against St. Joseph
in the fall of 1781. - Introduction, p. 431
COURT RECORD, MARCH, 1781

thirty-three livres in peltries which Jean Marie Trottier owed the latter, provided the corn at his house, belonging to the said Trottier, remained his.

The Court condemned M. Lefevre to pay M. LaCroix thirty-three livres in peltries, which he had become responsible for doing, as appears from the testimony of the witness, who has made oath; and to keep the corn, belonging to the late Trottier, which might be left and to pay the costs.

The Court adjourned to the 8th of the present month.

F. Saucier, Jos. Lepage, President.

At a Court, March 8, 1781.

President, Ch. DuCharme. Clement Langlois.
Jos. Lepage. Present.

JEAN BTE. LAcroix, Plaintiff.

The plaintiff presents in Court a note of the late Jean Bte, Hamelin for the sum of five hundred and one livres, which is due him; and prays that there be made a sale of the goods of the said late Hamelin to satisfy what is due him.¹

The Court granted that there be held a sale by public auction of the goods of the late Hamelin to satisfy his debts in Illinois, and by preference what may be due the plaintiff for board and lodging, and supplies which he has furnished him, and decreed that the said sale be made Sunday, the 11th of the present month. For this purpose they have elected M. Jean Bte. Lacroix to carry out the sale and to settle the accounts of the said late Hamelin; and we bind him to render account of the said estate, when it shall be required.

Fr. Saucier. Ducharme, President.

At a Court, March 29, 1781.

Charles Ducharme Jean Bte. LaCroix.
Present.

M. Laurent Durocher² presents in Court a note for eight hundred and seventy-two livres in peltries drawn to the order of M. Cerré and owed by the late Jean Bte. Hamelin, and

¹Laurent du Rocher was a merchant in St. Louis.
Ceté due Par feu Jean Bte amelin Et demande que Led B Billet Luy soit Payé par La Succession due du feu amelin.

La Cour a accordé au Demendeur qu'il Luy soit remis par Jn Bte Lacroix Le reste de ce que pourroit se trouver Due a feu Jn Bte amelin après l'avoir été payé que cera Endocé Sur son Billet comme il a été accordé par La Cour.

ant armant présente a la Cour un Billet de Cent Cinquante Livres en pelleterie qui Luy son due par Jaques Vasseur, et Demande qu'il Luy soit permis de faire Vendre Ses Effets pour Satisfaire a son d't Billet.

La Cour accordé qu'il Soit fait une vente par Encan Public pour Satisfaire a Ses Deptes au Illinois. Et que Le reste Si il y a Soit remis Entre Les mains du Cherif, pour Etre remis a qui il appartiendra.

fr saucier Greffier

Jh lepage présidan

a une Cour du 19 avril 1781.

Président Ch Ducharme Clemt Langlois
ant armant phi Gervais
Joh Lepage fr Courier

Présent

NICOLAS BOIMENU Demendeur contre LA SUCCESION de Jn Bte AMELLIN

La Demendeur demande a la Cour que Mr Bte Lacroix chargé des affaires de Bte amelin qu'il Luy soit payé douze pot de tafia que led feu amelin Luy doit En Echange d'un Cheval qu'il a fait avec Le demendeur en allant a St Joseph.

Les nommé ignace et Saint michel ont parru Et ont pretté Serment qu'ils Etoient témoins Lorsqu'amelin a fait Le d't Echange En alant a St Joseph Et qu'il devoit donner icy Les dits Douze pot de tafia a boimenu.

La Cour a ordonné a Mr Lacroix Chargé Des affaires de Bte amelin de remettre a nicolas Boimenu onze pot de tafia qu'il a reconnu devoir aud feu amelin et aux Cas qu'il Survienne

1 The "après l'avoir" was inserted by the clerk, who made the mistake of placing the sign of insertion before instead of after the "a."
prays that the note be paid by the estate of the late Hamelin aforesaid.

The Court granted to the plaintiff that there be given him by Jean Bte. Lacroix the balance that is due the late Jean Bte. Hamelin and ordered that after having paid it there shall be endorsed on his note that it was granted by the Court.

Ant. Harmand presents in Court a note for one hundred and fifty livres in peltries, which are due him by Jacques Vasseur, and prays that he be permitted to have the latter's effects sold to satisfy his note.

The Court granted that there be made a sale of his effects by public auction to satisfy his debts in the Illinois; and that the balance, if any, be deposited in the hands of the sheriff to be delivered to whomever it belongs.

Fr. Saucier, Clerk. Jos. Lepage, President.

At a Court, April 19, 1781.

President, Ch. Ducharme. Clem. Langlois.

Present.

NICOLAS BOISMENU, Plaintiff,

_v._ THE ESTATE OF JEAN BTE. HAMELIN.

The plaintiff prays the Court that M. Bte. Lacroix, in charge of the estate of Bte. Hamelin, pay to him a dozen jugs of tafia, which the said late Hamelin owed him in exchange for a horse, which exchange was made with the plaintiff while they were going to St. Joseph.

The named Ignace and Saint Michel appeared and made oath that they were witnesses when Hamelin made the said exchange on the way to St. Joseph, and they said that he was to give the said dozen jugs of tafia to Boismenu here.

The Court ordered M. Lacroix, trustee of the estate of Bte. Hamelin, to deliver to Nicolas Boismenu eleven jugs of tafia, which have been acknowledged to be due from the said late Hamelin, and in case there remains anything of the estate of the late
quelque Chause a la Succession de feu amellin Ledt St Lacroix Sera obligé de tenir Compte audt boinenué de Lautre pot de tafia qui Luy reste etre du.

Ducharme presd

a une Cour du 23 avril 1780 [sic].
Président Ch. Ducharme  Clement Langlois
Josel Lepage  fr. Courrier
Bte Lacroix  philipe Jervais
ant. armant  Present

La Cour Etant assemblé pour Examiner une requête pré-
senté par Les habitant Des Cahôs Contre mons Girardin pour
Les terre qu’il consède Et Le tor que cela fait au village Et
demande qu’il Soit Deffendu audt Sieur Girardin de passer outre
n’ayant aucun Droit de former un village et de Conseder Des
terres qui ont Eté resveré pour Ce village ou de produire Les
droits qu’il a de faire Le tor qu’il Causera par La Suitte a ce
village En agissant comme il fait.

La Court apprés avoir Examiné Les plaintes porté En La
requette Contre mtr Girardin De la part Des habitant il a Eté
accordé que La ditte requette Et Santance Si dessus Sera Sinifié
a Mtr Girardin, qu’il aye a produire Le droit qu’il a de Conseder
et former un village par La Suitte a la prairié du pon Et a deffaut
de preuve Suffisante il Luy est Deffendu de Conseder auq’une
terre ni de former auq’un Etablissement que pour Son utilité
a Luy propre Comme Grange Engar ou maison.

Du Charme presd

a une même Court du 23 D’avril il a Eté présenté un Compte
par Louis Gauts il a Et [sic] ordonné au Sieur Bte LaCroix de
Luy payer soixante neuf Livres dix Sols qu’il Luy Est du par
Bte amelin Et qui a Eté Deja présente Si devant.

DuCharme presd

1 Antoine Girardin bought in 1764 the plantation, a seigniory it was called, from the mission
of St. Sulpice. This was situated at Prairie du Pont, where the missionaries had built a mill.
Reynolds, in his Pioneer History, 48 and 54, says that the village of Prairie du Pont was estab-
lished in 1766. There could have been at that time little more than a settlement of the work-
Hamelin, the said M. Lacroix shall be obliged to render account to the said Boismenu for the other jug of tafia, which remains due to him.

DuCharme, President.

At a Court, April 23, 1780.

President, Ch. DuCharme.  Clement Langlois
Bte. LaCroix.       Philippe Gervais.

The Court assembled to examine a petition presented by the inhabitants of Cahokia against M. Girardin on account of the land, which he is conceding, and the injury, which that does the village; and they demand that M. Girardin be forbidden to continue, since he has no right to form a village and to concede lands, which have been reserved for this village, or that he show what right he has to do the village this injury which he will cause as a consequence of his present actions.

The Court, after examining the complaints made in the petition against M. Girardin on the part of the inhabitants, granted that the said petition and above decree shall be served on M. Girardin, that he show what right he has to concede land and form a village subsequently at the Prairie du Pont; and in default of sufficient proof it is forbidden him to concede any land or form any establishment other than is for his own use as barn, shed or house.¹

DuCharme, President.

At the same Court April 23, there has been presented an account by Louis Gaud; and M. Bte. LaCroix was ordered to pay him sixty-nine livres ten sols, which are due him by Bte. Hamelin, and which account has been presented before.

DuCharme, President.

¹ Ingmen on the plantation of the mission. The above record and others in this volume show that during this period the land of the village was taken up by the inhabitants of Cahokia. Pp. 153, 159, 365, 391.
a une Cour du 17 May. 1781.
Président Ch. Ducharme ant. armant
Bte Lacroix Clemt Langlois
phle Gervais Josb Lepage

present

JEAN LAPENCE Demendeur Josb PELLETÎÉ Defendeur
Le demendeur poursuit Le Defendeur pour Six Jeux. de
ray qui Luy a pris Dans Le bois de la grand cheniere Et Comme
Les ditte ray ont été trouvé ches Le defendeur, Le demendeur de-
mande quelle Luy Soit rendu ou payé Suivant L’estimation qui
en Sera faite par Des ouvrié.

Le defendeur declare quil est vray quil a pris de quoy Si
faire une paire de roux Et que Le nomé Lemé En a pris aussi Sans
Savoir La quantité.

Le nomé Lemé ayant paru a deClaré En avoir pris une vin-
tenne.

La Cour a Condanné Les nomé Lemé Et pelletié a rendre ou a
payer La quantité de ray que Le Demendeur Declare Luy avoir
Etépris par part Egalle ainsi que Les fraix.

mr BILLELE Demendeur NEVEUX Defendeur
Le demendeur poursuit Le defendeur pour une Somme de
Cent Soixante neuf Livres en pelleterie que Le defendeur reste
Luy Devoir par Son Billet que Le demendeur a produit a La
Cour.

a une même Cour Le Sieur Clement Langlois a présenter
un autre Billet de Cent Livre de Castor due par Le même.

La Cour ayant Su que le Defendeur a En sa possession un
Cheval et quelque pourceau il a Eté Condanné a payé Les deux
billet que vienne D’Etre présenté Et a Eté accordé audt Demend-
eur une Saisi Sur tout se que peut appartenir audt neveux, pour
Etre vendu, au defaut de payement.

La Cour Est ajourné a Jeudy 7 Juin.

DuCharme presd.
At a Court, May 17, 1781.

President, Ch. DuCharme.  Ant. Harmand.
Bte. LaCroix.  Clement Langlois.

Present.

JEAN LAPANCÉ, Plaintiff, vs. JOS. PELLETIER, Defendant.

The plaintiff sues the defendant for six sets [?] of spokes, which he had taken in the woods of the Big Mushrooms; and, since the said spokes have been found at the defendant's house, the plaintiff demands that they be returned to him, or paid for, according to an appraisement, which shall be made by workmen.

The defendant declares that it is true that he took some to make a pair of wheels and that the named Lemay took some also without knowing the quantity.¹

The named Lemay appeared and declared that he took a score.

The Court condemned the named Lemay and Pelletier to return the spokes or to pay in equal parts for the quantity, which the plaintiff declares to have been taken, and to share the costs.

M. BILLELE, Plaintiff vs. NEVEUX, Defendant.

The plaintiff sues the defendant for a sum or one hundred and sixty-nine livres in peltries, which the defendant still owes on his note, which the plaintiff produced in Court.

At the same Court M. Clement Langlois presented another note for one hundred pounds of beaver skins due by the same.

Since the Court knows that the defendant has in his possession a horse and some pigs, he has been condemned to pay the two notes, which have just been presented; and there has been granted the plaintiff a seizure on all, the possessions of the said Neveux, which are to be sold in default of payment.

The Court adjourned to Thursday, June 7.

DuCharme, President

¹ To make wheels for a sombre.
ILLINOIS HISTORICAL COLLECTIONS

a une Cour du 31 May 1781.
Président Ch. Ducharme fr. Courier
J. Lepage ant. amant
Bte Lacroix phile Jervais
clem Langlois present
La Cour Etant assemblé pour Demender a M. Girardin

[Page or pages missing.]

19 Juin 1781.

F. Saucier Clark
Lepage III
Jervais III
Jan
Lamarch 1
Granmon 1
Dubuque 1

19 Juine 1781.

Maud
Pres

Président Che Ducharme ant. armant
Bte Lacroix phil. Gervais
Clem Langlois fr. Courié

La Cour Etant assemblé pour Prendre Les Serments de
fidelité ainsi que d’office des Sieurs George Blin, raphael Gagné,
Pierre Granmon Joseph Cecire Baptiste Saucier, Jean Bte
Hubert Lacroix et Jean Bte Dubuc Comme ayant Été nomé par
une assemblé publique faitté Le dix de Ce mois en La maison de
t. fr. trottier Comdt de ce village pour remplacé Les magistrat.
ci devant nomé.

Les Suivant Juges mentioné ci desus par La derniere Elextion
faits ont pris Le Serment de fidelité aux Etats ainsi que Celuy
doifice de Juge de paix &c. Selon leurs liste.

a une Cour tenue pour Le district des Cahokia du village des
Cahokia Le 19 Juin mil Sept Cent quatrevingt un.

a ordonné que fr. Saucier Soit apointé clark de cette Cour.

Francois Saucier a pris le Serment de fidelité Et dofficc et a
pris Sa place en qualite de Clark.

1 When first seen, the Record had fallen to pieces and some of the pages were lost. With
the exception of the few pages at the beginning and these few pages here, the record is complete.
COURT RECORD, MAY, 1781

At a Court, May 31, 1781.

President, Ch. DuCharme. Fr. Courier.
Bte. LaCroix. Phil. Gervais.
Clem. Langlois. Present.

The Court assembled to demand from M. Girardin¹

[Page or pages missing.]

June 19, 1781²

F. Saucier, Clerk.

Lepage III Maud
Gervais IIIII Jan
Lamarche I
Grandmont I
Dubuque I The year.

June 19, 1781.

President, Ch. Ducharme. Ant. Harmand.
Clem. Langlois. Fr. Courier.

Present.

The Court assembled to receive the oaths of fidelity as well as those of office from MM. George Blin, Raphael Gagné, Pierre Grandmont, Joseph Cesirre, Baptiste Saucier, Jean Bte. Hubert LaCroix and Jean Bte. Dubuque, who have been elected by public assembly held the tenth of this month in the house of M. Fr. Trottier, commandant of this village, to replace the magistrates named above.

The following judges, mentioned above and made by the last election, have taken the oath of fidelity to the States as well as that of office of justices of the peace etc. according to their list.

At a Court held for the district of Cahokia in the village of Cahokia, June 19, 1781.

It was ordered that Fr. Saucier be appointed clerk of this Court.

¹This entry is given a whole page. Is it a ballot sheet? Ballot sheets at Kaskaskia were more elaborate than this, but even there the number of voters was very small, in 1781 only twenty-seven and in the next year only twenty-one.
La Cour a ordonné que Led\textsuperscript{2} Langlois Et mecheante orront Le fort pour prison Et a Eux defendu de Sabsenter S\textsuperscript{2}ans permission du Comte de ce village, Led\textsuperscript{1} mecheante a produict pour Son Cotion La personne de m\textsuperscript{e} Louis Lecomte, et Led\textsuperscript{1} Langlois La personne de m\textsuperscript{e} ant, arment qui durera Jusqua nouvelle ordre.

La Cour est adjouvé Jeyoud Le 5 Juillet.

fr. Saucier clark

G. Blin Président.

a une Cour du 21 Juin 1781.

Pres\textsuperscript{1} Geo. Blin
rap\textsuperscript{1} Cagné
Pierre Grannon
Josh Cuvir

B\textsuperscript{te} Saucier
B\textsuperscript{te} Lacroix
B\textsuperscript{te} Dubuque
Présent

M\textsuperscript{e} fr. trottier ayant fait assemblé La Cour Et a porté Des plainte Contre Le nommé B\textsuperscript{te} Bargeon ayant Été Condamné par Led\textsuperscript{1} Cour a vingt quatre heure de prison pour des propôs tenu

\textsuperscript{1} Since Michillimackinac was in British territory, such talk was treasonable, particularly as British agents were at the time in St. Louis attempting to raise troops in the French villages. See next note.

\textsuperscript{2} These men were agents of the British government sent here to raise troops and to detach the French from their allegiance. They had gone first to St. Louis, where they were arrested
François Saucier took the oath of fidelity and of office and took his place as clerk.

Nicolas Chabot took the oath of fidelity and of office and took his place as sheriff for the district of this village.

Jean Bte. Bergeron is reported to have said at St. Louis that he ought to set out from here to go to Michillimackinac with some one. Bte. Bergeron appeared and said that he might have said something on that subject; but that it was only in joke with some one of his friends.¹

In view of the times and the present circumstances, the Court decreed that Bte. Bergeron should be imprisoned twenty-four hours for this time, and in the future, if he makes similar speeches, he will be severely punished; and he was also condemned to pay all costs and expenses.

On the demand of M. Fr. Trottier in the name of the public MM. Langlois and Mechante were condemned to find bondsmen, who will be personally answerable for them during the time they shall be here.²

The Court ordered that the said Langlois and Mechante shall have the fort for a prison and forbade them to absent themselves without the permission of the commandant of this village. The said Mechante offered for his bondsmen the person of M. Louis Lecompte and the said Langlois the person of M. Ant. Harmand, who shall continue to act until new orders.

The Court adjourned to Thursday, July 5.

Fr. Saucier, Clerk. G. Blin, President.

At a Court, June 21, 1781.


M. Fr. Trottier assembled the Court and brought complaint against the named Bte. Bergeron, who was condemned by the said Court to twenty-four hours’ imprisonment for his idle talk, be-

¹ by the Spanish commandant and a letter addressed to the Illinois French was found on them. The Spanish commandant made a report of the event to the American commandant, but permitted two of the agents under the indicated conditions to go to Cahokia. A short time after this Harmand asked the court to be released from his bond, and Antoine Girardin took his place. For particulars, see pp. 553, 557, 559, and Introduction, p. cv.
par Ledt Bargeon, et que L’ayant volu faire Conduire dans Ladte prison Ledt Bargeon auroit Desobei au ordre qui ont Été Donné a ce Sujet, Et Luy auroit manqué particulemt Et en Conse-quence a demandé a La Cour que Ledt Bargeon Son [sic] puni plus severement quil n’avoit Été Condanné.

La Cour a Condanné Ledt Bargeon a quinze Jour de prison, A La Consideration de m° trotier. qui Le trouve assé puni après Ce temps Et a payer Les fraix tant de justice que Denprison-ment. Et Ce avant de Sortir de prison Sous peine dy rester plus longtemps.

La Cour Est ajourné au 5 de Juillet.

fr saucier Grf. G Blin

a une Cour du 24 Juin 1781.

George Blin Bapte Saucier
Raphaël Gagnier Bapte LaCroix
Pierre Granmon Bapte Dubuque
Joseph Cessire President. [sic]

une requête présentée a la Cour par francois xavier lapensée dattée de ce Jour aux fins de luy permettre une assemblée de Parens et d’amis pour luy nommer un Curateur pour prendre Ses Interets Causes et actions &c.

à Été apointé Ladte requete quil Soit fait suivant sa Demande Les Jour et an que de l’ autre part.

Pierre Prevost ayant parû a prêté serment sur Le Saint Evan-gille tout puissant de se Comporter vrayement et fidelement dans tous ces Ecrits tant en Cour qu’ailleurs Concernant La Succes-sion de feu madte LaPensée en Sa qualité de greffier Commiss.

La Cour Est ajournée à Jeudy prochain Cinq Juillet.

G. Blin.

1 After reaching his majority a young man might receive a curator, who did not manage the estate for him, but did give him assistance in law-suits, in the settlement of his account with the guardian and in other matters.—Viollet, Hist. du droit civil Francais, 591.
cause, when he wished to have him conducted to the said prison, the said Bergeron disobeyed the orders, which were given on this subject, and had insulted him in particular; and in consequence he prayed the Court that the said Bergeron be punished more severely than he had been condemned.

The Court condemned the said Bergeron to two weeks’ imprisonment, out of consideration for M. Trottier, who thinks he will be sufficiently punished after this time, and to pay the cost both of justice and imprisonment before leaving prison, under penalty of remaining there a longer time.

The Court adjourned to July 5.

Fr. Saucier, Clerk.

G. Blin.

At a Court, June 24, 1781.

Raphael Gagné. Bte. LaCroix.
Joseph Cesirre Present.

A petition presented to the Court by François Xavier Lapancé, dated this day, praying that it be permitted him to hold an assembly of relatives and friends to name a curator to take care of his interests, causes and actions etc.¹

The said petition was referred that it may be done according to his prayer, this day and year as on the other part.²

Pierre Prevost appeared and made oath on the Almighty Holy Gospels to conduct himself truly and faithfully in all these writings, as well in court as elsewhere, concerning the estate of the late Madam Lapancé in his character of deputy clerk.

The Court adjourned to Thursday following, July 5.

G. Blin.

¹This expression, "autre parti" refers to the side of the sheet of paper on which the petition to the court was written, the decision of the court being written either below or on the reverse of the sheet.

²This expression, "autre parti" refers to the side of the sheet of paper on which the petition to the court was written, the decision of the court being written either below or on the reverse of the sheet.
a une C° du 5 Juillet.

President. G Blin    Bte Saucier
raphael Gagné       Bte Dubuc
pierre Granmon      Bte Lacroix
Jos° Cecire         Présent

Demendeur AUGUST RACETTE Defendeur JOSEPH VAUDRY

La Cour Etant assemblé Et ayant Siegé Jusqu’a neuf heure passé, Et après avoir fait apeller Le demendeur par Le Cherif par trois fois Different Et nayant point paru a renvoyé Le dt proces a La Cour prochaine et Le demendeur a payer tous Les frais de Celle ey. La Cour Est ajourné a Jeudy 2. aout.

fr saucier Clark.

G. Blin

une Cour du 2 aout 1781.

Pres° Geo. Blin.     Bte saucier
rap. Gagné           Bte Lacroix
p° Granmon           Bte Dubuc
Jos. Cecire         Présent

Demendeur Jn° Bte LACROIX Defendeur ISAAC LÉVY

Le demendeur poursuit Le defendeur pour Le remboursement d’une Somme de cen quarante neuf livres cinq sols en pelleteerie par un Billet qu’il a Consenté a fr. Ivont pour reste de Ses gages et que Son Commis. m° Lerou a acquitté a Michelimaquina et Dont Le demendeur produit Des preuves.

Joseph Clermont ayant paru et après avoir prêté Serment Sur Le St° Evangille de Dieu tout puissant a dit qu’il a été Jusqua michelimaquina avec Le canot du demendeur Et quen arivant il a Eté témoin que Led° Billet Si mentionné a Eté payé par Le Commis du demendeur et que c’est une negligence de Son Commis de ne l’avoir pas retirer.

Sur Le témoignage que Joseph Clermont Donne que Led° Billet a Eté payé par Le Commis dud° Demendeur, que Le defendeur soit Condanné a renboursar au demendeur Le montant du Susdt° Billet.

m° fr. trotter demande a la Cour que tous Les Effest que Sont ches ch° Lefevre apparten° a Jean marie trotter soit vendu pour Luy payer une Somme que led° trotter Luy Doit, La Cour
COURT RECORD, JULY, 1781

At a Court, July 5.

Jos Cesirre.  Present.

August Racette, Plaintiff, vs. Joseph Vaudry, Defendant.

The Court assembled and sat till past nine o'clock, and after summoning the plaintiff by the sheriff three different times and when he did not appear, postponed the hearing of the said suit till next Court, and condemned the plaintiff to pay all the costs of this session. The Court adjourned to Thursday, August 2.

Fr. Saucier, Clerk.  G. Blin.

At a Court, August 2, 1781.


Jean Bte. LaCroix, Plaintiff, vs. Isaac Levy, Defendant.

The plaintiff sues the defendant for the repayment of a sum of one hundred and forty-nine livres and five sols in peltries for a note which he drew to the order of Fr. Ivont for the balance of his wages and which the plaintiff's clerk, M. Lerou, paid at Michillimackinac, of which the plaintiff produces proof.

Joseph Clermont appeared and, after having made oath on the Holy Gospels of Almighty God, said that he went up to Michillimackinac with the plaintiff's canoe and that on arriving he was witness that the said note was paid by the plaintiff's clerk and that it is negligence on the part of his clerk not to have withdrawn it.

On the testimony which Joseph Clermont gives that the said note was paid by the said plaintiff's clerk, the defendant is condemned to repay to the plaintiff the amount of the note aforesaid.

M. Fr. Trottier prays that all the goods belonging to Jean Marie Trottier, which are at the house of M. Lefevre, be sold to pay him a sum, which the said Trottier owes him. The Court decreed that Charles Lefevre shall deliver under oath all the
a ordonné que Charle Lefevre remettra Sous Serment tous Les Efest que Sont Ches Luy apartenant audst Mme trottier pour Etre vendu pour Satisfaire a Ses debtes.

Demendeur AT ARMANT defendeur Josb CECIRE

Le demendeur poursuit Le defendeur pour un payement quiil Luy a fait en pellerie, disant quayant été ches Luy cherché Ladste pellerie quiil Luy auroit Demendé Si La pellerie etoit Bonne que Le defendeur Luy avoit dit quiil L’avoit recue pour Bonne.

Le defendeur dit quiil est vray quiil a dit au demendeur quiil avoit reçue La ditte pellerie pour Bonne, et quiil en pouvoit faire faire La recette et que Si elle ne valoit rien de Luy renvoyer mais que Le demendeur L’ayant gardé six Jour; et quiil ne vouloit plus La reprendre.

La Cour a Condanné Le demendeur a garder Le payement que Le defendeur Luy a fait pour ne Lavoir pas renvoyé sur Le Champ puis quiil nen netoit pas Contant et a payer Les fraix.

La Cour Est ajournée a 6ste 7bre.
G saucier Gf

une Cour du 21 aoust 1781.

Président G. Blin Joh Cecire
rhapsael. Gagné Bste Dubuc
p. Granmon Bste Saucier

présent

une requette présenté en Cour par Louis Clermont demandant quiil Luy Soit permis un assemblé de parens et d’amis pour La nomination d’un Curateur.

La Cour a accordé a Louis Clermont ses demendes. La Cour Est ajournée a Jeudy 6ste de Septembre.
G Blin
effects belonging to the said Jean Marie Trottier, which are at his house, in order that they be sold to satisfy his debts.

ANT. HARmand Plaintiff, vs. JOS. CESirRE, Defendant.

The plaintiff sues the defendant for a payment, which the latter made him in peltries. The plaintiff says that when he was at the defendant’s house to get the said peltries, he asked the defendant, if the peltries were of good quality, and that he answered that he had received them for good ones.

The defendant says that it is true that he said to the plaintiff that he had received them for peltries of good quality and that he might have the receipt made for them, and if they were not worth anything, to send them back to him; but the plaintiff kept them six days and he no longer wished to take them back.

The Court condemned the plaintiff to keep the payment which the defendant made him, because he did not send the peltries back immediately, since he was not content with them, and to pay the costs.

The Court adjourned to September 6.

At a Court, August 21, 1781.
Raphael Gagne Bte. Dubuque.
Pierre Grandmont Bte. Saucier.

Present.

A petition presented in Court by Louis Clermont praying that he be permitted to hold an assembly of relatives and friends for the nomination of a curator.

The Court granted Louis Clermont his request. The Court adjourned to Thursday, September 6.

G. Blin.
At a Court, September 20, 1781.

Bte. LaCroix  Bte. Saucier.

Present.

M. de Linctot, Plaintiff, vs. Joseph Maisonville, Defendant.

The plaintiff sues the defendant for a mare, which he says he bought unbranded at Peoria, and which the defendant claims and has taken at the house of M. Janis with whom the plaintiff had exchanged her.

The defendant answers that the mare, which the plaintiff claims, belongs to him, as he brought it from the Post; and that the said mare was stolen from him at the Little Village by the savages; and he produced several certificates that the said mare belongs to him, and offers to produce other proof both from people of the Post and of Kaskaskia.

The Court dismissed the said parties to have their cause decided at Kaskaskia seeing that the mare is there and they can produce greater [proof] to terminate their differences.

The Court adjourned to October 4, 1781.


At a Court, October 8, 1781.

President, Jean Bte. LaCroix.  Raphael Gagné.

Present.

Joseph Asselin, Plaintiff, vs. Pierre Dubois, Defendant.

The plaintiff sues the defendant for a mare, which he had advanced on the wages, which he agreed to give the defendant for going down to New Orleans; and since the said plaintiff finds it impossible to keep his engagement, he reclaims the said mare, which the said defendant pretends to keep for damages; unless he is condemned by the Court to pay the defendant one for damages.

The defendant answers by a petition that the plaintiff did a considerable injury to him in failing to keep his engagement,
La Cour ordonna la remise d'une somme de 400 livres pour le dommage sur le cheval de M. De Courville.

Le dommages pour le cheval de M. De Courville furent de 400 livres.

La Cour a condamné le défendeur à payer les frais de justice.

Demandeur Jean Biscot Laurins. Défendeur Joseph Dubé.

Le demandeur poursuit le défendeur pour une quantité de six cent livres de farine qui lui doit pour un cheval qui lui.

Présent :
seeing that he would have been able to engage himself to another, and that the said mare, which he received in advance, should remain his as damages.

M. Ant. Girardin, plaintiff for Jos. Asselin, prays the Court to continue the said cause to the next Court in order that the said Asselin may appear himself.

The Court decreed that the above suit be continued to the next court.

M. Ant. Harmand prays the Court to release him from the bail-bond, which he gave for the named Langlois and which did not have a fixed term.

The Court released M. Harmand from the bail-bond and delivered the said Langlois to M. Trottier to do with him what shall seem to him best.

Fr. Saucier, Clerk. Jean Bte. Lacroix.

At a Court, October 25, 1781.

President, Jean Bte. Lacroix. Raphael Gagné


Present.

Jos. Asselin, Plaintiff, vs. Pierre Dubois, Defendant.

The plaintiff sues the defendant, demanding that he give him proof of the injury that the plaintiff did him in not keeping the agreement, which they had made, to go down to New Orleans.

The defendant answers that he refused forty piastres to go to New Orleans, offered by M. Motard, in order to keep the engagement which he had made with the plaintiff.

The Court condemned the defendant to restore to the plaintiff the mare, which the latter had given him in advance, deciding that the service, which he had had from the said mare, would do for damages. The Court decreed that the plaintiff shall be free to engage himself to another, if he so desires, and condemned him to pay all the costs.

Jean Bte. Laurin's Plaintiff Jos. Dubé Defendant

The plaintiff sues the defendant for six hundred pounds of flour, which the defendant owes the plaintiff for a horse the
La femme a donné à boire à sa glace, pour dédommagement...
latter sold him, of which said quantity the plaintiff has received fifty pounds.

The defendant answers that he had agreed with the plaintiff for six hundred pounds of flour or one hundred and twenty pounds of deer-skins, in default of flour.

The plaintiff produces three witnesses, who say that they heard the defendant say that he owed six hundred pounds of flour for a horse, which he had bought of the plaintiff.

Since neither has proof to offer, the Court put them to oath; and since each refused to take the other's oath, the Court dismissed the present cause, not being able to pass judgment, and both have been condemned only to pay the costs.


The plaintiff sues the defendant saying that the latter engaged him to hunt while going down to New Orleans, and that in consequence he had sold many of his goods, which were very useful to him, and even his corn, which was a great resource to him, and that now the defendant has backed out of his agreement, which does the plaintiff a considerable injury and he prays that the said defendant be condemned to pay him damages.

The defendant answers that he informed the plaintiff the evening before he was going to start that it was not possible for him to continue his journey.

The plaintiff says that he had asked the defendant for five days to finish some little jobs, which he had for different persons, and that during this interval he had asked the defendant, if he was very sure of making the journey which they had agreed to make, to which the latter always replied that he should consider himself engaged and that he would start. In consequence he had given up several jobs, which he could not finish, and sold what he had here as well as in a canoe, corn, salt and other things, which would be of great assistance to him to-day.

The Court condemned the defendant to reimburse the plaintiff sixty livres in kind for damages and to pay the costs.

The Court adjourned to Thursday, November 8.

F. Saucier, Clerk. J. B. H. Lacroix.
a une Cour du 5 gbre 1781.

Président G. Blin          B° Dubuc
B° Lacroix                  pierre Granmon
B° saucier                  Present

Démendeur AUG° ANGE Défendeur CH° GRATIOT

Le demendeur poursuit Le défendeur pour Luy rendre Compte de ce que feu Dubois Luy doit Comme ayant Eu Ce qui a resté après La mort dud° dubois.

Le défendeur repond que Lorsque L'on a Été pour faire L'ancan de feu dubois qu'avec L'approbation de Mr Joseph Lepage Juge de la Cour a retirer tous Les articles qui restoit de ce qu'il avoit vendu a feu dubois, et que le reste a Été vendu Et dont La vente Doit Etre Entre les mains de Mr Ducharme Comme ayant Luy même faire faire La vente, Et demande a la Cour de Luy nomer un Jour, D'un autre Cour afin qu'il produise Les Compte qu'il a Contre Led° Dubois, nayant point Éte prevenu de Cette affaire.

La Cour a accordé au St° Charle Gratiot, de paroître, a La Cour prochaine Jeudy 8° du cour° afin qu'il produisse Ses Compte Suivant sa demande.

a une même Court il a Été Deffendu a Louis Lemé de Se retablir a La prairie du pont Luy ayant Déjà Été deffendu.

La Cour Est ajourné a Jeudy 8° gbre
f. saucier. Clark

G. Blin

a une Cour° du 8° gbre.

Prés° G. Blin          J. B° Dubuc
J. B° Lacroix                  raphel Gagné
P. Granmon                  Josq Cecire

Présent

Démendeur J. B° LACROIX       CHARLE LEFEVRE Défendeur

Le demendeur poursuit Le défendeur pour trois haChe qu'il Luy a donné a racomodé. Et que le défendeur Luy a cassé en racomodant, disant qu'il ne Doit pas payer Le racomodage.

Le défendeur repond que Si Les hache ont manqué par L'ouvrage qu'il a fait qu'il ne demende rien, mais quelle Sont Cassé ailleur.
At a Court, November 5, 1781.

AUG. ANGERS, Plaintiff, vs. CH. GRATIOT, Defendant.

The plaintiff sues the defendant in order that he render him an account of what the late Dubois owed him, since he had had the property, which remained after the death of the said Dubois.

The defendant answers that when they were on the point of holding the auction of the goods of the late Dubois, he withdrew, with the approval of M. Joseph Lepage, judge of the Court, all the articles remaining of those which he had sold to the late Dubois, and that the rest had been sold and that the proceeds of the sale must be in the hands of M. DuCharme, since he had caused the sale to be made. He prays the Court to name a day at another Court that he may produce his account against the said Dubois, since he was not forewarned of this suit.

The Court in accordance with his prayer granted Charles Gratiot till the next Court, Thursday, the 8th of the present month, to appear and produce his account.

At the same Court Louis Lemay was for bidden to settle at Prairie du Pont, as it had been already forbidden him to do.

The Court adjourned to Thursday, November 8.

F. Saucier, Clerk.

At a Court, November 8.
J. Bte. LaCroix. Raphael Gagné.

Present.

J. BTE. LACROIX, Plaintiff, vs. CHARLES LEFEVRE, Defendant.

The plaintiff sues the defendant for three axes, which he had given him to mend, and which the defendant broke in mending and says that he ought not to pay for the repairing.

The defendant answers that if the axes were spoiled by the work, which he did, he would not demand anything; but that they broke elsewhere.
La Cour a renvoyé Le présent procès a être décidé par Des ouvrier Et ont Condamné Les dites partie a sen rapporter a leur décision, Louvrier ayant visiter louvraje a Dit quelle ne valloit rien et quelle ne Devoit pas Etre payé, La Cour a Condanné Le defendeur a payer Les frais.

AUG. ANGÉ Demendeur CH. GRATIOT Defendeur

Le defendeur ayant Eté renvoyé a La presente Cour pour produire Ses Compte Contre feu dubois Et Les ayant produit La Court a ordonné au demendeur de produire Les Siens Et a prover Comme La farine quia retirer Luy appartient et a Cette Effest a nomée francois saucier pour faire Le recouvrement de la vente de Ses Effest ainsi que la farine qui reste Etre due pour ensuite payer a qui il appartiendrie.

Bte. LACROIX Demendeur P. MARTIN Defendeur

Le demendeur poursuit Le defendeur pour La somme de vingt neuf Livres quia Luy doit pour L’ancan de L’acharette.

Le defendeur dit avoir payé Les vingt neuf Livres à Mr. Gratiot En réglant de Compte avec lui.

Mr. Gratiot ayant produit Ses Compte quia avoit réglé avec le defendeur ou il n’est point Mention dudit payement.

La Cour a Condanné Le defendeur a produire un recuet Comme il a payé Les dit vingt neuf Livres, au defaut de quoy il est condanné a payer au demendeur La Ditte Somme.

La Cour Est ajourné a Jeudy 8 xbre.

f saucier Clar G. Blin

a une Cour du 15 9bre.

Présd G. Blin Bte Saucier

p. Granmon Bte Dubuque

Pres.

une requette présentée par Mr fr. trottier, disant quayant Eté nomé tuteur des Enfans de feu Lapierre, quia Exercer Jusqu’a présent Cette Charge, Et demende a en Etre dechargé, Et que la Cour nome un autre tuteur.

La Cour a acordé a Mr Fr Trottier de Se dechargé de Sa

1 See previous session.
The Court dismissed the present suit to be decided by workmen and condemned the said parties to refer the cause to their decision. The workmen having inspected the work said that the axes were worth nothing and that they ought not to be paid for. The Court condemned the defendant to pay the costs.

AUG. ANGERS, Plaintiff, vs. CH. GRATIOT, Defendant.

The defendant, having been dismissed to the present Court to produce his accounts against the late Dubois, has brought them. The Court ordered the plaintiff to produce his accounts and to prove how the flour, which he withdrew, belonged to him, and to this end named François Saucier to make the recovery from the sale of his goods and also of the flour, which remains due, in order afterwards to pay it to whom it may belong.¹

B. LACROIX, Plaintiff, vs. P. MARTIN, Defendant.

The plaintiff sues the defendant for the sum of twenty-nine livres, which he owes him for the auction of the cart.

The defendant says that he paid the twenty-nine livres to M. Gratiot in settlement of accounts with him.

M. Gratiot produced the accounts, which he had settled with the defendant, and there is no mention of the said payment.

The Court condemned the defendant to produce a receipt showing that he had paid the said twenty-nine livres, in default of which he is condemned to pay the plaintiff the said sum.

The Court adjourned to Thursday, December 8.


At a Court, November 15.


Present.

A petition presented by M. Fr. Trottier, in which he says that he was named guardian of the children of the late Lapierre and has exercised this charge up to the present; and now he requests that he be relieved and that the Court name another guardian.

The Court granted that M. Fr. Trottier be relieved of his
En conséquence, il a nommé qui sous fait un assemblée de parties. Il s'ensuit pour le testament les Comptes, ainsi que pour la répartition sur divers vœux.

G. Blin

Président : Blin
J. B. Laurens
J. B. Saucier

Une Cour le 1er février.

Présent : Blin
J. B. Laurens
J. B. Saucier

Les Comptes que par feu Joseph, mort, ont été présentés à la Cour sur le vœu qui vaut acte. Le recouvrement de son argent ayant été fait en papier, les titres Comptes, qui seront rendus en Cour, pour être agrafés.

La Cour est enjoint à jeûner le 1er janvier.

G. Blin

Une Cour le 1er janvier 1862.

Président : George Blin
J. B. Laurens
J. B. Saucier

Présent : Joseph Cecire

Demandeur : Isaac Levy, défendeur : Michel Butac

Le demandeur poursuit le défendeur disant que, ayant traité pour une maladie moyennant la somme de quatre cent livres et qu'après un certain temps le défendeur lui a assuré qu'il ne sentait plus aucuns symptômes de sa maladie, il a cessé de le laisser et lui demandant son payement par la suite le défendeur lui a répondu disant qu'il n'avait pas guéri entièrement.

Par la suite, apprenant avoir fait serment de dire la vérité sur les conventions entre le demandeur et le défendeur au privant que le demandeur devait parfaitement guérir le défendeur et qu'il n'était dit au défendeur, qu'il ne soit pas guéri qu'il ne soit que seulement soulagé.

Le défendeur dit que le demandeur et lui oblige de le guérir parfaitement et qu'il se sent point trouvé et ne se trouve point guéri qu'il a simplement senti quelques soulagements par les premiers traitements du demandeur.
guardianship; and in consequence ordered that there be held an assembly of relatives and friends for the settlement of accounts and the nomination of a new guardian.


At a Court, December 6, 1781.

President G. Blin. Raphael Gagné.

Present.

The accounts due by the late Jos. Methot have been presented to the Court. It was decreed that Fr. Saucier make the recovery by auction and pay the said accounts, which shall be reported in Court to be approved.

The Court adjourned to Thursday, January 3.


At a Court, January 10, 1782.

President, George Blin. Raphael Gagné.

ISAAC LEVY, Plaintiff, vs. MICHEL BUTEAU, Defendant.

The plaintiff sues the defendant saying that he treated the defendant for a sickness for the sum of four hundred livres and after some time the defendant assured him that he no longer felt any symptoms of his sickness. He ceased caring for him and afterwards, when he asked for his pay, the defendant refused, saying that he had not cured him entirely.

Bte. Dumay, after having made oath to tell the truth concerning the agreement between the plaintiff and the defendant, affirmed that the plaintiff was bound to cure perfectly the defendant and that he heard the defendant say that he was not cured, but only relieved.

The defendant says that the plaintiff was obliged to cure him perfectly and that he was not and is not cured; that he only felt some relief from the first treatment of the plaintiff.

Augustin Angers, after having made oath to tell the truth
Le défendeur répond que si il la fait Cela Êtait parce que Le demandeur Lay a Saisi un Canot dans Lequelle il devoit
according to his knowledge, says that the defendant was intending to go to Kaskaskia to be attended, and that he had said that the plaintiff had stopped him, saying that he was capable of curing him; and that he [Angers] had advised him to put himself under the care of the plaintiff; that some time afterwards, when he asked the defendant about the sickness, he answered that he was getting along very well; but later the defendant had told him that he was sick and that the plaintiff had ceased attending him.

The defendant declared on oath that he had not known any women from the time the plaintiff began taking care of him up to the present time.

The Court condemned the plaintiff to continue attending the defendant until he should be cured, on condition that the defendant acts according to orders and does nothing that can counteract the medicines of the plaintiff, under penalty of paying the sum demanded and of being abandoned by him.

The Court condemned the defendant to pay the sum of one hundred and sixteen livres fifteen sols, a bill for which in accordance with his current account the plaintiff has produced.

The Court condemned the plaintiff to pay all the costs of justice.

The Court adjourned to February 7.

F. Saucier, Clerk.

G. Blin.

At a Court, January 28, 1782.


Present.

JOSEPH MOTARD, Plaintiff, vs. AUG. ANGERS, Defendant.

The plaintiff sues the defendant that he may know the reason why the latter has forbidden M. DuCharme to pay him and to settle his accounts with him.

The defendant answers that if he did it, it was only because the plaintiff seized a canoe in which he was going away, saying
Le mandat de La Bédéleuc a payer les frais de justice.
that the defendant was in debt to him, which the defendant denies and offers to prove.

The plaintiff answers that he sold sixty jugs of tafia at two piastres the jug and that M. DuCharme paid him for fifty jugs of this, for which he had held himself responsible; and since the defendant was indebted to the plaintiff twenty piastres for the ten remaining jugs and had refused to pay after many demands, he had, by order of the commandant of St. Louis, caused the seizure of the defendant's canoe only until some judge should decide, and he produced his account according to which the defendant is indebted to him for the sum of one hundred livres.

The defendant answers that in the present affair with the plaintiff there was no agreement on any quantity of tafia, that their agreement was for a half-cask at five hundred livres, and that there was no agreement on any price per jug.

The plaintiff answers that if he had promised the defendant sixty jugs of tafia for a half-cask he would not in the presence of the defendant have measured [?] the said barrel, which contained sixty jugs; and that the defendant should have objected thereto, if he had understood that he was receiving sixty jugs instead of fifty.

The defendant presents Antoine Lamarche as a witness of their agreement.

Antoine Lamarche appeared and made oath on the Holy Gospels to answer the question, which is put to him, and said that he had no other knowledge than that he had heard M. Motard say that he was giving M. Angers a half-cask of tafia for a hundred piastres.

The plaintiff made oath to his account.

After having carefully examined the prayers and the defences and considering the witness and his testimony, the Court condemned the defendant to pay the plaintiff for the surplus above the fifty jugs of tafia, which were in the consignment of firewater which he received from the plaintiff, at the rate of two dollars a jug, since it was measured [?] in the presence of the defendant, and condemned the defendant to pay the costs of justice.
Demender Isaac Levy Defendeur Michel Butau

Le demendera poursuit Le defendeur disant que La Cour l'avait condamné de Continuer à médicamenteur Le defendeur jusqu'à sa parfaite guérison pour parvenir au payement que Le defendeur est obligé à Luy donner, mais il prouve que Le defendeur ne pas suivi Ses ordonnance ni même prise Les remedes qu'il Luy a donné puisqu'un jour il dit Luy avoir donné soixante pilule pour En prendre Sept Le premier Jour Et a au- quelement d'une tout Les Jours, jusque La fin mai Le Demen- deur Dit que Le Lendemain ayant été Le voir, il Luy a demandé si il En avait pris Se Jour La. Le defendeur Luy a repondu que non et qu'il ne savoit pas de quoy Etoit devenu Les ditte pilule qu'il Croyoit que Les Enfans de la maison Les avoit perdu. Et que Le Sur Lendemain il y aurait Encore retourné, Luy en reporté quinze autre Les même pilule et a recommander au Sr B° alary de faire attention si Le dit defendeur ne Le trompoit point Dans Les remedes qu'il Luy donnait Et L'après midy Le defendeur a dit au demender, après Luy avoir dit que Les Enfans avoit gas- piller Les ditte soixante Et Sept pilule qu'il Les avoit toute prise chose impossible que Le demender représente, parce que Cetoit assé pour Le faire mourir, Et m° B° alary ayant paru a dit que Le Sr defendeur ne pas voulu prendre aucune des ditte pilule que Le demendeur avoit recommandé De Luy faire prendre.

Le defendeur ayant paru a dit qu'il avoit prix toute Les pilule que Le demender Luy a a [sic] donné que voyant que Les remede ne Le guerissoit pas aussi vite qu'il L'aurait voulu qu'il Les a toute prise dans Deux Jour.

La Cour a condamné Le defendeur a payer au demender Le prix qu'il estoit convenu de Luy donner Comme n'ayant pas Suivie Ses ordonnances, ainsi que tous Les frais.

La Cour Est ajourné à Jeudy 7. fevrier.

fr. saucier, clark.

G. Blin.
ISAAC LEVY, Plaintiff, vs. MICHEL BUTEAU, Defendant.

The plaintiff sues the defendant, saying that at the last Court he had been condemned to continue to treat the defendant until his perfect cure in order to obtain the payment, which the defendant was obliged to give him; but he proves that the defendant has not followed his prescriptions nor even taken the remedies, which he gave him; for, he says, he gave him one day sixty pills, seven of which he was to take the first day and to increase the number by one each succeeding day until all were taken; but the plaintiff says that on the next day he went to see the defendant and asked if he had taken the pills that day, and the defendant answered, "No", and said that he did not know what had become of the said pills; but that he believed that the children of the house had lost them. The plaintiff further says that on the following day he returned and brought fifteen more of the same pills; and he requested M. Bte. Alarie to watch and see if the said defendant did not deceive him about the medicine he had given him; and in the afternoon the defendant said to the plaintiff, after having told him that the children had thrown away the said sixty-seven pills, that he had taken them all, which is impossible, the plaintiff maintains, because that was enough to kill him. Madame Bte. Alary appeared and said that the defendant aforesaid did not wish to take any of the said pills, which the plaintiff charged him to take.

The defendant appeared and said that he had taken all the pills that the plaintiff gave him; but since the remedies did not cure him as quickly as he had wished, he took them all in two days.

The Court condemned the defendant to pay to the plaintiff the price which he had agreed to give him, since he has not followed the prescriptions, and also to pay the costs.

The Court adjourned to Thursday, February 7.

F. Saucier, Clerk. 

G. Blin.
a une Cour du 7 fevrier 1782.
President G. Blin . raph. Gagné
Bte Saucier . Jn Bte dubuc

Pres^

G. Blin représente a la Cour que Le nomé pierre Lafleur ayant fait Chanter une Grande messe par Mr Gibeute, il Luy auroit demandé plusieurs fois de Satisfaire a La fabrique Se qu'il a refusé de faire. En Consequence il demende de faire Saisir quelqu'un de Ses meubles pour Jusqu'a La Conqurence de ce qu'il doit.
La Cour a ordonné que Le nomé pierre Lafleur Soit assiné a La Cour prochaine pour repondre a la plainte porte Contre Luy.
La Cour Est ajourné au 7 mars.

f. Saucier. Clark

a une Cour du 21 fevrier 1782.
J. Bte Lacroix . Bte Dubuque.

Present

Jean Bte Lacroix a produit a la Cour Le reglement du Compte de la Succession de feu Jean Bte amelin qui a été aprouvé ainsi que Les autre papier Dont il Etoit Chargé Comme ayant Été nomé par Laditte Cour de regler Laditte Succession. Et Les dit papier ont Été remis au Gref.

Le Sieur ant Girardin de La part de madame veuve mercié, a fait demende En Cour de faire faire inventaire de tous Ses Biens pour regler avec Ses mineurs.
La Cour a accordé a Mde mercié Suivant sa demende.

a une même Cour pierre roy a présenté une requette a la Cour pour qu'il Soit nomé un tuteur au mineurs mitote
La Cour a ordonné qu'il Soit fait une Assemblé de parens Et damis pour L'elextion d'un tuteur au Susdit mineurs, ainsi que pour le reglement de Leur Succession.

a une même Cour philipe Gervais ayant obtenu une saisie Sur Soixante Gerbe de blé appartenant a Glaude Gagné pour une

1 The vestry-board was composed of church wardens elected by the parish to take charge of the temporal affairs of the church.
COURT RECORD, FEBRUARY, 1782

At a Court, February 7, 1782.

President, G. Blin.  Raphael Gagné.

Present.

G. Blin shows the Court that the named Pierre Lafleur had had a high mass sung by M. Gibault, and that he had asked the latter several times to pay the vestry-board, which the latter refused to do. Therefore he prays that some of his movables, up to the equivalent of what he owes, be attached.

The Court ordered that the named Pierre Lafleur be summoned to the next Court to answer the complaint brought against him.

The Court adjourned to March 7.

Fr. Saucier, Clerk.

At a Court, February 21, 1782.


Present.

Jean Bte. Lacroix brought into Court the settlement of the account of the estate of the late Jean Bte. Hamelin, which was approved, and also the other papers with which he was intrusted, as he was named by the said Court to settle the said estate. And the said papers were filed in the clerk's office.

M. Ant. Girardin on behalf of Madame Mercier, widow, made prayer in Court to have an inventory made of all her goods in order to settle with her minor heirs.

The Court granted the request of Madame Mercier.

At the same Court Pierre Roy presented a petition to the Court in order that there be named a guardian for the minors Methot.

The Court decreed that there be held an assembly of relatives and friends for the election of a guardian for the above mentioned minors, and also for the settlement of their estate.

At the same Court Philippe Gervais, who has obtained a writ of seizure on sixty sheaves of wheat belonging to Claude Gagné
for a sum of seventy-five livres, which the latter owes him, prays the Court to have the sale made thereof.

The Court granted to M. Gervais the sale of the wheat according to his prayer.

Fr. Saucier prayed the Court to permit him to have sold about two wagon loads of corn belonging to Claude Gagné to satisfy the sum of one hundred and sixty-three livres which is due on his note.

The Court granted to Fr. Saucier that it be done according to his prayer.

Fr. Saucier produced in Court the settlement of the accounts of the estate of the late Joseph Methot, and it was approved.

The Court adjourned to March 7.

F. Saucier, Clerk.

G. Blin.

At a Court, March 7, 1782.

Raphael Gagné Bte. Dubuque.

Present.

LOUIS TROTTIER, Plaintiff, vs. JEAN BTE. LAcroix, Defendant.

The plaintiff sues the defendant for his pig, which was killed in the fields, and demands that he be paid for it, since it passed through the defendant’s fence according to the affidavit of M. Beaulieu, who made the inspection and declares that the said pigs passed through the defendant’s fence.

[Certificate attached] I, the undersigned, certify to all whom it may concern that when I was sent by the syndic to inspect the fences, I found a stake broken in the fence of M. Lepage and, in the presence of two witnesses, I have not seen any animals pass through there; and afterwards we found a break in M. LaCroix’s fence and saw that some pigs had passed through it; and we also saw a broken stake in Louis Trottier’s fence, but up to that time nothing had passed through there. This I declare to be the truth and have signed the present certificate to serve in case of need. At Cahokia, March 7, 1782.

Beaulieu.
un pieux Cäsé a la Clôture de Louis croier à Jusqua Lors il ny avait Encore rien passé. Ce que Je déclare véritable. Et a Signé Le présent pour Servir au Besoin Sera aux Caës le 7 mars 1782.
beaulieu

Le défendeur report que Les témoins qui Serait que le Cochon a passé par sa clôture qu'en faise Serment qu'il Se Condamne a Le payer puisqu'il y ait de jour La plusieur Breche aux clôture.

La Cour a ordonné qu'un Des témoins qui déclare que Les pour-ceaux ont passé par la Clôture de d' Lacroix En faise Serment Et le défendeur alors Sera Condamné a payer Le d' Cochon au demendeur Et Les frais.

A une même Cour m'est motor Exposé à la Cour que Dans une affaire qu'il a et avec Le Sieur angé Et qui aurait Eté Condamné par ladite De lui payer une Somme Suivant son Compte il aurait: Jusqu'à présent attendu ledt payement ledt Sieur motor représente aussi que la Cour Luy ayant ordonné de ramener un Canot qu'il avait fait saisir appartenant audit angé a st Louis, il aurait obéi aux ordres qui Luy ont Eté present a ce Sujet.

Mais comme ledt angé Se trouve apsent il Demande a la Cour de faire vendre son d' Canot pour Satisfaire a ce que ledt angé Luy doit.

La Cour a accordé a m'est motor La vente du d' Canot moy-enant que Se Sera a la veille de Son départ. Esperant que ledt angé pourroit venir avant ce temps.

La Cour Et [sic] ajourné Jeudy 4 avril.
saucier Clark

G Blin

a une Cour du 8 de mars 1782.

Président Geo. Blin Jn Bst dubuque
p. Granmon Jn Bst Saudier
raph. Gagné Josh Cecire

Présent:

Le Sieur Jean Bst Lacroix présente une requête à la Cour par Laquelle il demande une permission pour faire la traitte avec Les Sauvages qui viendront chez Luy. au Condition que toute Les viandes, Suif huile dours et paux de Chevruil qu'il traittera après Sa provision faitte dans cedder aux Citoyens de ce Village
COURT RECORD, MARCH, 1782

The defendant answers by requesting that, since there were several breaks in the fence on that day, one of the witnesses, who certify that the pig passed through his fence, should make oath, and he will accept judgment to pay for the pig.

The Court decreed that one of the witnesses, who declare that the pigs passed through the fence of the said LaCroix, should make oath thereto, and the defendant will then be condemned to pay the plaintiff for the said pig and the costs.

At the same Court M. Motard shows the Court that in the cause, which he had with M. Angers and in which the latter had been condemned by the said Court to pay him the sum according to his account, he had up to the present waited for the said payment. M. Motard also shows that the Court decreed that he should bring back a canoe belonging to the said Angers of which he had made seizure at St. Louis, and that he had obeyed the orders which were given him on this subject.

But since the said Angers is absent, he prays the Court to have his canoe sold to satisfy the debt, which the said Angers owes him.

The Court granted to M. Motard the sale of the said canoe on condition that the sale shall be made on the evening of his departure, as they hope that the said Angers may return before that time.

The Court adjourned to Thursday, April 4.


At a Court, March 8, 1782.


Present.

M. Jean Bte. LaCroix presents a petition to the Court in which he requests a permit to trade with the savages, who shall come to his house, on condition that all meats, tallow, bears' oil and deer-skins, which he shall receive in trade, after making provision for himself, he will sell to the citizens of this village at a
Il est permis que Sera fixé par La Cour Et qu'en outre il Sera loué aux habitants de ce village de venir chez Luy quand il y aura des besoins qui le Lèveront beaucoup pour ce service de l'eau de vie. Il Representera en outre que le service pour l'eau de vie dans ce village à chacun

Les mesures de l'eau de vie. Il faudra que la Cour d'eau et l'eau dans le village. Il qui veut peut s'en servir pour se laver et se baigner sur un village après sa mort.

En
price which shall be fixed by the Court; and furthermore that it shall be lawful for the inhabitants of this village to come to his house, when savages are there, to trade for provisions; and that it shall not be permitted them to trade there for liquor. He shows, furthermore, that he will not serve liquor in this village to savages.

At the prayer of M. Jean Bte. Lacroix, the Court granted him the permit to trade with the savages, on condition that he will not give them drink in this village, and that he will give the preference to the inhabitants of this village in selling, after provision is made for himself, at the following prices, to wit:

- Oil at three livres ten sols.
- Tallow at one livre ten sols.
- Spare ribs at seven livres ten sols.
- The meat of deer at ten livres.
- Smoked hides at five livres.

And the inhabitant shall have twenty-four hours after the departure of the savages in which to buy what they need at M. Lacroix's; and after that time he shall be permitted to sell to all others. To this he has agreed.¹

The Court adjourned to April 4.

Fr. Saucier.                     G. Blin.

The Court adjourned to April 11, for special session.

President, Jean Bte. LaCroix.    Bte. Saucier.


Present.

ANT. HARMAND, Plaintiff, vs. JOS. BUTEAU, Defendant.

The plaintiff sues the defendant, saying that the latter had lent him a pair of young oxen to break in return for the use of them during his sowing; but the plaintiff says that he had used them only four days, after he had fed the said oxen three weeks on hay and corn, and that, since the defendant took his oxen back to-day before he had finished his sowing, he therefore prays that the said defendant be condemned to pay him for the time that he fed his oxen and for the trouble he had in breaking them.
Le défendeur répond qu'il a pris Ses Boeuf parce que il Sdzot
aport que L'on menoit mal Ses Boeuf.
Le demandeur produis un témoin qui dit que le défendeur avait
Danno Ses Boeuf au demandeur pour tous le tems de Ses semences.
La Cour a condamner Ledoffendeur à payer au demandeur Vingt
franc pour Le tems qu'il a nourri Ses Boeuf Et a payer Les frais.

a une même Cour Clement alary demande qu'il soit hautorizé
de faire rendre Compte a piec Chauvin du Bien que peut revenir
au mineur Hult Labecace du Cotte de leur mere.

La Cour a accordé a La demande de Clement alary pourvu
que Les tuteur des dits mineurs y Soient présent.

La Cour Est ajourné au 2e may.

Le soumet, clark

a une Cour du 18 avril 1782 par extraordinaire.

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<th>Président George Blin</th>
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Présent

La Cour Étant assemblé au nom des habitants pour repondre
a la requête a Eux présente par antoine Girardin Sur La pro-
position qui L'on fait pour L'abandon de Son moulin Et aussi
pour donner toute Les Connaissances a Mr Richard Winston
Lieutenant Conveneur Civile pour la Conté Des Illinois, de
toute La viat qui Ce Sont passé avec led Girardin Et Les
habitants afin deu venir a une Conclusion.

Ven que La requête présenté audl habitant En General La
Cour a renvoyé aux habitant a En faire réponse.

fr saucier.

a une Cour du 9 may 1782 Extraordinaire.

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monsieur fr trottier ayant fait assemblé La Cour, au nom du
public pour Demender a m'r T Brady Les pouvoir qu'il a de faire
Des Deffences au public.
The defendant answers that he took the oxen away because he noticed that they were treated badly.

The plaintiff produces a witness, who says that the plaintiff had given the oxen to the defendant for all the time of sowing.

The Court condemned the defendant to pay the plaintiff twenty francs for the time he fed his oxen and to pay the cost.

At the same Court Clement Alarie prays that he be authorized to make Pierre Chauvin render account of the goods, which may accrue to the minors Buyat Labecasse from their mother.

The Court granted the prayer of Clement Alarie, provided the guardians of the said minors are there present.

The Court adjourned to May 2.

Fr. Saucier, Clerk. J. B. H. Lacroix.

At a special session of the Court, April 18, 1782.

Raphael Gagné Pierre Grandmont.

The Court assembled in the name of the inhabitants to make response to the petition presented to them by Antoine Girardin, in which he proposes to them to abandon his mill and to give full cognizance of all the causes between himself and the inhabitants to Mr. Richard Winston, lieutenant civil governor of the county of Illinois, that a conclusion may be reached concerning them.

Considering that the petition is presented to the inhabitants in general, the Court referred it to the inhabitants to make response thereto.

Fr. Saucier. G. Blin.

At a special session of the Court, May 9, 1782.

Jean Bte. LaCroix. Present.

M. Fr. Trottier assembled the Court in the name of the public to demand of M. Brady what power he had to publish prohibitions to the public.
Thomas Brady ayant paru a dit qu'en Sa qualité de député
pour les Sauvages qu'il fesoit Défence de la trêve de taffia avec
Eux
La Cour Luy a représenté quelle fesoit Elle même Ses defences,
Et que Si il a quelque plainte a faire Contre quelqu'un de Ce
village au Sujet des Sauvages de le faire Et non pas de faire
aucune defence a Ce Sujet sans que la Cour en Soit instruit.
1 saucier Clark.

G. Blin

a une Cour 20 Juin 1782.

| Président Geo. Blin | Josèh Cecire |
| pierre Granmon | Bte Sauzier |
| raphle Gagné | Bte Dubuque |
| Jn Bte Lacroix | Présent |

La Cour Etant assemblé pour prendre Le Serment des Juges
nommé par La nouvelle Ellection faitte Le 16 du Court par une assem-
blé En la maison de mtr trottier Savoir Les Sieurs Geo. Blin pierre
Granmon Bte Dubuque, Bte alary, Bte Baron, Gabriel Baron Et
Louis Lebrun.

Les Suivant Juges Savoir George Blin &c, Les dits Juges cy
dessus mentionné ont pris Le Serment de fidélité aux Etats ainsi
que celuy de Juge de Paix &c selon Leurs List.

a une Cour tenue pour le district des [sic] du village des
Cahokia Le 20 Juin 1782.

a ordonné que fr Saucier soit apointé clark de Cette Cour.

fr Saucier a pris le Serment de fidélité Et d'office Et a pris
Sa place En qualité de Clark.

a une même Cour a Été ordonné que niColas Chabot Continu-
roit Sa charge de Cherif de la Cour.

nicolas Chabot a pris le Serment de fidélité Et d'office.

LOUIS PILLET Demendeur JOS. ASSELIN Defendeur

Louis pillet présente un marché passé Entre Luy Et Le def-
fendeur pour ouvrage que le defendeur devoit faire a Sa maison
parce que le defendeur refuse [?] de le Suivre.

Le defendeur Expose que nayant pas fait L'ouvrage autant dit
non pas par sa faute puisqu'il na Jamais été forcé par le demend-

1 Brady was Indian commissioner for the state of Virginia.
Thomas Brady appeared and said that in his office of deputy for the savages he prohibited trade in tafia with them.

The Court shows that it published itself such a prohibition; and demands that, if there is any complaint to make against any one of this village on the subject of the savages, he is to make it, and not to publish prohibitions on the subject without informing the Court.

Fr. Saucier, Clerk. G. Blin.

At a Court, June 20, 1782.
Jean Bte. LaCroix. Present.

The Court assembled to receive the oath of the judges elected by the new election, which was held the 16th of the present month in the house of M. Trottier, namely M.M. Geo. Blin, Pierre Grandmont, Bte. Dubuque, Bte. Alarie, Bte. Baron, Gabriel Baron, and Louis Lebrun.

The following judges, namely George Blin, etc., mentioned above, took the oath of fidelity to the States and also that of justices of the peace, etc., according to the list.

At a Court held for the district of the village of Cahokia, June 20, 1782.

The Court ordered that Fr. Saucier be appointed clerk of this Court.

Fr. Saucier took the oath of fidelity and also that of office, and took his place as clerk.

At the same Court it was ordered that Nicolas Chabot should continue his commiss of sheriff of the Court.

Nicolas Chabot took oath of fidelity and of office.

LOUIS PILLET, Plaintiff, vs. JOS. ASSELIN, Defendant,

Louis Pillet presents an agreement entered into by himself and the defendant for work, which the latter was to do on his house, because the defendant refuses to keep it.

The defendant explains that he has not done the work as said, but not through his fault, but because he has never been com-
eur de Le faire, Et que Comme il y a Cinq ans que Ledt marché
Est passé il trouve que le prix Est trop mediocre il demende au-
gmentation.

La Cour a Condanné Le demendeur a remboursé a defendeur
La Somme de Soixante Et dix Livres pour n’avoir pas obligé Le
defendeur a faire Son ouvrage au tems Echus Et a payer Les
fraix Entre Eux.

Demendeur G. CONSTANT Defendeur AT ARMENT

Le demendeur poursuit L defendeur disant que Sous Le
pretexte dit il que Son Enfant Luy auroit manqué quil L’auroit at-
taqué En Luy disant, va mon fils dire a ton père qu’il a mangé Le
cochon de Granmon, Ce que Le demendeur demende qu’il Luy
prouvé par Sa partie adverse qu’il L’en accuse.

Le defendeur dit qu’il a Entendu dire a m° Granmon qu’il
pensoit que le demendeur auroit pu Le faire.

m°. Granmon dit que effectivement qu’il la pensé mais qu’il ne
L’en accusoit pas positivement n’en Etant point Sure.

La Cour a renvoyé Le Demendeur Et le defendeur Sans aucune
Dessision puisque le demendeur nest pas Juste dans ces demandes
Et pour Les Sotises quils ce Sont Dit Sont Condanné a payer
tous Les deux Les fraix.

Lemé Demendeur Jo CEICRE Defendeur

a une même Cour une requete présenté par Louis Lemé
habitant de St philipe pour un soque qu’il luy a Eté oté de Sa
charu par m° Cecire Sous le pretext dit il que ledit lemé Luy devoit
quinze franc. Ce qui La mis hor detat de faire Ses Semence Et
de les faire faire Dont il Luy En a Couté Suivant Le Sertificat
de m° Ch. Cadron Cent franc pour faire Sa Semence.

Joseph Cecire dit qu’il Est vray qu’il a pris Le Soque mais que
ce n’est que par ce que ledt Lemé Luy devoit quinze franc pour
avoir Eté Emprisonné ches Luy Et que Si il Lut paye il ne L’ai-
roit pas fait.

La Cour a Condanner Le Sieur Secire a rembourser au de-
mendeur Ce qui Luy en a Couté pour faire faire Ses Semences Et a

¹ There was no prison in Cahokia, and the fort was sometimes used for that purpose, but not always. A prisoner was more often placed in the custody of an officer. Since no case in which Lemay was sentenced to imprisonment occurs in the Record, the imprisonment
pelled to do it by the plaintiff; and that, as it was five years ago that the bargain was made, he finds that the price is too low and demands an increase.

The Court condemned the plaintiff to reimburse the defendant the sum of seventy livres for not having compelled the defendant to do his work in the expired time and both to pay the costs.

G. CONSTANT, Plaintiff, vs. AN. HARMAND, Defendant.

The plaintiff sues the defendant, saying that under the alleged pretext that his child had put a slight upon the defendant, the latter had assaulted him and said: "Go, my son, and tell your father that he ate Grandmont's pig"; and the plaintiff prays that this, of which he is accused, be proved by the opposing party.

The defendant says that he heard M. Grandmont say that he thought that the plaintiff might have done it.

M. Grandmont says that in fact he thought it; but that he did not positively accuse him thereof, because he was not sure.

The Court dismissed the plaintiff and the defendant without passing judgment, since the plaintiff is not just in his demands; and for the abusive language they have used, they are both condemned to pay the costs.

LEMAF, Plaintiff, vs. JOS. CESIRRE, defendant.

At the same Court a petition was presented by Louis Lemay, inhabitants of St. Phillippe, for a plowshare, which had been taken from his plough by M. Cesirre under the alleged pretext that the said Lemay owed him fifteen francs. This put him out of condition to do his sowing, and the cost of having it done, according to the certificate of M. Ch. Cadron, was one hundred francs.

Joseph Cesirre says that it is true that he took the plowshare, but only because the said Lemay owed him fifteen francs for his imprisonment at his house and that, if he had paid him, he would not have done it.1

The Court condemned M. Cesirre to repay to the plaintiff what it had cost him to have his sowing done, after retaining the fifteen may dare back to the British period, when Cesirre's father was judge and commandant at Cahokia.
livres which was owed him for imprisonment at his house, and to return to the plaintiff the plow in the same condition it was in when he meddled with it, and this at his house in St. Philippe; and the defendant is to pay the costs.


At a Court held August 8, 1782.

President, G. Blin. Louis Lebrun.
Pierre Grandmont. Gabriel Baron.

Gabriel Cerre, Plaintiff, vs. Ant. Harmand, Defendant

The plaintiff sues the defendant for a sum of one thousand and forty-six livres, according to his obligation given for a negro and a plantation which were adjudged him at the auction of the late M. Nicolle’s property; and the plaintiff further shows that he has already notified the defendant to pay his obligation and, since he has refused to pay, he demands interest for the two years since the demand was made.

The defendant answers by a petition in which he affirms that the said negro, three months after purchase, was arrested and convicted of having poisoned his master and mistress; and that he had been compelled by order to deliver the said negro to justice, and therefore he ought not to pay for him.¹

The plaintiff answers that when the negro was sold, he had been known for a person of good character; and that, if the defendant had not bought him, some one else would have done so.

The Court, after examining the prayers, the defence and the obligation of M. Ant. Harmand, condemned him to pay to the plaintiff his obligation and the interest, since its maturity, and the costs.

The Court adjourned to Thursday, September 5.

Fr. Saucier, Clerk. G. Blin.
a une Cour du 9 7bre 1782.
Président Geo. Blin Louis Lebrun
Pierre Granmon Gabriel Baron
Bte Baron Jean Bte Dubuque
Bte alary Present
Demendeur GABRIEL CERRÉ Defendeur ANT ARMANT
Le demendeur represente a la Cour qu'en vertu de La San-
tance qui a Été rendu Contre Le Defendeur La Cour derniere,
il auroit fait Sinitier La ditte Sentance audé Defendeur mais
quayant refusé de payer Son obligation, il demende une
Saisi Sur tout Les biens du defendeur Et une Execution pour
parvenir au parfait payement.

Le defendeur repond que tant qu'a L'article dune terre qui
Luy a Été adjugé qu'il Est prest a La payer, mais que pour le
negre il en veut rapeller a La virginie et demende qu'il Luy Soit
permis de la faire.

Le defendeur ayant Été Condanné a la cour derniere de payer
Son obligation ainsi qu'il Est Expliqué dans La Santance. Et
ne L'ayant pas fait La Cour a accordé au demendeur une Exe-
cution Sur Les Biens du defendeur pour Etre vendu Jusqu'a
La Somme de son obligation ainsi que L'interest Et Les fraix.
Sauf au defendeur apres a en rapeller ou Bon Luy Semblera.
La Cour Est ajourné a Jeudy 3e. 8bre.

f. saucier Clark G Blin
Président G. Blin Louis lebrun
pierre Granmon Gabriel Baron
Bte Baron Bte Dubuque
Bte alary Present
Joseph travercy ayant paru a pris Le Serment de fidelité
ainsi que celuy de cherif de la cour.

Joseph Lepage présente une requette par laquelle il demende
une assemble de parens et damy pour La nomination d'un tu-
teur a Leon Lepage.
La Cour a accordé au Sieur Lepage Suivant Sa demande.
fr. saucier G. Blin

1 No date given.
COURT RECORD, SEPTEMBER, 1782

At a Court, September 9, 1782.

Pierre Grandmont.       Gabriel Baron.

Gabriel Cerré, Plaintiff, vs. Ant. Harmand, Defendant.

The plaintiff shows the Court that in virtue of the decree which was rendered against the defendant at the last Court, he had served notice of the said decree on the said defendant; but since he refused to pay his obligation, he prays for a writ of seizure on all the goods of the defendant and an execution in order to obtain full payment.

The defendant answers that as to the item of a plantation which was adjudged him, he was ready to pay for that; but that he wishes to appeal to Virginia in regard to the negro, and prays that he be permitted to do so.

Since the defendant was condemned at the last Court to pay his obligation, as was explained in the decree; and since he has not done so, the Court granted the plaintiff a writ of execution on the goods of the defendant in order that they be sold up to the sum of the obligation, interest and costs, saving to the defendant the right to appeal wherever it shall seem best to him.

The Court adjourned to Thursday, October 8.

President G. Blin.    Louis Lebrun.
Pierre Grandmont.    Gabriel Baron.

Joseph Traversey appeared and took oath of fidelity and also that of sheriff of the Court.

Joseph Lepage presents a petition, in which he prays for an assembly of relatives and friends to name a guardian for Leon Lepage.

The Court granted this to M. Lepage according to his prayer.

Fr. Saucier.    G. Blin.
Es handelt sich um eine fortsetzte Liste von Einzelheiten, die die genauer beschrieben. Die genauen Details sind nicht im Bild zu sehen, da es sich um ein Dokument handelt, das aus einem Scan stammt und keine natürliche Textrepräsentation ist. Bitte legen Sie den Fokus auf die Leseorientierung und den Kontext, um den natürlichen Text zu entnehmen.
COURT RECORD, NOVEMBER, 1782

At a Court, November 7, 1782.

P. Grandmont. Gabriel Baron.
L. Lebrun. Present.

A petition presented by M. Fr. Trottier, in which he prays for the sale of the house of Madame Lapierre, widow, in accordance with the vote of relatives and friends.

The Court granted this to M. Trottier according to his prayer.

At the same Court a commission of state's attorney was presented by M. Labuxiere, who prays for the registry of the said commission in the records of this Court; and he took oath of office.1

The Court granted this to M. Labuxiere according to his prayer.

At the same Court Joseph Belcour prays by petition for his writ of livery to enjoy his property and to have account rendered.

The Court granted this to the said Belcour according to his prayer.

LOUIS TROTTIER, Plaintiff, vs. JEAN BTE. LAcroix, Defendant.

The plaintiff sues the defendant for a pig of his, which was killed in the prairie, and declares that it passed through the defendant's fence.

The defendant answers that on the same day that the pigs passed through the fence there were two other breaks in other fences, one in L. Trottier's and another in Cadien's and points out that it might have happened that the pigs passed through another gap than through that in his fence. The plaintiff made oath that nothing passed through the gap in his fence. M. Gagné, who made the inspection that day, appeared and made oath that he had not seen the pigs pass through other fences than that of Jean Bte. LaCroix.

In view of the prayers, the defence, the certificate of Louis Trottier and the declaration under oath of Raphael Gagné, the Court condemned the defendant to deliver a similar pig to the plaintiff or to pay him

L. TROTTIER, Plaintiff, vs. BTE. SAUCIER, Defendant.

At the same Court the plaintiff sues the defendant for a pig, which passed the gate,2 of which the defendant's negro is the guardian.
Le défendeur répond que led C Cochon a profité du moment que legre [sic] ouvroit la Bariere au charette qui vont Et vien Et neanmoins il auroit fait Son possible ainsi que le fis de Jo h mesonville a empecher de passer led C Cochon a quoy il n’ont pas réussir.

Le défendeur produit un Sertificat de mde laflame qui declare que le negre a fait tout Son possible pour ramener Led C Cochon ainsi que les Enfans dud demendeur Et quelle auroit entendu dire par Mde trottier revené La truye reviendra Sessor.

Veu Les demandes Et deffence Le Sertificat La Cour a Con-donné le demendeur a perdre Son Cochon vue que Cest une chose que l’on a pas pu prevoir Et en outre que Sa femme ne devoir pas les rapeller, Et faire que peut Etre il auroit ramener Led C Cochon.

La Cour Est ajourné a jeudy 7, Dexionber 1782.

fr. saucier clark. G Blin

a une Cour du 27 gbre Extraordinaire.

Président Geo. Blin Louis lebrun
pierre Granmon Gabriel Baron
Bte Baron Bte Dubuque

Présent

Demendeur Mde BEAULLIEU Defendeur ANT ARMANT

Le demendeur poursuit le défendeur pour une somme de quartorze cent livres En pelleterie qui luy Sont due, Et Echu depuis quelque tems.

Le défendeur repond qui ne luy Est pas possible de faire cette Somme vue L’impossibilité de trouver de la pelleterie Et que qu’une même Sil venderais tous Ses Biens il ne Suffiroit pas pour faire Laditte Somme.

La Cour a ordonné au Defendeur de prendre des arengement avec le demandeur.

Le defendeur a prix des arrengement avec m' trottier a qui qui Le demendeur Doit pour La ditte Somme et est par ce moyen liquider avec le demandeur.

f. saucier clark G Blin
The defendant answers that the said pig profited by the moment that the negro opened the gate for a cart which goes and comes, and yet the negro had done his best, as had also the son of Jos. Maisonville, to hinder the said pig from passing, in which they had not succeeded.

The defendant produces a certificate by Madame Laflamme, in which she declares that the negro and also the children of the said plaintiff did their very best to drive the pig back; and that she had heard Madame Trottier say: "Come back, the sow will return this evening".

Considering the demands, the defence and the certificate, the Court condemned the plaintiff to lose his pig, seeing that what had happened could not be foreseen, and furthermore that his wife ought not to have recalled the children, and ought to have acted so that they might, perhaps, have brought the said pig back.

The Court adjourned to Thursday, December 7, 1782.

Fr. Saucier, Clerk.               G. Blin.

At a special session of the Court, November 27.

Pierre Grandmont.       Gabriel Baron.
Present.

MADAME BEAULIEU, Plaintiff, vs. ANT. HARMAND, Defendant.

The plaintiff sues the defendant for the sum of fourteen hundred livres in peltries, which are due her and since some time fallen due.

The defendant answers that it is impossible to make up this sum because of the impossibility of finding peltries and that even if he sold all his property, it would not be sufficient to make up the said sum.

The Court ordered the defendant to make some arrangement with the plaintiff.

The defendant made arrangements with M. Trottier, to whom the plaintiff is indebted for this sum, and who will settle with the plaintiff by this means.

ILINOIS HISTORICAL COLLECTIONS.

D'une Cour à l'autre par extraordinaire.

Président George Biau
Louis Lebrun
Pierre Girieron
Jn 3e Dubuque

Présent

Demandeur RENE BOYER
Deffendeur LOUGA

Le demandeur avoue : Le déffendeur pour avoir sans Luy avoir porté aucune plainte contre Son negre Et Luy avoir donné un sa manoir Coup à la tete D'un Coup de Baton qui le mit et detat de travailler. Et demande qu'il soit trété au depend du déffendeur. Et le ton que sera luy fait étant dans Des travaux.

Le déffendeur répond que s'il aurait trépé le negre après luy avoir dit par différentes fois de sortir de chés Luy. Comme il allait dommande a Son frère ce qu'il lui devoit Et que n'ayant pas voulu Le faire il l'aurait trépé.

Le démandeur représente que le Déffendeur n'auroit pas due trépé Son negre d'un Coup S'il dangereux. Et que si il lui estoit venue porte Ses plainte qu'il n'auroit donné toute satisfaction.

Le déffendeur répond que si le negre mut pas En Son absance pri deux rat de Bois malgre sa femme Sous Le preteste que Cetot son frère qui les avoit attrepe Et qui devoit au negre du démandeur.

Le negre ayant para a dit que Mr. Louiga Luy avoit dit de Les prendre et qu'il ne les avoit pas pris sans cela.

Madame Louiga aient para a prété Serment de dire La Verité, Et a dit que le negre est venu chés elle lui demandé ou etoit Son Beau frère, a qu'il avoit Lorn Son cheval pour de La viande Et que n'ayant trouvé que deux rat de Bois sur Sa table que Son Beau frère Luy avoit donné qu'il les avoit pris malgré Elle, et Etant rentrée une seconde fois, chés elle Et après avoir répété a Son mari La façon d'agir du negre En Son absence. Et qu'après avoir dites au negre de Sortir de chés Luy plusieurs fois Et que n'ayant pas voulu Le faire il L'aurit trépé lois negre.

La Cour a ordonné que le déffendeur payeroit au demandeur Cinquante franc, pour avoir maîtrisé Son negre de la façon qu'il
At a special session of the Court, December 14.
President, George Blin. Louis Lebrun.

Present.

RENÉ BOUVET, Plaintiff, vs. LOUIS GAUD, Defendant.

The Plaintiff sues the defendant for having struck his negro, without having made any complaint against him, so severe a stroke on his head with a club that he could not work; and he prays that the negro be cured at the defendant's expense and that the latter pay him for the injury to his work, which that loss of time did him.

The defendant answers that he had struck the negro after having told him several times to leave his house, when he demanded of his brother what the latter was owing him; and that, when the negro was unwilling to obey, he struck him.

The plaintiff shows that the defendant ought not to have struck his negro so dangerous a blow, and that, if he had come to make complaint to him, he would have given entire satisfaction.

The defendant answers that the negro should not have taken in his absence two raccoons in spite of his wife, under pretext that the defendant's brother, who was in debt to the plaintiff's negro, had trapped them.

The negro appeared and said that Madame Louis Gaud had told him to take them, and that he would not have taken them otherwise.

Madame Louis Gaud appeared and made oath to tell the truth, and said that the negro came to her house and asked where her brother-in-law was, to whom he had let his horse in exchange for meat; and that having found on her table only two raccoons, which her brother-in-law had given to her, he took them in spite of her; and when he returned a second time, after she had told her husband of the action of the negro in his absence, her husband told the negro several times to leave; and, when he wouldn't do it, he struck the said negro.

The Court decreed that the defendant should pay the plaintiff fifty francs for having maltreated his negro in the way he did;
La fait Et Le demendeur sera Donné a Son negre vingt cinq Coup de fouet pour punir insolance, et payeront Les frais de Lextraordinaire Entre eux deux.
La Cour Est ajournée a Jeudy 2 Janvier.

G Blin

a une Cour du 3\textsuperscript{e} avril 1783.
Président G. Blin Louis lebrun
B\textsuperscript{te} Baron Gabriel Baron
B\textsuperscript{te} alary B\textsuperscript{te} Dubuque
Present

une requête présente par le Sieur fr. trottier demandant a la Cour quayant Été nomé avec Les Sieurs Cecire Beaulieu et nicol pour l'exécution du testament de feu portemay, et que par le decés de Ses trois derniere il nauroit pu rien faire a Ce Sujet et que Comme le feu Sieur Beaulieu En Etoit L'executeur testamerter il Suplie Laditte Cour de vouloir Bien En nomer d 'autre afin de visiter Les Comptes dud\textsuperscript{t} sieur Beaulieu a Ce Sujet Et luy faire rendre Compte Suivant Comme Le Cas L 'exige; demende En outre led\textsuperscript{t} Sieur trottier par Sa ditte requête que Se trouvant obligé par Ses affaires de quitter Le village pour quelque tems il il [sic] prie tres humblement Laditte Cour de vouloir Bien luy tenir de lieu et place En Sa qualité de Comd\textsuperscript{t} aud\textsuperscript{t} lieu, pour maintenir La Bonne intelligence Et Lunion telle quelle a toujours régé.

La Cour a nomé a Leffet de L 'exécution du testament de feu portemay Les Sieur B\textsuperscript{te} LaCroix G. Blin Et B\textsuperscript{te} Saucier Suivant La Demende du Sieur trottier accorde ainsi que Ses autres demendes.

a une même Cour le Sieur pierre roy, porte plainte, que plusieurs habitant refuse de faire Cloture Commune, Ettant obligé d 'en faire Comme d 'autre, au non et Comme Sindic.

La Cour a ordonné au Sindic de faire faire Les dittes Clotures au depans de ceux qui le refuse, Lotorizant par nôtre ordre de le faire.

La Cour Est ajourné au 1\textsuperscript{e} de may Jeudy.

fr. saucier Clark.

G. Blin

\textsuperscript{1} Nicolle was poisoned in 1778. Michel Palmier called Beaulieu died in 1780 and Joseph Cesirre about 1779.
and that the plaintiff have his negro given twenty-five strokes with the whip to punish his insolence; and that both shall pay the costs of the special session.

The Court adjourned to Thursday, January 2.

G. Blin.

At a Court, April 3, 1783.

President, G. Blin.  Louis Lebrun.

Present.

A petition presented by M. Fr. Trottier, in which he prays the Court, since he had been named with MM. Cesirre,1 Beaulieu and Nicolle to execute the last will and testament of the late Portemay, and by the decease of these last three he had been able to do nothing in the matter, and since M. Beaulieu was the testamentary executor, that the said Court be willing to name another to examine the accounts of the said M. Beaulieu in the case and to have account rendered to him, as the case requires. Furthermore the said M. Trottier prays the Court very humbly that, since he is obliged by his private affairs to leave the village for some time, the said Court will take his place as commandant of the said village in order to maintain good harmony and union, such as has always reigned.2

The Court named with a view to the execution of the last will and testament of the late Portemay MM. Bte. Lacroix, G. Blin, and Bte. Saucier, in accordance with the prayer of M. Trottier, and granted him also his other prayers.

At the same Court Pierre Roy, personally and in his office as syndic, makes complaint that several inhabitants refuse to build the common fence, although obliged to make part of it as are the others.

The Court ordered the syndic to have the said fences made at the expense of those who refuse, authorizing him by our order to do so.

The Court adjourned to Thursday, May 1.

Fr. Saucier, Clerk.  G. Blin.

1 Trottier was preparing to go to Kentucky to appear before the Virginia commissioners to prove his and his neighbors' claims to payment for supplies furnished the Virginia troops. See Introduction, pp. cxix. et seq.
a une Cour du 8 may.

Président Bte dubuc       Bte alary
Bte Baron                 Ga1 Baron

Present

un [sic] requête présenté à la Cour par philipe Laflame représentant que Comme il ny a point Eu D'invantaire de faitte des Biens delessé par feu Charle Laflame Son pere Lorsque marie Joseph Larché Ses [sic] remarié En Seconde noce Son age ne luy permettent point de prendre Ses propre interest, il demante qu'il soit Elu un Curateur, Et que ledt invantaire Soit fait. Pour parvenir a partage.

La Cour accordé a la demende de philipe Laflame.

La Cour Est ajouré a Jeudy 22 du Cour.

fr. saucier Clark    B Dubuque

a une Cour du 26 may 1783.

Bte Dubuque          Bte alary
Pierre Granmon       Louis lebrun
Bte Baron            Gabriel Baron

Present

La Cour Etant assemblé pour prendre les Serment des Sieurs Josb Bellefeuill Louis lebrun fr Courié Jen. Bte dehay, ant La-marche, pierre Quenel, et Jo'h Lapencé, pour prendre leur place En qualité de magistrat ayant Eté nomé par le Sufrage des voix pour remplacer les Encien magistrat. Les Susdit St Bellefeuill lebrun Courié dehay Lamarche quenel Et Lapancé ayant paru ont pris le Serment de fidelité ainsi que Celuy d'office Et ont pris leurs Place En qualité de magistrat.

a une même Court Joseph traversy a prix le Serment de fidelité Et d'office de Bailif de la ditte Cour.

fr. saucier a prix le Serment de fidelité ainsi que celuy d'office En qualité de Greffier de la ditte Cour.

a une même Cour une requête présenté par Gabriel Baron tant en Son nom que Comme ayant Epousé Marie Louise Butau demendant que le retrait liage Soit accordé a Sa femme en faveur dune maison que Mr Butau Son pere a vendu au St Lacroix
COURT RECORD, MAY, 1783

At a Court, May 8.


Present.

A petition presented in Court by Philippe Laflamme showing
that there never was made in fact an inventory of the property
left by his father, the late Charles Laflamme, when Marie
Joseph Larché entered into second marriage, since his age did not
permit him to look after his own interests; and he prays that a
curator be elected and the said inventory be made in order to
arrive at a partition.

The Court granted the prayer of Philippe Laflamme.

The Court adjourned to Thursday, the 22nd of the present
month.

Fr. Saucier, Clerk. B. Dubuque.

At a Court, May 26, 1783.


Present.

The Court assembled to receive the oaths of MM. Jos.
Bellefeuil, Louis Lebrun, Fr. Courier, Jean Bte. Deshayes,
Ant. Lamarche, Pierre Quenel and Jos. Lapancé that they
may take their places as magistrates, having been elected by
the votes to replace the former magistrates. The above men-
tioned MM. Bellefeuil, Lebrun, Courier, Deshayes, Lamar-
che, Quenel and Lapancé appeared and took the oath of
fidelity and also that of office and took their places as magis-
trates.

At the same Court Joseph Traversey took the oath of fidelity
and of office as bailiff of this Court.

Fr. Saucier took the oath of fidelity and also that of office
as clerk of the said Court.

At the same Court a petition presented by Gabriel Baron
both in his name and as having married Marie Louise Buteau, in
which he prays that the right of lineage repurchase of a house be
Le document commence et parle du Compte de médicaments mentionné. Le défendeur rapporte qu'il a point de concessions au Compte qu'en partie, offrant dans faire.

Le conseiller demande un délivrance pour le Compte de médicaments mentionné. Le défendeur rapporte qu'il a point de concessions au Compte qu'en partie, offrant dans faire.
granted to his wife.\footnote{1} The petitioners explain that their father sold the house to M. LaCroix, although it was the heritage of their mother and should not have gone out of the family; and that they are ready to pay back to M. LaCroix the purchase money on the same terms and conditions that he bought it.

The Court ordered that Gabriel Baron shall have the possession of the said house and shall repay to M. LaCroix the purchase price on the same terms and conditions, that he bought it.

M. Buteau appeared and asked the Court if he would be permitted to sell his house to one of his children. He says that he intended to do so, but wrote on the subject to M. Labuxiere, who is acquainted with the law, and who said that he could not do so.\footnote{2}

The Court, not being competent to answer, postponed the present affair to next Thursday, at which time they will have M. Labuxiere appear.

The Court adjourned to Thursday, June 5.

Fr. Saucier, Clerk. Pierre Quenel.

At a Court, June 5, 1783.

President Pierre Quenel. Louis Lebrun.

Joseph Bellefeuil appeared and took the oath of fidelity to the States and also that of magistrate and took his place as magistrate.

TRAVESRY, Plaintiff for M. REYNAL,

\textit{vs.} M. GRANDMONT, Defendant.

The plaintiff sues the defendant for an account for medicine amounting to \textit{27 livres}. The defendant answers that he has no knowledge of the said account except in part, and offers to take his oath thereto.

The Court continued the present suit to the next Court, when M. Reynal will appear to prove his bill.

\footnote{1}Huguer was abolished in July, 1790.—De Farriere, Coutume de Paris, ii., 587 et seq.; Violet, \textit{Hist. du droit civil Francais}, 609; Glisson, \textit{Hist. du droit et des institutions de la France}, vii., 561 et seq.

\footnote{2}Probably because of the complexity of legal rights growing out of the union of two or more communities of goods.
Demendeur TRaverns pour M. REYNAL deffendeur, M°.

HENSON

Le demendeur poursuit le deffendeur pour une Somme de Cent huit livres suivant un Compte de medicament pour la maladie de feu Son marie Et pour Eux.

le deffendeur a Etté assigné de paroitre pour deffendre Sa Cause Et nayant point paru La Cour a ordonné que led° [sic] deffendeur payera Le demendeur Suivant son Compte.

Demendeur B° DUMAY Deffendeur PIERRE MALET

Le demendeur poursuit le deffendeur disant qu'il aurait attrappé un poullin au bout de la prairie de legle Sous le pretex dit il qu'il le Croyoit maron Et Comme Se poulin n'a Etté reclamé de personne Et que le demendeur a En perdu un de mème age Et Couleur en Consequence il produit a la Cour deux Sertificat qui disent avoir vue a la Suite de la Jument du demendeur un pareil poulin de mème age Et Couleur que celuy que le deffendeur a attrappé.

La Cour a ordonné au deffendeur a livrer au demendeur Led° poulin, Comme paroissant luy appartenir Et a deffendu aud° deffendeur de ne prendre aucun animal Dans la Comune point marque qui ne Soit Bien Sur qu'il luy appartienne nayant Eu aucun droit de prendre celuy cy. Et au deffendeur a payer Les fraix.

a une mème Cour une requete présenté par Gabriel Baron
Et sa femme qui demende Lexecution de la Sentance rendu par laditte Cour au Bas dune requette qui demende le retrait Lignager des Biens fonds vendu par le Sr Butau Leur pere au Sr Lacroix.

En Consequence la Cour a ordonné qu'il Sera Sinifié au Sieur turgeon de Deguerpir de laditte maison Sans delay moyenant que les retreyanc luy fourniront un Logement pour trois mois telle que led° Baron lofere dans Sa ditte requette En datte de Ce Jour, notre oppignon Etant qui ne Soit pas necessaire qu'il Soit només arbitrages, La Loix Decidant Clerment de Ce Cas.

La Cour Est ajourné a Jeudy 2° de Juillet.

fr. saucier Clark    pierre quenel president

1 See supra, p. 140.
Traversy, Plaintiff for M. Reynal,
vs. Madame Henson, Defendant.

The plaintiff sues the defendant for the sum of one hundred and eight livres according to an account for medicine for the sickness of her late husband and for herself.

The defendant was summoned to appear and defend her cause; and not appearing, the Court ordered that the said defendant shall pay the plaintiff according to his account.


The plaintiff sues the defendant, saying that the latter had caught a colt at the end of the Eagle Prairie pretending that he believed it wild; and since this colt had been reclaimed by no one and the plaintiff had lost one of the same age and color, he produced in Court two certificates from persons, who said that they had seen following the plaintiff's mare a similar colt of the same age and color as that which the defendant caught.

The Court ordered the defendant to deliver to the plaintiff the said colt, since it appeared to belong to him, and forbade the defendant to take in the commons any unmarked animal which he was not sure belonged to him, as he had no right to take this one; and ordered the defendant to pay the costs.

At the same Court a petition presented by Gabriel Baron and his wife, in which they pray for the execution of the judgment rendered by the said Court at the bottom of a petition demanding the right of lineage repurchase of the landed property, which was sold by M. Buteau, their father, to M. Lacroix.¹

Accordingly the Court decreed that notice shall be given M. Turgeon to give up the possession of the said house without delay, in return for which the repurchasers shall furnish him lodgings for three months, such as the said Baron offers in the said petition dated this day. It is our opinion it is not necessary to name arbitrators, since the law decides clearly in this case.²

The Court adjourned to Thursday, July 2.

Fr. Saucier, Clerk. Pierre Quenel, President.

¹ One of the few cases where a body of law is mentioned. In this case the law referred to is the Coutume de Paris.
HISTORICAL COLLECTIONS.

22 Juin par Extraordinaire.

Le 11 fèvrier à Paris, la ville en pâture pour chaque faire
une quantité de terre dans c'est lieu en pâture. Chaque un
de ces sites pour la culture, una que pâture la commune.

Le 20 fèvrier, par acte du seigneur, a été dressé une acte dans
laquelle les habitants de la commune des terres. Et autre Con-
versation plus sûre.

A une Cour du 3e Jôlet 1664

Le procureur

J. B. d'Henry

Le demandeur

Père

Le procureur Gagné, défendeur J. B. Gaffé

Le procureur pour le défendeur pour une somme de

Et pour la pelleteuse pour avoir été engagé pour

Le procureur pour aler jusqu'à chagrin suivant la

Le procureur pour son dit Comis.

Le procureur pour qu'il n'avait point autorisé son Comis

Le procureur pour avoir donné le monde nécessaires pour

Le procureur pour le défendeur aurait son recours sur son Comis

Le procureur pour cinquante écus, excepté trente livres

Le procureur pour le demandeur a été convenu d'avoir pour aller

Le procureur pour un et un demi défendeur a payer au demandeur La

Le procureur pour un titre d'épicier suivant l'engagement du demandeur

Le procureur pour avoir été jusqu'à chagrin y

Le procureur pour avoir recours sur son Comis et a dû à face de le faire. Et a payer les frais.

La Cour fut adjournée aux 3e août.

Le procureur Gagné,

Le procureur quenel
At a special session of the Court, June 11.

The Court was assembled in the name of the public in order to have each establish the boundaries of a quantity of land in the Prairie du Pont according to his needs for cultivation, and also to lay out the commons. The Court decided unanimously that there shall be drawn up an act of assembly signed by the inhabitants, in which the limits of the lands and other agreements shall be written.¹

At a Court, July 3, 1783.

Fr. Courrier. Louis Lebrun.
Ant. Lamarche. Present.

CLAUSE GAGNÉ, Plaintiff, vs. J. Bte. Gaffé, Defendant.

The plaintiff sues the defendant for a sum of one hundred and fifty livres in peltries for a trip to Chicago, for which he was hired by M. Briscois, the defendant’s clerk, according to a draft drawn on the defendant by the said clerk.

The defendant answers that he did not authorize his clerk to engage any one, since he had furnished him the men necessary for the journey; and that the said plaintiff should have recourse against his clerk for the said sum of fifty ecus, except thirty livres in cash, which the plaintiff has agreed to pay him for going to Payssa.²

The Court condemned the defendant to pay the plaintiff fifty ecus, in accordance with the agreement with the plaintiff made by M. Briscois, the defendant’s clerk, for conducting his boats to Chicago, reserving to the plaintiff the right of recourse against his clerk, if there was wrong in making the agreement, and to pay the costs.

The Court adjourned to August 7.

Fr. Saucier, Clerk. Pierre Quenel.


²Situated about opposite the mouth of the Missouri River.
a une Cour du 4 septembre 1783.

Président pierre Quenel        Louis lebrun
fr. Courier                   Josè Lapance
ant. Lamarche                 Pres.

Demendeur CLEMENT ALARY Defendeur JOSEPH CECIRE

Le demendeur poursuit le defendeur Disant quayant Eu Son
Enfant ches luy auquel Sa femme auroir porté tous ses soin
pendant lespace de Six mois Et au bout duquel tems il auroir
retirer son d1 Enfant. Sans vouloir payer aud1 demendeur Se
qui convient pour Ses peines.

Le defendeur repond que Si il a Donné son Enfans a la femme
du Demendeur que Ce na Eté que par les Solisitation de la femme
du demendeur de prendre Son Enfans. disant que Cetoit le
dernier Service quelle pouvoit rendre a Sa mere delver Son Enfans.
Et qu'il ne luy en Couteroit rien. Et que néanmoins Son inten-
tion netoit pas de lesser Son Enfans Sans Satisfaire les personnes
qui En pronoit Soin.

La Cour a Condanner le Defendeur a payer Six cent Livres
de farine pour Les Six mois que Son Enfans a Eté ches le demen-
deur. Et a payer Les fraix.

Demendeur m2ie DURAND defendeur FR ARNOUS

le demendeur poursuit le defendeur disant quayant Engagé
le defendeur pour aller dans riviére des Illinois moyenant un
Cheval qu'il luy donnait a Son retour. mais qu'en ayant reçu un
dans la riviére des Illinois duquel il etoit Contant, Et qu'après
il auroit dit au nomé Laforce chargé de faire La traitte pour le
demendeur que Si il vouloit traitter un Cheval que les Sauvages
avoit amené a eux [?], qu'il le changeroit avec durant, moyenant du
retour, En consequence led1 cheval auroir Etoit acheté par led1
Laforce Et qu'après il auroit Commender aud1 francois de L'allier
En ferger a luar Et de revenir Ensuitte au Canot Et a la
traitte, Et que pendant Ce tems led1 Cheval auroir Eté voler par
les Sauvages. Et demende Que le cheval luy Soit payé par led1
francois ou laforce.

Le Defendeur repond qu'en Effet il auroit dit au nomé La-
force qu'il Changeroit Led1 Cheval avec durant, Si il le vouloit
COURT RECORD, NOVEMBER, 1783

At a Court, November 4, 1783.

President, Pierre Quenel. Louis Lebrun.
Ant. Lamarche. Present.

Clement Alarie, Plaintiff, vs. Joseph Cesirre, Defendant.

The plaintiff sues the defendant saying that he has had the latter's child at his house, and that his wife gave it all her care for the space of six months and at the end of that time the defendant had taken his child away without being willing to pay what is right for their trouble.

The defendant answers that if he gave his child to the defendant's wife, it was only because of her earnest request to take the child, saying that the last service she could render its mother was to bring up her child; and she said that it would cost him nothing; and yet he said that it was not his intention to leave his child at the plaintiff's without satisfying those who took care of it.

The Court condemned the defendant to pay six hundred pounds of flour for the six months that his child was at the plaintiff's and to pay the costs.

Marie Durand, Plaintiff, vs. Fr. Arnoux, Defendant.

The plaintiff sues the defendant, saying that he had engaged the defendant to go to the Illinois river in return for a horse, which he gave him upon his return; but that he had received one, with which he was content, at the Illinois River; and that after he had said to the named Laforce, who was commissioned to conduct the trade for the plaintiff, that if he wished to trade for a horse, which the savages had brought them, that he would trade it with Durand and get something to boot, the said horse had been bought by the said Laforce in consequence; and afterwards the latter had ordered the said Francois to go and tie it with withes and return immediately to the canoe and to his business; and that during this time the said horse had been stolen by the savages; and he demands that he be paid for the horse either by the said Francois or Laforce.

The defendant answers that as a matter of fact he had said to the named Laforce that he would exchange the said horse with
mais que Comme durant ny Etoit point il nont fait aq't
Echange Sertin Et qu'il avoit a Cet Effets Executor Les sel
dud' Lafort, qu'il avoit mis le d' cheval ou il luy avoit Etoit ordonné
Et quapres Etre revenu au Canot led' Cheval aurait été repris par
les Sauvages Suivant Comme il paroit puisqu'il ne pas pas le
retrouver Et dit qu'il ne pouvait pas En repondre ayant fait Ce
qu'on luy avoit ordonné.

La Cour a Condamné led' demeureur a payer au défendeur
un Cheval tel qu'il Est Convenu Sauf avoir Son recour sur led'
Lafort Si il a manqué a ce qu'il Etoit obligé de faire En Sa place
Et a payer les frais.
fr. saucier, Greffier

pierre quene

a une Cour du 4 Septembre 1783.

Président pierre Quenel Louis lebrun
francois Courié Jos' Lapance
ant. Lamarche Pres't

une représentation fait a la cour par Mons. trotter disans que
Sur les defences qui ont Été faite par la ditte Cour de traiter de
leau de vie au Sauvages dans le village sous peines de Confiscat-
tion, Et quayant Su par des plainte qu'on luy a porté que Mr
Issac Levy a fait fait [sic] traiter dans le village Et enivré tous
Les Sauvages il aurait fait Saisir un tiersson de tafia ches M' Levy,
Et Comme il n'en a fait auq'un usage, il demande a laditte Cour
ce quelle ordonnera a ce Sujet La Cour a autorisé M'r trotter a
faire Ce qu'il jugera a propòs a Ce Sujet vue qu'il n'a fait quex-
ecuter Les defences qui ont Été fait pour Ce Sujet.

La Cour Est ajoigné a Jeudy 2° 8bre.

f. saucier Greffier

a une Cour du 29 Janvier 1784.

Presid' J. B't Lacroix J'h Lapance
Joh Belfeuil J B't Dehay
Louis lebrun Present.

une requête présenté par Mr ant Girardin demandant que
Chaque habitant fasse chaq'un Leur cloture Des terre quils ont

1 I have found no explanation for the creation of the meetings of the court between September and January. President Quenel died during this period.
Durand, if he wished it, but as Durand was not there, they have not made any certain trade; and that he had in these matters executed the orders of the said Laforce, and had put the said horse, where he was ordered; and after he returned to the canoe, the said horse had been retaken by the savages, as it appeared, since he could not find it; and he said that he could not be held responsible, since he had done what they ordered.

The Court condemned the said plaintiff to pay the defendant a horse, such as he had agreed to give, reserving to him recourse against the said Laforce, if he has failed in what he was bound to do in his place; and to pay the costs.

Fr. Saucier, Clerk. Pierre Quenel.

At a Court, September 4, 1783.
President, Pierre Quenel. Louis Lebrun.
François Courier. Jos. Lapané.
Ant. Lamarche. Present.

A report made to the Court by M. Trottier, in which he says that on account of the prohibitions which were made by the said Court in regard to trading in liquors with the savages in the village under pain of confiscation, and because he had learned from complaints made to him that M. Isaac Levy was carrying on trade in the village and intoxicating all the savages, he had caused the seizure of a cask of tafia at the house of M. Levy; and as he has made no other use of it, he asked the said Court what it will decree on this subject. The Court authorized M. Trottier to do what he shall judge best in this matter seeing that he had only put into execution the prohibition which had been made.

The Court adjourned to Thursday, October 2.
F. Saucier, Clerk. Pierre Quenel.

At a Court, January 29, 1784.¹
President, J. Bte LaCroix. J. Lapané.
Louis Lebrun. Present.

A petition presented by M. Ant. Girardin, in which he prays that each inhabitant should make his own fence along the front of the land which he has taken up in Prairie du Pont, and that the
pris dans la prairie du ponds Et chaq’un Sur La deventure a leur terre Et que la Cour aye a ordonné auxd’habitants un temps fixe pour lad’cloture Et que les vieille Cloture du cul de Sac Se releve pour Etre transporté au bout des autres.

La Cour a ordonné que chaque habitant qui ont pris des terres dans La prairie du pond y fasse Leur Cloture dicly a la fin d’avril, Et Quetant qu’au transpport des vieille Cloture il En sera décidé par la pluralité des voix des habitant qui ont des terres dans le cul de Sac pour Eviter toute difficulté.

La Cour Est ajoyné a Jeudy 5 de fevrier 1784.

a une Cour du 1 avril, 1784.

Pres’t J. Bte Lacroix Louis lebrun
fr. Courrée Jh Lapance
ant Lamarche Jh Belfeuil
J. Bte Dehay Present

La Etant assemblé pour prendre le Serment de fidelité ainsi que celuy d’huissier de la Cour. de Gaspar Marchand.

Gaspar Marchand ayant paru a preté Serment de fidelité ainsi que Celuy Dhuissié de la Cour.

Demendeur Bte DUMAY Defendeur PIERRE MALET

Le demendeur fait Sa représentation a la cour Contre Le Defendeur disant qu’en vertu d’une santance rendu le 5 de Juin Dernier Contre led’ Defendeur au Sujet d’un Cheval quil a Eté ConDanné par Laditte Sentance a Luy rendre Et quaprés il aurait Changé pour une vache, mais quil y a quelque Jour que led’ Defendeur Est venu ches Luy prendre Laditte vache malgré Luy Et la mené ches Thomas Brady.

La Cour a ordonné que la vache du demendeur Soyt par Le demendeur remené a l’endroit ou Elle a Eté prise. Sous vingt quatre heures Et Condanné a payé tout fray Depend domage Et interet. Et En outre Laditte vache Sur Ses risques Jusqua ce quelle Soit remiser.

Demendeur J. Bte GAFF Defendeur TH. BRADY

a une même Cour Le demendeur poursuit Le defendeur disant, qu’il aurait a la demande du’d’ defendeur Lassé son cheval

1 See 1584: 152, note:
Court should fix for the said inhabitants a limit of time to make the said fence; and that the old fence of the cul de sac be taken up and moved to the end of the others.

The Court decreed that each inhabitant, who has taken up land in the Prairie du Pont, should build his fence there between now and the end of April; and, in order to avoid all difficulties, that it shall be decided by the plurality of the votes of the inhabitants, who have land in the cul de sac, in regard to removing the old fence.¹

The Court adjourned to Thursday, February 5, 1784.

At a Court, April 7, 1784.
President, Jean Bte. LaCroix. Louis Lebrun.
Ant. Lamarche. J. Bellefeuill.

The Court assembled to receive the oath of fidelity and also that of huissier of the Court from Gaspard Marchand.

Gaspard Marchand appeared and took the oath of fidelity and also that of huissier of the Court.

BTE. DUMAY, Plaintiff, vs. PIERRE MALLET, Defendant.

The plaintiff makes his representation to the Court against the defendant, in which he says that, by virtue of a decree rendered the 5th of June last against the said defendant, he had been condemned to deliver to the plaintiff a horse, which afterwards the latter had exchanged for a cow; but that a few days ago the said defendant came to his house and took the said cow in spite of him and had led it to Thomas Brady's.

The Court decreed that the plaintiff's cow be brought back within twenty-four hours by the defendant to the place from which he had taken it; and condemned him to pay all costs, expenses, damages and interest; and furthermore that he should be responsible for the cow until it was returned.

J. BTE. GAFFÉ, Plaintiff, vs. THOMAS BRADY, Defendant.

At the same Court the plaintiff sues the defendant, saying that he had, at the request of the said defendant, left his horse in the latter's care at his house, on condition that he would take
pour en prendre soin chez Luy. Sous Les Conditions qu'il prendrait
un voyage de soin dans La Grange de Bte Saucier. Et qu'apres
40 ou 45 Jour il Luy aurroit rendu son cheval disant qu'il
avoir plus de soin. En Consequence Le defendeur represente
qu'il nest pas possible qu'en peu de temps son cheval aye pas
manger tout Ce soin Et qu'en outre, il aurroit £E deja arbitrer pour
Cette affaire par les Sieurs J. Bte Lacroix pascal Fillet Henry
Biron et Joseph Bissonette ou led£ defendeur naurroit pas voulu
paroître que Dans les deux voyage de soin que led£ defendeur
avoir Enlevé il £n pouvoit avoir le moin trois Edency [sic] par le
temps qu'il a £E Dans La grande Et vue La difference qu'il y a
venant des champs.

Le defendeur ne repond autre Chose sinon que Luy Soit per-
mis de nomer Des arbitres ainsi que sa partie adverse pour decider
Leur Differanc. La Cour a accordé a sa demende Et ardonné
[sic] que Celuy qui perderoit par L'arbitrage payeroit Les fraix
de Justice.

La Cour Est ajourné au 6 de may prochain.

fr saucier Greffier

J B H LaCroix

a une Cour du 13te avril 1784 Par Extraordinaire.

President J Bte Lacroix

Louis lebrun

ant Lamarche

Jr£ Lapancé

J Bte Dehay

J£ Belfeuill

Presente

une requette représenté par philipe Gervais disant qu'au nom
Et Comme Subrogé tuteur de leon lepage il demende qu'il soit
nomé une personne pour faire Le recouvrement de L'encan
présentement Echu.

La Cour a ordonné qu'il soit fait une assemblé de parans Et
damis pour le Conteneu En La ditte requette.

1 The method of arbitration for ending litigation was very common under French law,
and frequent examples of the procedure occur in the Record. The great majority of civil
suits might be arbitrated, exceptions being such as the spiritual rights of benefices, the
status of persons, validity of marriages, etc. It was required that both parties agree to
submit their dispute to arbitrators, who were obliged to render their decision within a
determined time. One or more persons were chosen by the parties to act in this capacity.
These were empowered, if the number of arbitrators was even, to choose another. All free
males of sound mind and of age might act, but judges in whose court the suit was pending
were debarred. As far as the persons of the litigants and the question in dispute were con-
cerned the arbitrators had the same powers as judges; but they could not constrain witnesses
to appear before them. They might base their decision on other considerations than exact
three loads of hay in Bte. Saucier's barn; and that after 40 or 45 days he had brought the horse back to him, saying that he had no more hay. Accordingly the plaintiff shows that it is impossible that his horse could have eaten in so short a time all that hay; and furthermore that this cause would have been already arbitrated by MM. J. Bte. LaCroix, Pascal Pillet, Henry Biron and Joseph Bissonette, if the defendant had not been unwilling to appear. Furthermore he says that the defendant could have taken three and a half loads of hay in the two loadings, judging by the time it had been in the barn and considering the difference there is between such and that coming from the fields.

The defendant makes no other answer than to request that he be permitted to name arbitrators, as well as his opponent, to decide their difference. The Court granted his request and ordered that the one losing by arbitration should pay the costs of justice.1

The Court adjourned to the 6th of May next.

Fr. Saucier, Clerk.  J. B. H. LaCroix.

At a special session of the Court, April 13, 1784.

President, J. Bte. LaCroix.  Louis Lebrun.


Present.

A petition presented by Philippe Gervais, in which he says that in the name and as surrogate guardian of Leon Lepage he prays that there be named some one to make recovery of the notes given at the auction, now due.2

The Court ordered that there be held an assembly of relatives and friends to decide on what is contained in this petition.

justice. They might, also, make either of the litigants take oath and permit their decision to turn thereon, as did the judges. They had no power to put their verdict into execution. This was done by the judge who confirmed it. Appeal was permitted to either party, provided he had not signed the verdict. Jousset, Traité de l'administration de la justice, II., 683 et seg.

This method of deciding suits, to which the French were accustomed, was adopted by the British commandants in the Northwest, who were empowered by their government to take charge of both the military and civil matters in their localities. — Howard, Local Constitutional History of the United States, I., 430.

1 It appears to have been the common custom to give credit to the purchasers of goods at auctions.
A une même Cour une requête présenté par madame veuve Lepage demandant de ce décharge de la tutelle des mineurs Barsalou, dont son défunt mari e Etoit Chargé.

La Cour avant Examiné que les dit mineurs Barsalou nom
point de parens plus près que le Sr Sant Boyé Elle Conclu quil
Soit chargé de la ditte tutelle Et que madame Lepage En Soit
Décharge.

A une même Cour une requête présenté par madame G Blin
demandant qu'il soit nommé une personne pour la Execution testa-
mentaire de Michel Gaudinencire dont son défunt mari Etoit
Chargé.

La Cour avant Examiné qu'il ny avoit personne plus Cap-
able que M. le B. de Lacroix pour substitué au Lieu et place du def.
Sieur Blin, En Consequence Elle la nomm pour laditte Execution.

Demandeur PIERRE ROY Défendeur JOSEPH LEMBER

Le demandeur poursuit le défendeur pour un Billet qu'il luy
a Consentiv. Sous sa marque fait En pelleteire, mais Comme Ledt
defendeur croyoit Le devoir en argent, il demande au défendeur
de faire Serment que les Effets qu'il luy a Vendu que Se soye
En paleterie qu'il Le Luy a vendu Le défendeur ne vouloit
pas faire lement a Diminuer moitié Sur ledt Billet. Et Le
defendeur a payer Les frais.

A une même Cour fr. Saucier porte plainte que Bien Des per-
sone Se refuse a payer Les frais de Justice. En Consequence il
demande à la Cour qui Soit maître de Ce faire payer par Celuy
qui ataquera quelque procès Si il Est plus En Etat de payer
ou maître Dexiger un Cotion Des parties pour repondre Des
frais Et tous Les frais payer En pelleteire suivant L'encien
tarif.

fr. saucier         J B H Lacroix.

1 A note for peltries was worth half as much as one for a similar amount of money. The
1 The correction of the oath with the case is not clear, but no proof was needed, since the note
1 was made out for peltries.
At the same Court a petition presented by Madame Lepage, widow, praying for her discharge from the guardianship of the minors Barsalous, with which her deceased husband had been intrusted.

The Court having inquired and learned that the said minors Barsalous have no relative closer than M. Ant. Boyer, decided that he be charged with the said guardianship, and that Madame Lepage be discharged.

At the same Court a petition presented by Madame G. Blin praying that there be named some one to put into execution the will of Michel Guadimcire, with which her deceased husband was intrusted.

The Court, after inquiry, decided that there was no person more fitted to be substituted for M. Blin than M. J. Bte. Lacroix, and therefore appointed him to put into execution the said will.


The plaintiff sues the defendant for a note to which he has consented over his mark, and which is made out for peltries; but as the defendant [plaintiff?] believes that the debt is in money, he demands that the defendant make oath that the goods which the plaintiff sold him were sold for peltries. The defendant not wishing to make oath has diminished his note by half.\(^1\)

The defendant was condemned to pay the costs.

At the same Court Fr. Sauzier brings complaint that many persons refuse to pay the costs of justice, and he therefore prays the Court that he be empowered to make the party bringing any suit pay, if he is better able to pay, or be empowered to exact surety from the parties to answer for the costs and that all costs be paid in peltries according to the former rate.\(^2\)

Fr. Sauzier.  

J. B. H. LaCroix.

\(^1\) The practice of making the most responsible party pay the cost of the suit caused great criticism at Vincennes, but in Cahokia the rule, which commonly prevailed from now on, that the successful litigant pay the costs and he reimbursed by the loser seems to have worked without friction, or, at least, did not hinder litigation.
COURT RECORD, MAY, 1784

At a Court, May 6, 1784.

President, J. Bte. LaCroix. Louis Lebrun.

Present.

J. Bte. LaCroix, Plaintiff, vs. Fr. Gersome, Defendant.

The plaintiff sues the defendant for the sum of twelve livres fifteen sols for his share of a cask of wine, for which several others have paid their shares; and, as the said defendant was present, the plaintiff demands an equal share from him.

The defendant answers that if Paul Poupard had not invited him to be present without telling him what it would cost him or even saying that it was going to cost him anything; and that is the reason that he said he would pay nothing.

The Court decreed that, since Paul Poupard had invited the defendant to supper at M. LaCroix's, he shall be held accountable for the sum claimed by the plaintiff. The defendant was condemned to pay the costs.

At the same Court Joseph Billet called Grolet, plaintiff, sues Charles Lefèvre, defendant, for the sum of fifty livres for wages for work on a kiln, which the defendant made for him.

The defendant answers that the plaintiff did not fulfill the agreement, which they had made; and since there are no proofs to present, they pray that their difference be decided by arbitrators. The Court granted their prayer and ordered the loser to pay all costs.

At the same Court Joseph Cesirre sues Pierre Grandmont in regard to a little orphan girl whom Prenouvaux left at his house, with the verbal agreement that he was to keep her until she could support herself, and whom the said Grandmont has withdrawn from his house.

Pierre Grandmont appeared and said that the said Prenouvaux left him the authority to withdraw the said little girl, if she was not well treated at the said Cesirre's, and offers to produce the said authority and the proofs of bad treatment, which the plaintiff gave the little girl.
La Cour a ordonné qu’a la Cour prochaine Ledz Granmon produisissent ses preuven [sic] Et aux perdans a payé Les fraix.
La Cour Et ajournée a Jeudy 13e du Cour.
J B H LaCroix

a une Cour du 20e mai 1784.

Président J. Bte Lacroix. Louis lebrun.
fr. Courtié. Josb Lapanoé
J. Bte Dehay. ant Lamarche.

Préz


J Bte Lacroix Bte Saucier Bte Dumay Josb Bissonnette Louis Chatel pierre roy Et Louis pillet ayant parus ont prêté Serment de fidélité ainsi que celui d’office. Et ont pris Leurs place En leurs Qualité de majistrats.

fr. Saucier demende Qu’en vertu de la Saisie quil a optenu Sur Cent vingt Et une livres De Suif Et neuf pot Et painte d’huille, appartenant a Bte Lamarche D’Etre hotorizé a faire vendre lesdt articles pour Etre La Somme Endocé sur son Billet.

La Cour a acordé audFr. Saucier sa Demande.

La Cour Est ajourné a Jeudy 3e Juin.

J B H LaCroix.

a une Cour du 3e Juin 1784.

Président J Bte Lacroix Josb Bissonnette
Pierre Roy Bte Saucier
J Bte Dumay Louis chatel

Présent.

Le St John Reeve produit une Sentance arbitrale Entre Luy Et Le St pierre Lagauterie demandant Quelle Soit approuvé par La Cour Et mis en Execution.

a une même Court Pierre Prevost au nom Et Comme fesant pour Gabriel Cerré poursuit pierre Lafleur dans Sa requette disant Quetant Condanné par Mr Le comdt de St Louis de faire
The Court decreed that at the next Court the said Grandmont should produce his proofs, and the loser was to pay the costs.

The Court adjourned to Thursday, the 13th of the current month.

F. Saucier.

J. B. H. LaCroix.

At a Court, May 20, 1784.

President, J. Bte. LaCroix.   Louis Lebrun.

Present.

To replace the magistrates above named there have been elected by a new election MM. J. Bte. LaCroix, J. Bte. Saucier, J. Bte. Dumay, Joseph Bissonnette, Louis Chatel, Pierre Roy and Louis Pillet.

J. B. LaCroix, Bte. Saucier, Bte. Dumay, Jos. Bissonnette, Louis Chatel, Pierre Roy and Louis Pillet appeared and took oath of fidelity and also that of office and have taken their place as magistrates.

Fr. Saucier prays that, in virtue of the seizure, which he has obtained, of one hundred and twenty-one pounds of tallow and nine pots and a pint of oil, belonging to Bte. Lamarche, he be authorized to have the said articles sold to obtain the sum endorsed on his bill.

The Court granted Fr. Saucier his prayer.

The Court adjourned to Thursday, June 3.

J. B. H. LaCroix.

At a Court, June 3, 1784.


Present.

M. John Reeve produces a decree by arbitration between himself and M. Pierre Lagauterie and prays that it be approved by the Court and put into execution.

At the same Court Pierre Prevost, in the name of and as acting for Gabriel Cerré, sues Pierre Lafleur in his petition, in which he says that he [the plaintiff] had been condemned by the comman-
dant of St. Louis to have repaired a boat belonging to M. DuCharme, which he had taken without permission into the Illinois River, or to pay for it, if it was beyond repair; but that when he came to do it, he had not found the said boat; and, since he has learned that the said Lafleur had taken it to carry stone, likewise without permission of anyone, the said Prevost prays that the said Lafleur be condemned to repair the said boat or pay for it, if it is beyond repair, and to pay all expenses.

Pierre Lafleur answers that it is true that he took the boat; but that it was with the permission of Bte. Baron and because he believed that the boat was M. L. DuCharme’s.

Bte. Baron appeared and said that he had not permitted the said Lafleur to take it; that he had only told the said Lafleur to ask permission from Charles Lefevre, who had been sent to him here. But since Lafleur persisted in saying that the said Baron had given him permission, and the said Baron persisted in saying, “No”, the said Lafleur demands of the said Baron his oath, and says that then he will agree.

Bte. Baron appeared and made oath that he had not told the said Lafleur to take the said boat, since it belonged to M. DuCharme; but that he had only told him to ask permission of Charles Lefevre, who had charge of it.

The Court condemned the said Lafleur to put the said boat in condition for use, or to pay for it, according to the petition of the said Prevost. And the said Prevost shall pay the costs of justice for having made use of the boat without permission.

At a Court of the 6th of May last, it was decreed that Pierre Grandmont should produce his proofs to justify his withdrawal of Prenouvau’s little daughter from the house of Jos. Cesirre.

Pierre Grandmont appeared and produced an authority from the said Prenouvau to withdraw his daughter from Jos. Cecirre’s, if she was undeservedly badly treated, and brought forward Pierre Charpentier as witness of the bad treatment given the said little girl by Jos. Cesirre and his wife.

Pierre Charpentier appeared and made oath to tell the truth in answer to the questions put to him, and said that he was present
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...verité sur les questions qu'on lui ferait. Et a dit, qu'il s'est trouvé présent plusieurs fois aux morais prison, que recevait la ditte petite fille des Cécir. même dans la rigeur du froid mal vêtu et est obligé de souffrir des moraite et sans humanité de la part de Cécir et sa femme. Suivant le pouvoir donné aux Grammon par prêcomis. La déclaration de pierre charpantier la Cour est Dupignon que le dit Grammon gardera la petite fille et condamne le dit Cécir à payer tous frais de justice. Le deboutant de toutes ses demandes a ce sujet.

Joseph Lember poursuit Joseph Pelleci pour une terre dans la prairie du pont suivant l'accord entre les habitants, mais comme il s'est trouvé une grande difficulté pour la claustration de cette ditte terre même dans le temps le plus prière, il a été convenu par une assemblée pour la sûreté des dites claustrations que celui qui n'assurerait pas de faire sa claustration serait donné à une autre. En conséquence M. Girardin accompagné d'un témoin demandé à tous ceux qui avaient des terres s'il voulait clauder ou abandonner leur terre. Le dit Lember ne lui ayant donné aucune réponse assuré. Suivant sa déclaration la fait faire par un autre et qui jouit de la terre.

La Cour est Dupignon que les parties prendront des arbitres pour terminer leurs différends et aux perdant à payer les frais de justice.

La Cour est adjournée à Jeudy 1er Juillet.

J B H Lacroix

A une Cour Extraordinaire du 3e Juin

Pres de J. Bâle Lacroix. Josâ Bissounette
Louis Chatel. Bâle Saucier
pierre roy Louis Pillet
Bâle Dumay. Pres de

Demandeur Mâre Beaujollien, défendeur ant armant

Une requête présenté par Mâr Labauxiere au nom et comme chargé du pouvoir de Mâre pouré Beaujollien de poursuivre le Sr ant armant pour somme de deux mil Cinq Cent quarante livres tant en argent qu'en pellerie et neuf cent quatre livres de farine le tout par ses billet.
several times, when the little girl was badly treated at Cesirre's, that he had seen her in the rigour of cold badly clothed, and that she was obliged to suffer cruelties and without pity from Cesirre and his wife. In consideration of the authority given the said Grandmont by Prenouauv and of the declaration of Pierre Charpantier, the Court is of the opinion that the said Grandmont shall keep the little girl, and condemns the said Cesirre to pay all the costs of justice and denies all his prayers on the subject.

Joseph Lember sues Joseph Pelletier for a piece of land in the Prairie du Pont, which was taken up in accordance with the agreement among the inhabitants; but as there was found to be great difficulty about the fence of this said land even in the longest time requested, it was decided by an assembly that for the surety of the said fences, if anyone should not secure his land by building his fence, it would be given to another. Consequently M. Girardin, accompanied by a witness, demanded of all those, who had lands, if they wished to build the fences or abandon their land. Since the said Lember gave no definite answer, according to M. Girardin's affidavit he had had it built by another, who is enjoying the land.

The Court is of the opinion that the parties should take arbitrators to settle their difference, and condemns the loser to pay the costs of justice.

The Court adjourned to Thursday, July 1.

J. B. H. LaCroix.

At special session of the Court, June 9.
Pierre Roy. Louis Pillet.

MADAME BEAUSOLEIL, Plaintiff, vs. ANT. Harmand, Defendant.

A petition presented by M. Labuxiere in the name of, and as commissioned with power from, Madame Pourré Beausoleil to sue M. Ant. Harmand for the sum of two thousand five hundred and forty livres both in money and pelties and nine hundred and four pounds of flour, the whole amount as shown by his notes.
Led\textsuperscript{4} ant. armant ayant paru a produit un Compte Contre
La ditte dame Baussoleil de la somme de six Cent Soixante Et
neuf livres douze sols En arg\textsuperscript{1} Et quatre vingt huit livres En
pelleterie. Lesquels Comptes ont Été affirmé sous serment par
led\textsuperscript{4} ant armant.

La Cour Est Dopignon que led\textsuperscript{4} antoine armant soit Condanner
a payer ses Billet tant en arg\textsuperscript{2} qu’en pelleterie tel qu'il Sont Expliqué
dans le Cour du présent moy pour tous Delay ainsi que La farine
moyenant qu'il luy Soit deduit six Cent Soixante Et neuf livres
douze sols En arg\textsuperscript{1} Et quatrêvingt huit Livre en Pelleterie
Suivant Ses Comptes, ordonnons qu'il luy Soit Siniifié de prendre
Des arrangement avec Lad\textsuperscript{te} Dame Beaussoleil ou Son fondé de
pouvoir, Soit par un Bon Cotion ou autres assurances qu'il demen-
derons. Et Condannons Led\textsuperscript{4} armant a tous fraix Et interest
Et faute par luy de Se faire Sous vingt quatre heure nous
accordons a laditte Dame Beaussoleil une Execution Contre Led\textsuperscript{4}
ant armant.

La Cour est ajourné a Jeudy 1\textsuperscript{er} Juillet.

fr saucier Greflier

J B H LaCroix.

a une Cour du 16\textsuperscript{e} Juin 1784 Extraordinaire.

Présid\textsuperscript{e} J B\textsuperscript{te} Lacroix

B\textsuperscript{te} Dumay

B\textsuperscript{te} Saucier

pierre roy

Prés\textsuperscript{e}

Demendeur ANT. ARMANT Defendeur JOSEPH BILLET

Le Demendeur poursuit Le Defendeur pour une somme de
Cent Cinquante Six livre En arg qu'il Luy doit.

Le defendeur ayant Paru a déclaré devoir La ditte somme aud\textsuperscript{e}
Demendeur, mais qu'il se voit haur d'Etat de le Satisfaire attendu
qu'il Luy Est du aussi Et dont il ne peut rein retirer, Et demande
pareillement a la Cour que les Personne qu'il Luy Doivent soient
Pareillement Condanné a Le payer.

La Cour a ordonné au defendeur a payer Les Cent Cinquante
six livres qu'il Doit and\textsuperscript{1} demendeur sauf a luy a poursuivre Les
personne qu'il Luy Doivent.

a une même Cour ant. armant poursuit Les Nommé Bequet
Et Durant, pour un marché passé Entre Eux le 30\textsuperscript{e} aoust dernier,
The said Ant. Harmand appeared and produced an account against the said Madame Beausoleil for the sum of six hundred and sixty-nine livres twelve sols in money and eighty-eight livres in peltries, which accounts were affirmed under oath by the said Ant. Harmand.

The Court is of the opinion that the said Antoine Harmand should be condemned to pay his bills in money and peltries, as they are shown, in the course of the present month at the longest and also the one for flour, on condition that there be deducted six hundred and sixty-nine livres and twelve sols in money and eighty-eight livres in peltries according to his accounts. We order that he be notified to make arrangements with the said Madame Beausoleil or her representative either by giving surety or other assurances, which they shall demand; and we condemn the said Harmand to pay all costs and interests; and in case he does not do this within twenty-four hours, we grant to the said Madame Beausoleil a writ of execution against the said Ant. Harmand.

The Court adjourned to Thursday, July 1.

Fr. Saucier, Clerk. J. B. H. LaCroix.

At a Court, June 16, 1784, special session.

Present.

ANT. HARMAND, Plaintiff, vs. JOSEPH BILLET, Defendant.

The plaintiff sues the defendant for the sum of one hundred and fifty-six livres in money, which he owes him.

The defendant appeared and declared that he owed the said sum to the said plaintiff; but that he was not in a position to satisfy it, because there is due to him money also, which he cannot collect; and he prays likewise of the Court that the persons owing him be likewise condemned to pay.

The Court ordered the defendant to pay these one hundred and fifty-six livres, which he owes the said plaintiff, reserving to him the right to sue the persons, who owe him.

At the same Court Ant. Harmand sues the named Becquet and Durand on account of an agreement passed between them the
Et Comme il paroit qu'il y a autant de tour de part et d'autre après avoir muremment examiné leurs dire la Cour Est Dopignon que ledt armant prendra tout le Bois qu'il y a d'Ecaris Suisant estimation qui en sera fait par des ouvrié qui seulement observeront qu'ledt armant a Nouri les dt Bequet et Durant le temps qu'ils ont mis à faire le Bois, et à payer entre eux les frais.

La Cour Est adjourné au 1er juillet 1784.
fr. saucier.

J B H LaCroix.

a une Cour du 24 août 1784.

Président J Bt Lacroix Louis Chatel
pierre roy Louis Pillet
J Bt Dumay Joseph Bissonette

Pres
t

Demendeur ANT. LAMARCHE Deffendeur JOSEPH CECIRE

Le demendeur poursuit le deffendeur disant qu'ayant Cotioné pour ant. armant de la Somme de deux mil et quelque Cent Livres qu'il redevoit à M'de Beausoleille. Mais qu'il ne lavoit fait que sur la promesse que Joseph Cecire avoit fait de lui payer une Somme de Sept Cent et quelque Livres qu'il doit aut ant armant en Consequence il prie la Cour dobliger ledt Cecire à payer ladite Somme afin de pouvoir Satisfaire à Celle dudit ant armant.

Le demendeur [sic] repond qu'il est vrai qu'il doit cette Somme à ant. armant mais qu'il estoit convenu avec luy de le payer en ouvrage, et que si y nut Consenti à cela qu'il ne Ce seroit pas is fort en Detté.

vue les deffence du deffendeur envers le dit ant armant, absens, la Cour a ordonné aut Joth Cecire de payer au demendeur trois Cent Livres en argent, pour le présent en attendant le retour dant. armant pour terminer les Convention qu'ils ont fait ensemble.

La Cour Est adjourné au 2te de 7bre.
fr. saucier Greffier

J B H LaCroix.

Ecaris, French-Canadian word, meaning to cut posts square.
30th of August last; and since, after carefully examining their testimony, it appears that there was as much wrong on one side as the other, the Court is of the opinion that the said Harmand shall take all the wood which has been cut square at the price of the appraisement, which shall be made by workmen, who are to notice only that the said Harmand boarded the said Becquet and Durand during the time they have taken in cutting the wood, and that the parties shall pay the costs between them.

The Court adjourned to July 1, 1784.

Fr. Saucier.

J. B. H. LaCroix.

At a Court, August 24, 1784.

President, J. Bte. LaCroix. Louis Chatel.
Pierre Roy. Louis Pillet.

Present.

ANT. LAMARCHE, Plaintiff, vs JOSEPH CESIRRE, Defendant.

The plaintiff sues the defendant saying that the former acted as bondsman for Ant. Harmand for the sum of two thousand and some hundred livres, which he owed Madame Beausoleil; but that he had done it only on the promise, which Joseph Cesirre had made to pay him a sum of seven hundred and some livres, which Cesirre owes to the said Ant. Harmand. Therefore he begs the Court to compel the said Cesirre to pay the said sum, so that he can satisfy the debt of the said Ant. Harmond.

The plaintiff [defendant?] answers that it is true that he owes that sum to Ant. Harmand; but that he had agreed with the latter to pay him in work, and that if he had not agreed to that, the defendant would not be so greatly in his debt.

Considering the defence of the defendant against the said Ant. Harmand, who is absent, the Court ordered Jos. Cesirre to pay the plaintiff three hundred livres in money for the present, while waiting for the return of Ant. Harmand to terminate the agreement, which they have made together.

The Court adjourned to September 2.

Fr. Saucier, Clerk.

J. B. H. LaCroix.
a une Cour du 2\ème 7\ème 1784.
Présidt J B\ère Lacroix Louis Pillet
J B\ère Dumay Pierre roy

Presnt

Demandeur Mr MOTARD Defendeur Jos\b VAUDRY
Le demandeur poursuit le defendeur pour une Somme de
Cent quatrevingt huit Piaster Gourdes Et quatre Escalin suivant
Son Billet Echu du mois de x\bre passé, Et demende un hypothque
sur ses Biens En donnant deux mois pour Le payment, au default
de quoy qu il luy Soit accorde de faire vendre Lesd\b Biens hypo-
thequ\é.

Le defendeur repond que nayant pas pu decendre En ville il
n a pas pu payer Son Billet, Mais qu il offre a Mr motar l’hypotethe
sur sa maison deux arpent de terre a la prairie du pond Et une
Grange avec Son terrain sur le Cotau des renards, Et que Mr motar
pour faire vendre si il ne le paye pas dicy au terme qu il luy
Donne.

La Cour Est Dopignon que Mr motar accepte L’offre que luy
fait vaudry Et qu il Luy fasse vendre les dt Eflest qu il offre Luy
mème En hypothque faute de payement.

La Cour Est ajouré au 7\ème 8\bre.
f. saucier G
J B H LaCroix.

a une Cour du 25 8\bre
Président, J B\ère Lacroix Louis pillet
Pierre roy Jos\b Bissonette
Louis chatel J. B\ère Saucier

Pr

a une mème Cour Pierre troge a preté le Serment de fidélité
ainsi de Celuy dofficie duissié de La Cour.

Mons\r LEVY Demendeur JOSEPH BELCOUR Defendeur
Le demandeur Poursuit le defendeur pour une Somme de deux
Mille deux Cent livres En argent qu il Luy doit par son Billet.
Le defendeur repond que depuis quelque Jour il avoit tué

1 Piaster, Netherlands coin, equivalent to the English shilling
2 x\bre: about equal to an acre
At a Court, September 2, 1784.
President, J. Bte. LaCroix. Louis Pillet.

Present.


The plaintiff sues the defendant for the sum one hundred and eighty-eight piastres gourdes and four escalins\(^1\) according to his note of the month of December last, which has fallen due, and demands a mortgage on the defendant’s goods, if he gives him two months for the payment; in default of which payment he prays that there be granted him permission to have the said mortgaged goods sold.

The defendant answers that because he could not come down into the village, he has been unable to pay his bill; but he offers M. Motard the mortgage on his house, two arpents\(^2\) of land in the Prairie du Pont and a barn with its yard on Fox Hill; and that M. Motard may have them sold, if he does not pay within the time he gives him.

The Court is of the opinion that M. Motard should accept the offer which Vaudry makes him and that he may make the latter sell the said property, which he offers him in mortgage, in default of payment.

The Court adjourned to October 7.
Fr. Saucier, C. J. B. H. LaCroix.

At a Court, October 25.
President J. Bte. LaCroix. Louis Pillet.

Present.


At the same Court Pierre Troge took the oath of fidelity and also that of office of huissier\(^3\) of the Court.

The Plaintiff sues the defendant for the sum of two thousand two hundred livres in money which he owes him on his note.

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\(^{1}\) Since the Record uses different words for the name of the officer who executes the decrees and serves the writs of the court, etc., it has seemed best to retain the French name, huissier, when it occurs. There are times in the history of Illinois when the opposition to the Americans expresses itself in an emphasis on French law and institutions. *Rat. Rec., Letters.*

The duties of the huissier were not different from those of the sheriff.
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encore constamment assuré qu'il ne s'est pas encore payé à Mr. Lavoie. Il est de l'état de satisfaire à Mr. Billeter. Il est devenu habituel de se faire un jour pour donner un acompte à Mr. Lavoie.

Le 1er janvier, un notaire quinze jour pour remettre à Mr. Lavoie l'argent, tel qu'il demandait qu'il accepterait pour lui-même, promettant donner crédit para. à Mr. Lavoie d'une autre peinture, sous les dix cinquante jours, le deux pour cent en tant qu'il en vendrait des biens du dénommé. Mr. Billeter.

Mr. Billeter contre Mr. Lacroix

A une même date, Mr. Saisy, Mr. Saisy produit un compte à luy transporté par Mr. Saisy, le page contre Charles Lacroix de la somme de huit mille cent quarante et un sous, et lui a donné le compte qu'il peut avoir donné depuis le premier jour de ce mois. Lui demande que Led. Lacroix se condamne à lui remettre la balance due. Ce compte.

Le 1er janvier, un notaire de paroi et Ce jourd'hui, C'est a quoy il est arrivé. En ce qui est de Lavoie, Lavoie. Ne Setant rien de ce qui se passe. Il s'agit d'un représentant pour luy. La Cour se condamne à payer son compte sans délai. Et a payé tous frais de la main.

à une même Cour. Monseigneur, Sanguinette présente deux billets tenant à la somme de quatre cent quarante sept livres et demie de l'ancien de l'ouvrage que le nommé Joseph Langlois luy doit. En conséquence il demande à la Cour de luy accorder une saisisson de ces biens du nommé Langlois, jusqu'à ce qu'il y aye prix de arrangé avec luy pour l'assurance de ce qu'il luy doit.

La Cour accorde à Mr. Ch. Sanguinette la saisie qu'il demande contre le nommé Langlois. Il ordonne au nommé Langlois de prendre tel arrangement que luy Sout Sanguinette luy demandera pour assurer à ce qu'il luy doit, et par taute de ce faire, qu'il soit condamné à payer sans délai.

à une même Cour m'être trottier a produit les comptes de balance
The defendant answers that a few days ago he had killed some animals for which he had not yet been paid, which put him till now out of position to satisfy his note; and he prays for a delay of of fortnight to make an instalment of a thousand livres.

The Court granted the defendant a fortnight to pay the plaintiff one thousand livres in money, as he prays, and these terms were accepted by the plaintiff, who promises to give credit for the balance. But in default of payment within the said fortnight, the plaintiff is authorized to have goods of the defendant’s sold up to that sum.

M. Sarpy vs. Charles LaCroix.

At the same Court M. Sarpy produces an account assigned to him by Madame Lepage, widow, against Charles LaCroix for the sum of nineteen hundred and forty livres seven sols, saving the deduction of the instalments, which he may have paid since the 22nd of this month, the date of this account; and prays that the said LaCroix be condemned to pay him the balance of the said account without delay.

The said LaCroix was summoned to appear to-day, which he failed to do. And after three summonses by the huissier and when neither his person nor anyone representing him was found, the Court condemned him to pay his account without delay and to pay all the costs of justice.

At the same Court M. Charles Sanguinette presents two notes amounting to the sum of four hundred and forty-seven and a half pounds of deer-skins, which the named Joseph Langlois owes him; and consequently he prays that the Court grant him a writ of seizure on the goods of the said Langlois until he should have made arrangements with him for the security of what he owes him.

The Court granted to M. Ch. Sanguinette the writ of seizure which he prays for against the said Langlois and orders the said Langlois to make such arrangements as the said M. Sanguinette shall demand to secure what he owes him; and in default of doing so condemns him to pay without delay.

At the same Court M. Fr. Trottier produced the accounts of
de la tutelle des mineurs Lapierre, Suivant La premiere vente Et
qui a Eté approuvé.
   La Cour Est ajourné au 4\textsuperscript{e} de 9\textsuperscript{bre} Jeudy.
   fr. saucier \hspace{1cm} J B H LaCroix.

   a une Cour du 4\textsuperscript{e} 9\textsuperscript{bre} 1784.
\hspace{1cm} Président J B\textsuperscript{e} Lacroix \hspace{1cm} Louis pillet
\hspace{1cm} Pierre roy \hspace{1cm} Joseph Bissonette
\hspace{1cm} J B\textsuperscript{e} Dumay \hspace{1cm} Prest\'t

Demendeur J B\textsuperscript{e}. Gaffé. Defendeur ant armand

Le demendeurs poursuit le defendeur pour une voiture qu'il Luy
avoit preté pour pour [sic] aller dans La Belle riviere, Et qu'il soit
oblige de la luy remettre En Letat quelle Etoit avec Les agre\'s
Et Sujet a visite pour constater Les reparation de laditte voiture
pour mettre En m\^eme Etat ou Elle Etoit Lorsqu'il Luy a
preté.

Le defendeur repond que le demendeur Etoit Convenu
avec la luy de prendre un Canot d'ecorce pour La ditte
voiture.

Le demendeur repond qu'il Est vray qu'il a Dit a defendeur
qui prendroit un Canot si il Se trouvoit En avoir Besoin avant
le retour de Sa ditte voiture Et a produit Mr Girardin pour
temoins.

Mr Girardin ayant Paru a preté Serment de dire La verité Et a
dit qu'il Etoit temoins Lors de Larengegement de Mr\textsuperscript{a} Gaffé Et ant
armant, Et qu'il a Entue [sic] que Mr Gaffé preté Sa voiture
aud\'t armant, sous Les Conditions qu'il Prenderé un Canot
Si il se trouvoit En avoir Besoin avant son arrive pour aller a
Michilimaquina Et quenssuite si Le Canot Luy Convenoit il le
Garderoit.

fr. Sauquier ayant fait Serment de dire la verité au quesiton quon
luy feray a fait Exactement La m\^eme Declaration que Mr ant
Girardin.

J B\textsuperscript{e} Bequet ayant aussi Paru a preté Serment de dire La
verité a dit quayant Eté un Jour ches Le Sr ant armant Et quayant
vu Les Canot dud\'t armant En Perditions qu'il demanda au
Nomé Gassien pourquoi il ne Les metoit pas En Lieu de Sureté,
the balance of the guardianship of the minors Lapierre after the first sale, and they were approved.

The Court adjourned to, Thursday, November 4.

Fr. Saucier. J. B. H. LaCroix.

At a Court, November 4, 1784.

President J. Bte. LaCroix. Louis Pilet.


The plaintiff sues the defendant for a boat, which the former had loaned him to go to the Ohio and which he was bound to return to the plaintiff with its equipments in the condition that it was, and subject to inspection to determine the repairs necessary to put the said boat in the same condition that it was, when the plaintiff loaned it to him.

The defendant answers that the plaintiff had agreed with him to take a bark canoe for the said boat.

The plaintiff answers that it is true that he said to the defendant that he would take a canoe, if he was in need of it before the return of the said boat, and brought forward M. Girardin as witness.

M. Girardin appeared and made oath to tell the truth and said that he was a witness at the time of the arrangement between MM. Gaffé and Harmand, and that he understood that M. Gaffé loaned his boat to the said Harmand on the condition that he would take a canoe, if he found himself in need of going to Michillimackinac, before the latter's return, and that afterwards, if the canoe suited him, he would keep it.

Fr. Saucier made oath to tell the truth in answer to the question put to him, and made exactly the same declaration as M. Ant. Girardin.

J. Bte. Becquet also appeared and made oath to tell the truth and said that he was one day at the house of M. Ant. Harmand, and, having noticed that the canoes were in ruins, asked the named Gassien why he did not put them in a place of safety, to which the latter replied that he was expecting M. Gaffé to choose one in order to safe-guard the other.
a quoy se dernier luy repondit quil attandoit que led\* Sieur Gaffé En ave Choisi un pour Garantir Lautre.

Led\* armant produit Pierre Gassien Et après avoir preté Serment de dire La verite a dit qayant Envoyé Cherché Mr Gaffé, quil luy auroit dit de Choisir un canot sur Les deux appartenant a Mt ant armant sur quoy Led\* Sieur Gaffé Luy ayant dit Et fait voir Celuy quil prenderoit, quil Luy auroit Dit quil Etoit Sur Ces risque a quoy Led\* Sieur Gaffé na rien repondu.

Mt ant armant produit un Sertificat de fr. duchenaun qui declare quil a Connoissance que Mr Gaffé a Eté ches led\* armant avec Dubois un de Ses homme Et quils avoient Choisi un Canot pour la pirogue sans neanmoins L’avoir Deplacé.

Led\* armant Produit Le Nomé Dubois pour témoins Et apres avoir preté Serment de dire La verite a dit. quil Est vray que mon-sieur Gaffé La mené Chez Mr Sanfacon pour choisir un Canot Et qu’il Etoit quil avoit choisi celuy qui Croyoit le meilleur Mais que Mr Gaffé avoit dit quil le prendroit si il En avoit Besoin, mais quil ne sen Est Point Servi.

La Cour a ordonné que Suivant les accorde de Mr Gaffé Et armant Et que led\* Sr Gaffé ne Setant point Servy du Canot, tel qu’il Ce paroit que sa voiture luy Soit rendu, En meme nature, et led\* harmant a payer Les fraix.

Mr LEVY ET CHARTIÉ

a une meme Cour Mr Levy poursuit Michel Chartié, pour avoir dix Sept planche que Le nomé Charpantier avoit vendu a Mr Marchessaux. Et que Ce dernier avoit transporter aud\* Levy, Led\* Chartié ayant revandu ces meme planche. sous le pretexte que led\* Charpantier Etoit de Société Et qu’il luy devoit. La Cour a ordonné que led\* Chartié soit condanné, Comme Elle le condanne a rendre Les Susdite Planche aud\* sieur Levy Et a payer tous Les fraix de Justice.

BISONETTE ET QUENEL

a une meme Cour Jos\* BISONETTE poursuit Pierre quenel pour un Cochon quil luy a Eté tué dans Les Grains Et qui avoit passé par La Cloture dud\* quenel. Led\* Cochon ayant Eté Estimé par Pierre roy Et fr Courrió a la Somme de Cent Livres, Et led\* Bis-
The said Harmand brings forward Pierre Gassien, who, after having made oath to tell the truth, said that he had summoned M. Gaffé and told him to choose one of the two canoes belonging to M. Ant. Harmand, upon which M. Gaffé had pointed out the one, which he would take; and that he, the witness, had said to M. Gaffé that it was at his risk, to which M. Gaffé made no answer.

M. Ant. Harmand brings forward a certificate of Fr. Duchenau, in which he declares that he knew that M. Gaffé was at the said Harmand’s with Dubois, one of his men, and that they had chosen a canoe for the pirogue without, however, taking it away.

The said Harmand brings forward the named Dubois as a witness; and after having made oath to tell the truth, the latter said that it is true that M. Gaffé took him to M. Sansfaçon’s to choose a canoe and that he had chosen the one which he believed the better; but that M. Gaffé had said that he would take it, if he had need of it; but that he had made no use of it.

The Court decreed that, in accordance with the agreement between MM. Gaffé and Harmand and since it is apparent that M. Gaffé did not use the canoe, his boat should be returned to him in the same condition, and condemned the said Harmand to pay the costs.

M. Levy and Chartier

At the same Court M. Levy sues Michel Chartier for having seventeen planks which the named Charpentier had sold to M. Marchessaux and which the latter had transferred to the said Levy; but the said Chartier had resold these same planks on pretext that the said Charpentier was in partnership with him and owed him money. The Court decreed that the said Chartier be condemned, as it does condemn him, to return the planks aforesaid to the said M. Levy, and to pay all the costs of justice.

Bissonnette and Quenel

At the same Court Jos. Bissonnette sues Pierre Quenel for a pig which was killed in the grain and which had passed through the said Quenel’s fence; and he says that the said pig was appraised by Pierre Roy and Fr. Courier at the sum of one hundred livres; and
sonette demandant qu'il Luy Soit rendu un pareil Cochon que Celuy qui Luy a Eté mé.

La Cour a condanné led^1 quenel a rendre un Cochon tel que Celuy de Bissonette qui sera Estimé suivant La grosseur de l'autre par Les même Estimateurs, sauf aud^2 Bissonette avoir le Choix ou Des Cent livres Destination ou le Cochon Estimé. Et Led^1 quenel Condanné a Payer Les fraix.

LOUIS GAUT ET LOUIS LECOMTE

a une même Cour Louis lecomte poursuit Louis Gaut pour Cinquante Livres En argent payable En Daré [sic] pour une Charette qu'il Luy a vendu Et que luy ayant demandé plusieurs fois. Led^1 Louis Gaut repond qu'il auroit offert une tombere de maïs moyenant qu'il la luy Paye Cinquante Livres Comme Elle vaut, mais que led^2 Lecompte ne voulant Pas La payé plus de quarante livres led^1 Louis Gaut luy a offert de Largent, Et offre de luy En donner.

La Cour a condanner Led^1 Lecomte a prendre son payement En argent puis qu'il a refusé de payer La tombere de maïs Ce prix quelle vaut Et a payer Les frais.

La Cour Est ajourné au deux du mois Xbre.
fr. saucier Greffier J B H LaCroix Pres^t
a une Cour du 22. 9bre 1784. Par Extraordinaire
Presidant Mr Bte Dumay
Jean Bte LaCroix Joseph Bissonette Pres^t
Pierre Roy
Demendeur pr^e PREVOST defsandeur ANTOINE ARMAND

defandeur [sic]

Le demandeur poursuivant Le defandeur Conclud par Sa requete de ce jour a ce que led^1 s^e armand Soit condanné a payer Sans delay ou a luy livrer mille quatrevingt quinze livres de farine pour restand de ses Billets Echus Et Seize cent quarante six livres en argent par son obligation hypotequaire Echue et dont Sentence de condamnation a Eté cy devant Rendue contre led^1 s^e armand.

ouy aussi le defandeur en Ses defeances qui a observé a la

1 The petition was always drawn up in formal language, the last paragraph of which was the conclusion, in which the formal demand for justice was made. The conclusion, therefore, contained the exact statement of the demand made in the petition.
the said Bissonnette demands that there be returned to him a similar pig to the one that was killed.

The Court condemned the said Quenel to return a pig like Bissonnette's and that it shall be appraised according to the weight of the other by the same appraisers, reserving to the said Bissonnette the right to choose either the hundred livres appraised or the pig; and the said Quenel is condemned to pay the costs.

**LOUIS GAUD and LOUIS LECOMTE.**

At the same Court Louis Lecomte sues Louis Gaud for fifty livres in money payable in commodities for a cart, which he sold the latter, and which he had demanded several times. The said Louis Gaud answers that he had offered a load of corn on condition that Lecompte should pay him for it fifty livres, as it was worth; but that, since the said Lecomte was unwilling to pay for it more than forty livres, the said Louis Gaud offered him money and offers to give it to him.

The Court condemned the said Lecomte to take his payment in money, since he refused to pay for the load of corn the price that it was worth and to pay the costs.

The Court adjourned to December 2.

Fr. Saucier, Clerk. J. B. H. LaCroix, President.

At a Court, November 22, 1784, special session

President, Bte. Dumay.
Pierre Roy. Present.

**PIERRE PREVOST, Plaintiff, vs. ANTOINE HARMAND, Defendant.**

The plaintiff sues the defendant and concludes by his petition of this day that the said M. Harmand should be condemned to pay without delay or to deliver to him one thousand and ninety-five pounds of flour for the balance of his matured notes, and sixteen hundred and forty-six livres in money on his matured mortgage obligation, and for which judgment has been already rendered against the said Harmand.

The defendant was also heard in his defence and brought to the notice of the Court that in so evil times as the present, when the crop has totally failed, he was not in a position to pay without
Le cas de B... est d'une extrême nécessité. Nous produisons par ce moyen le meilleur moyen d'ajouter des circonstances du cas. Le fait est que la... armand a les deux défendeurs le détails complet d'une_part et il est... armand un acte pour payer la somme de... armand. Le motif est donc tant... les dix... armand fait ce qu'il faut sans notre le do... la somme de... armand. Qu'il ensuite... armand et... armand. Il est donc dans... armand et... armand. Le... armand et... armand qui est... armand et... armand. Il est donc dans... armand et... armand. Il est donc dans... armand et... armand. Il est donc dans... armand et... armand.
COURT RECORD, JANUARY, 1785

exposing his family to dire need, and that all his present property was already mortgaged to the said M. Cerré; and he begs the Court to grant him a delay till the month of April, at which time he offers to pay the said sum carried in his note and also the flour with interest according to usage.

After considering everything and viewing the documents produced before us by the parties and after carefully examining the circumstances of the time, the Court granted M. Harmand, the defendant, the delay until during the course of April of next year to pay the sum entered in his mortgage obligation and also the seventeen hundred pounds of flour, which he shall deliver at the said time, in default of which he shall pay for it at the rate of seventy livres the hundred in money and besides the interest since the maturity of the notes, the whole without vitiating the mortgage which the said M. Cerré has on the property of the said M. Harmand, which we sufficiently authorize by these presents; and in case that the said M. Prevost, who is acting for the said M. Cerré, does not find the property of the said M. Harmand sufficient to be answerable for the said sums and flour, he is permitted to demand surety from the said M. Harmand for his greater security, and we condemn the said M. Harmand to this, and furthermore to pay all costs and expenses of the special session, which shall be advanced without delay by the said M. Prevost according to the memorandum which will be furnished him by the clerk, reserving to him recourse for his reimbursement against the said M. Harmand.

The Court adjourned to the 2nd of the month of December next.¹

J. B. H. LaCroix.

At a Court, January 8, 1785.

Louis Pillet.              Present.

NICOLAS TURGEON, Plaintiff, vs. PHILIPPE GERVAIS, Defendant.

The plaintiff sues the defendant saying that he gave his negro a blanket coat and that the defendant's negro had come to his absent and his place was supplied by this trained notary-clerk. For an account of him, see p. 625, note 10.
Cour que dans un tems si malheureuse comme il se trouve presentement la recolte ayant manque totalement il Etoit hors detat de pouvoir payer sans exposer sa famille dans la derniere necessite, que ses Biens Etoient tous existants tels quils les avoit hypotheques aud$^t$ S$^r$ Ceré qu'il suplloit la Cour de luy accorder un delais jusques au mois davril, offrant aud$^t$ tems de payer ladite somme portee en son obligation ainsi que la farine avec les interest suivant lusage.

Le tout vû et consideré avec les pieces a Nous produites par les parties Et aprés murement examine la Circonstances du tems. LA COUR a accordé aud$^t$ S$^r$ armand defendeur le delais jusques dans le Cour davril de lannee prochaine pour payer la somme portee En Son obligation hypothequaire ainsi que les dix sept cent livres de farine qu'il livrera aud$^t$ tems faute de quoy la payera a raison de Soixante dix livres le Cent En argent Et en outre les interest depuis Lecheance de Ses Billets, Le tout Sans dedroger a l'hypoteque que led$^t$ S$^r$ Ceré a Sur les Biens dud$^t$ S$^r$ armand laquelle Nous hotorizons abondant par ces presentes, Et En cas que led$^t$ s$^t$ prevost faisant pour led$^t$ s$^t$ Ceré ne trouve pas les Biens dud$^t$ S$^r$ harmand suffisant pour repondre desdites sommes Et farines permis a luy de demander Caution aud$^t$ S$^r$ harmand p$^r$ sa plus grande sureté, a quoy nous condammons led$^t$ s$^r$ harmand. Et en outre en tous les fraix et depens de Lextraordinaire qui seront avancés sans delais par led$^t$ S$^r$ prevost suivant le Memoire qui luy En sera fourni par le greffier sauf son recour pour son remboursement Contre led$^t$ S$^r$ armand.

La Cour est ajourné au 2 du mois de decembre prochain.

J B H LaCroix.

a une Cour du 8$^e$ Janvier 1785.

Président B$^te$ Saucier	Joseph Bissonette
Louis Chatel	Pierre roy
Louis Pillet	Present

Demendeur NICOLAS TURGEON Defendeur PHILIPPE GERVAIS

Le demendeur poursuit le defendeur Disant quayant Donné un Capot de Couverte a Son negre que Celuy du defendeur

$^t$ The handwriting, language and orthography of the record appear to be those of Joseph Labuixiere, who was appointed clerk the next year, June 20, 1785. Probably Saucier was
exposing his family to dire need, and that all his present property was already mortgaged to the said M. Cerré; and he begs the Court to grant him a delay till the month of April, at which time he offers to pay the said sum carried in his note and also the flour with interest according to usage.

After considering everything and viewing the documents produced before us by the parties and after carefully examining the circumstances of the time, the Court granted M. Harmand, the defendant, the delay until during the course of April of next year to pay the sum entered in his mortgage obligation and also the seventeen hundred pounds of flour, which he shall deliver at the said time, in default of which he shall pay for it at the rate of seventy livres the hundred in money and besides the interest since the maturity of the notes, the whole without vitiating the mortgage which the said M. Cerré has on the property of the said M. Harmand, which we sufficiently authorize by these presents; and in case that the said M. Prevost, who is acting for the said M. Cerré, does not find the property of the said M. Harmand sufficient to be answerable for the said sums and flour, he is permitted to demand surety from the said M. Harmand for his greater security, and we condemn the said M. Harmand to this, and furthermore to pay all costs and expenses of the special session, which shall be advanced without delay by the said M. Prevost according to the memorandum which will be furnished him by the clerk, reserving to him recourse for his reimbursement against the said M. Harmand.

The Court adjourned to the 2nd of the month of December next.¹

J. B. H. LaCroix.

At a Court, January 8, 1785.

Louis Pillet. Present.

NICOLAS TURGEON, Plaintiff,vs. PHILIPPE GERVAIS, Defendant.

The plaintiff sues the defendant saying that he gave his negro a blanket coat and that the defendant's negro had come to his absence and his place was supplied by this trained notary-clerk. For an account of him, see p. 695, note 10.
auront ete Chies Luy le Prendre Sous le pretex dit il que le negre dit demendeur luy devoit, Et quayant Eté ches ledt defendeur pour ravoir ledt Capot quil auraoit dt au dt Demendeur quil ne Ce meloit point de Ces affaires La.

Le defendeur repond que Son negre auraoit vendu de La toil au negre du demendeur pour du coton En Echange Et que ne L'ayant pas fait Cest qui a fait que Son negre alé [sic] prendre Le Capot pour Jusqu'a ce quil Soit Payé.

La Cour a ordonné que le Capot du negre dudt Demendeur Soit rendu par le negre du defendeur Et que tant aux marché que les deux negre ont fait Ensemble que Les maitre preté La main a ce quil Soit payé. Et aux Deffendeur a payé Les fraix.

a une mème Cour Mf ant. Girardin represnte a la Cour quay-
ent deja mesure une Sertaine quantité de terre a la fontaine du pain de Sucre pour y faire une habitation, suivant sa requette, qui até [sic] appointé.

La cour Est ajourné a Jeudy 3e fevrier.

f. saucier Greffier B Saucier

a une Cour du 3e fevrier 1785.

Président Bte Saucier Pierre roy
Bte Dumay Josb Bissonette
Louis Pillet Present

ROBERT WATTS Demendeur

une requette Presenté par mf Robert Watts Demandant une Demy lieu de terre En quaré quil Bornera Luy même au Premier ruissau qui Passe Plus Loin que le Chemin qui monte Les cottes au marais Des Bute, Et qui a Eté appointé suivant sa demande.

La Cour Est ajourné 3e mars.

B Saucier

BEQUET et GRANMON.

a une mème Cour Bte Bequet porte plainte Contre Pierre Granmon pour une Somme de Cent vingt cinq Livres pour Lavoir traitté Dans sa maladie, Granmon ayant Eté assiné a refusé de

1 I have found very little about Robert Watts outside of what is contained in this volume, for which see Index. He came to Illinois in the year 1782, and was the principal settler at Grand Ruisseau. He was appointed commandant of that post by the magistrates of Cahokia. See pp. 395, 507; *Papers of Old Cong.* xlvi, 177.
house and taken it, under pretext, he said, that the negro [of the]
said plaintiff owed it to him, and that when he went to the defendant's house to get the said coat that the defendant had told the said plaintiff that he never mixed himself up in these affaires.

The defendant answers that his negro had sold some cloth to the plaintiff's negro in exchange for some cotton; and that since the latter did not keep his agreement, his negro went and took the coat to hold until he should be paid.

The Court decreed that the coat of the plaintiff's negro be returned by the defendant's negro, and that the masters take a hand and see that the bargain, which the two negros have made, is carried out; and the Court condemned the defendant to pay the costs.

At the same Court M. Ant. Girardin shows the Court that he has already measured a certain piece of land at the Sugar Loaf Spring for the purpose of making a dwelling there according to his petition, which was granted.

The Court adjourned to Thursday, February 3.

At a Court, February 3, 1785.


Louis Pilet. Present.

ROBERT WATTS,¹ Applicant.

A petition presented by M. Robert Watts, in which he asks for a half league square of land, of which he will lay out the limits himself at the first creek crossing the road which goes up the hill to the swamp of the bluffs; [?] and it was granted according to his petition.²

The Court adjourned to March 3.

B. Saucier.

BECQUET and GRANDMONT.

At the same Court Bte. Becquet brought complaint against Pierre Grandmont for a sum of one hundred and twenty-five livres for having treated him during his sickness. Grandmont was sum-

¹ The grant was at Grand Ruisseau. It was recommended for confirmation by the U.S. land commissioners.—Amer. State Pap., Public Lands, ii., 219. For Grand Ruisseau, see map, Introduction, pp. cxxii., cxxiii., and post pp. 217, 219, 207.
paroître, led² Bequet ayant Déclaré qu'il Etoit Due aud¹ Gram-
mon par Mr Labbadie, La Cour Est Dopignon qu'il sera saisie
Entre Les main dud² Sr Labadie La Somme de Cent Cinquante
livres tant Pour La Somme reclamé par Bte Bequet que Pour les
fraix.
fr. saucier Greff  B Saucier.
a une Cour du 24 Mars 1785.
President Bte Saucier  Pierre Roy
Bte Du May  Louis Pillet
Louis Chatel  Prese

une requête présenté par Jacob Groot demandant que pour
lever les contestations qui sont Entre luy et gemes pigoust pour
les terres quils ont prises au grand Ruisseau La Cour leur permit
de Nommer des arbitres pour tirer la ligne Entreux.

La Cour a ordonné que les parties Nommeront des arbitres
quils Choisiront eux memes pour tirer la ligne Entre leur terre qui
font leur Contestation ce qui sera Executé.

Labuxiere gref.  B Saucier.
a la meme cour une requete En reparation dhonneur pre-
sentée par francois Camus Contre le Nommé hardouin aprÇs que
les deux parties ont produit de part Et dautres Les Certificats
des temoins qui se sont trouvez contradictoire. oyu les deux parties
En leur demandes Et défences le tout m Crement considéré Et
Examiné Et aprÇs que led² hardouin a declaré En presence de
la Cour qu'il reconnaisoit led² francois Camus pour honnest
homme que dans les propos qu'il avoit tenû il Navoit pas Entendu
dire que le Sr Camus luy avoit vole une taure mais qu'il Croyoit
que cele qu'il avoit vu dans sa Cour Etoit la sienne. Nous avons
debouté Le Sr Camus de toute Ses demandes Envers led² har-

¹ It is said that James Piggott was born in Connecticut and was engaged in the privati-
ing service during the American Revolution.—Reynolds, My Own Times, 64. He was com-
nissioned captain of the military associates of Westmoreland Co., Pa., on April 6, 1776, and in
October of the same year, captain of the 8th Pennsylvania regiment, and served under General
Arthur St. Clair until October 22, 1777. His commissions are in Dr. MSS., 1Z36–72. Why,
and when he came to Illinois rests on traditions handed down in his family, and may be found
both in Reynolds and the Dr. MSS. According to these sources, he joined Clark's expedition
in Illinois as an independent volunteer and served through the Kaskaskia campaign. He
then became a colonist at Fort Jefferson, where he was in command during the siege by the
Chickasaws in 1781 (nfd). He then moved to Kaskaskia and in 1783 built Piggott's fort at
Grand Ruisseau. Unfortunately for this story of his prowess, his name does not appear in
any list of Clark’s soldiers.—English, Conquest of the Northwest, ii., 1067. His command at
Fort Jefferson is not mentioned in any of the letters of his contemporaries, nor is he mentioned
moned and refused to appear. The said Becquet declared that
money was owing the said Grandmont by M. Labadie. The
Court is of the opinion that seizure shall be made of the sum of
one hundred and fifty livres in the hands of M. Labadie for the
sum claimed by Bte. Becquet and for the costs.
Fr. Saucier, Clerk.

B. Saucier.

At a Court, March 24, 1785.
Bte. Dumay. Louis Pillet.
Louis Chatel. Present.

A petition presented by Jacob Groot, in which he prays that,
in order to end the disputes between himself and James Piggott over the land they have taken up at Grand Rousseau the Court permit them to name arbitrators to draw the line between them.
The Court decreed that the parties shall name arbitrators, whom they shall choose themselves, to draw between their lands the line which is in dispute, for which there will be execution.
Labuxiere, Clerk.

B. Saucier.

At the same Court a petition in satisfaction of honour was presented by François Camus against the named Hardouin. After the parties on both sides produced the certificates of witnesses, which are found to be contradictory, the two parties were heard in their prayers and defences and all were carefully considered and examined; and after the said Hardouin declared in the presence of the Court that he regarded the said François Camus as an honest man and that in the conversation he had held, he had not intended to say that Fr. Camus had stolen a heifer, but that he believed that the one he had seen in the yard was his, we have denied all the demands of M. Camus against the

as officer or soldier by any one. This is not absolute proof, for the name of the commanding officer of Fort Jefferson during the siege is not given anywhere, as far as I can find. Captain George was in command in October, 1780.—Vide State Pape, i, 382. It is to be noticed that both the quoted authorities in favor of Piggott name 1781 instead of the correct year, 1780, as the date of the siege. This is interesting, since in 1787 Piggott declared that he took up his residence in Illinois in the year 1785. Pape, of Old Cong, Lxviii, 177. As later pages of this volume will show, he was not the principal resident at Grand Rousseau. See post pp. 288, 599, 600. When Piggott's old commander came to Illinois as Governor St. Clair, Piggott became the prominent man, he had longed to be during the rule of the French court, and was appointed to the position of justice of the court of St. Clair County.—Smith, St. Clair Papers, ii, 105. In 1797 he established a ferry from Cahokia to St. Louis. His daughter described him as a little short of six feet with black hair, blue eyes and fair complexion.
douin a defaud par luy de Sotre mis En regle dans les formes pour Ses certificats de temoin Et condammons Le Nomme hardouin En Cent Cinq livres du frais occasionné par led^1 hardouin p^r les requetes ordres Et autres frais de justice Raport a quelques propos inconsiderés Et sans malice qu'il peut avoir tenu; La dit jour vingt quatre mars 1785.

La Cour ajournée au Sept davril prochain davril [sic].
Labuxiere greffier

B. Saucier.

La une Cour du Six juin 1785.
President Bte Saucier Louis Pillet
Louis Chatel Joseph Bissonet
Pierre Roy

une requete presente par le S'r gabriel Ceré En datte du 4. de ce mois demandant Et expositive qu'il a fait saisir Les Biens du S'r antoine harmand Armand [sic] Sans façon En vertu d'une sentence de la Cour du 22 9bre dernier Rendue contre led^1 S'r harmand Et Encore En vertu de Son obligation cautionnée par Jean Bte duMay passé a la Suite de la dite sentence pour le payement de deux mil six cent vingt Six livres six sols huit deniers En argent que led^1 sans façon ou led^1 dumay devoir payer au terme du mois davril dernier que faute de payement led^1 S'r Cerré a fait Saisir les Biens dud^1 sans façon pour être vendus judiciairement au plus ofrant Et dernier Encherisseur sous la huitaine qu'il suploït la Cour daccorder ladite vente. vu aussi la Saisie faite des Biens dud^1 sans façon par lhuissier de cette justice le 31. may dernier. Ensemble la requete presente ce dit jour par le S'r antoine harmand Expositive qu'il reclame lautorité de la Cour contre linjustice qui luy a Eté faite pour un negre qu'il a acquis de Lencan des mineurs nicole que led^1 negre Etoit Empoiseur avant qu'il En acquis de cette succession ayant Eté convaincu d'avoir Empoisonné son maître Et sa maîtresse Et qu'il sest Evadé des mains de la justice, que led^1 harmand a Eté condamné injustement a le payer et que c'est pour cette somme qu'il se trouve aujourd'hui

^1 Expositive, not a term of French law, but it is used in both English and Spanish law. Its use in the record from now on is probably due to the presence in Cahokia of Joseph Labuxiere, who had served as notary under the Spanish in St. Louis for several years.

^2 Denier, the twelfth part of the sol.
said Hardouin because of his failure to conform strictly to the legal forms for his certificates of testimony; and we condemn the named Hardouin to pay one hundred and five livres expense occasioned by the said Hardouin for petitions, orders and other expenses of justice connected with some words, ill-considered and without malice, which he may have said. The said day, March 24, 1785.

The Court adjourned to the 7th of April next.

Labuxiere, Clerk. B. Saucier.

At a Court, June 6, 1785.

President Bte. Saucier. Louis Pilet.
Pierre Roy. Present.

A petition presented by M. Gabriel Cerré, dated the 4th of this month, petitioner and explanatory, in which he says that he has made seizure of the goods of the said Antoine Harmand called Sansfaçon by virtue of a decree of the Court rendered the 22nd of November last against the said M. Harmand, and also by virtue of his note, indorsed by Jean Bte. Dumay, and made after the said decree, for the payment of two thousand six hundred and twenty-six livres six sols eight deniers in money, which the said Sansfaçon or the said Dumay ought to have paid in the month of April last; and that in default of payment the said M. Cerré has made seizure of the goods of the said Sansfaçon that they may be sold by the authority of justice to the highest bidder within the week; and he begs the Court to grant the said sale. In view of the seizure of the goods of the said Sansfaçon made by the huissier of this Court, the 31st of May last, and also in view of the explanatory petition presented this said day by M. Antoine Harmand, in which he claims the authority of the Court against the injustice which has been done him in regard to a negro, whom he bought at the auction of the minors Nicolle, and who was a poisioner before he acquired him from that estate, for the said negro had been convicted of having poisoned his master and mistress and escaped from the hands of justice; and in which the said Harmand affirms that he was condemned unjustly to pay for him, and that it is for
poursuivy par le Sr Ceré comme tuteur des mineurs nicole
demandant une revision de douze jurés pris sur cette Rive pour
Reviser lafaire selon les loix Et la justice. Le tout vô Et
Considéré Nous avons accordé au Sr harmand Sans façon
une revision de douze jures pris sur cette Rive Et non ailleurs
pour delibérer Et reviser ladite affaire lesquels sassembleront
jeudy prochain suivant la Nomination qui En sera faite par la
Cour Et cependant le sr du May Restera Caution jusqua la par-
faite definition des jurés Et la Saisie subsistera jusqua leur sen-
tence definitif Le tout a la Conservation des droits de qui il
apartindra Si mandons &c. cesd t jour Et an.

La Cour est aujourd'hui le sept de juillet prochain.

B Saucier

Note Des Jurés que La Cour a Nomé led Jour pour La
definition de la Santance cy dessus, qui Sassenbleront Jeudy
Prochain 9 Du Aoust En La Chambre Daudience pour rendre
Santance definitif sans Pourvoir quitter leur Séance Savoir, Mr
ant. Girardin, Philip Angel, Paul Hubert Lacroix, J Bte Bergeron,
henry Biron, J. Bte Gaffé, Bte Morel, Chte Ducharme, Fr Courié,
Jh Labuxiere Pere, ant Boyé, J. Bte Dubuque, arreté ced t Jour
a la Suite de la Cour.

fr. saucier Greff B Saucier.

a une Cour Extraordinaire du 9e Juin 1785.

President Bte Saucier Louis Pillet
Pierre roy Josh Bissonet
Louis chatel Bte DUMAY

Demendeur GABRIEL CERRÉ Deffendeur ANT. HARMANT

La Cour Etant assamblé Pour Prendre Le Serment des Douze
Jurés cy devant Denomé Et sont a Linstant Comparu Les Sieurs
ant. Girardin Phille Engel Paul Hubert lacroix J Bte Bergeron
henry Biron J Bte Gaffé J Bte morel chte Ducharme, fr Courié
Jh Labuxiere ant Boyé Et J Bte Dubuque, Lesquels ont Preté
Serment sur les St Evangille, de Bien sacquitter En leur charge de
Juré suivant les Pieces qui leurs Seront Presenté, Dans Laffaire
Entre Mr Cerré Et Sanfaçon Jusqua leurs Santance difinitif.
this sum that he is to-day sued by the said M. Cerré, acting as guardian of the minors Nicolle; and in which he prays for a revision of the case according to law and justice by twelve jurors drawn from this bank; in view and in consideration of all this we granted to M. Harmand called Sansfaçon, a revision of the said case by a twelve jurors drawn from this bank and not elsewhere, and they shall assemble Thursday next according to their appointment by the Court; and moreover M. Dumay shall remain bondsman until the final decision of the jurors and the seizure shall continue until their definitive verdict, all for the preservation of rights of whomsoever it shall concern; so we command, etc. this said day and year.

The Court adjourned to the 7th of July next.

B. Saucier.

Panel of jurors whom the Court named this said day for their decision on the above judgment and who shall assemble Thursday next, the 9th of August, in the audience chamber to render definitive verdict before adjourning to wit: MM. Ant. Girardin, Philippe Engel, Paul Hubert Lacroix, J. Bte. Bergeron, Henry Biron, J. Bte. Gaffé, Bte. Morel, Charles DuCharme, Fr. Courier, Joseph Labuxiere, Sr., Ant. Boyer, J. Bte. Dubuque; resolved this said day at the close of Court.

Fr. Saucier, Clerk. B. Saucier.

At a special session of the Court, June 9, 1785.
President, Bte. Saucier. Louis Pillet.

GABRIEL CERRÉ, Plaintiff, vs. ANT. HARMAND, Defendant.

The Court assembled to receive the oath from the twelve jurors here above named and there immediately appeared MM. Ant. Girardin, Philippe Engel, Paul Hubert LaCroix, J. Bte. Bergeron, Henry Biron, J. Bte. Gaffé, J. Bte. Morel, Charles DuCharme, Fr. Courier, Jos. Labuxiere, Ant. Boyer and J. Bte. Dubuque, who made oath on the Holy Gospels to acquit themselves well of their duty of jury in accordance with the documents,
La Sautance ditinit ayant Été Presenté a la Cour a Été omo-
leque Et approuvé par la ditte Cour Ced" Jour Et an.

B Saucier

a une Cour du 22 de Juin 1785.

Les Sœurs Antoine Girardin J B° Lacroix Ch° duCharme
Philippe Fugel Jean B° Duhaque François Cressier et Thomas
Bény (ou Van Fer nœmé par la nouvelle Election sont Comparu,
Et après avoir Pris Serment de fidélité ainsi que Cézay doctice
E. et J. G. Lecon Parce Pe leurs demandes le Magistrat
On se nomme Cour "ессons" de premier à deux Serments de Fide-
Il sont qu'a court fautes Pe Sa Sainte; de prendre de la Cour de ce

On se nomme Cour "ессons" de deux Serments autre Et de

Le nommee Cour "ессons" de premier a deux Serments autre Et de

Le nommee Cour "ессons" de premier a deux Serments autre Et de
which shall be presented them in the case between MM. Cerre and Sansfaçon, until they shall have reached a definitive verdict. The definitive verdict was returned to the Court and confirmed and approved by the said Court this said day and year.¹

B. Saucier.

At a Court, June 20, 1785.

MM. Antoine Girardin, J. Bte. Lacroix, Ch. DuCharme, Philippe Engel, Jean Bte. Dubuque, François Courier and Thomas Brady, having been elected at the new election, appeared and, after having taken oath of fidelity and also that of office, took their place as magistrates.

At the same Court Joseph Labuxiere took oath of fidelity and also that of office as clerk of the Court of this district.

At the same Court Pierre Troge took oath of office and of fidelity for his commission of huissier of this Court.

No. 1.

At the same Court there was granted Pierre Martin four hundred arpents of land in the place called the Little Prairie by right of concession.

No. 2.

At the same Court there was granted Thomas Brady four hundred arpents of land in the place called the Little Prairie on the bluffs by right of concession in accordance with his petition returned this day to him.

At the same Court.

President, Jean Bte. LaCroix. Philippe Engel.
Charles DuCharme. François Courier.

JEAN. BTE. MOREL, Plaintiff, vs. JEAN BTE. GAFFÉ, Defendant.

The plaintiff brings a claim against the defendant for the sum of ninety-nine livres eight sols in cash according to his current account. The defendant pleads that the said Morel was bound by verbal agreement to furnish him the boat, the necessary men and supplies for the said journey and that he

¹ most influential men of the village, decided that, since Pompeé, the negro, was purchased by Harmand after the charge of poisoning the Nicolles was made against him, the purchase should be annulled and Harmand released from his note as well as from interest and costs.
hommes nécessaires Et vivres pour le susdit voyage qu'il na pas
Effectué Sa promesse ouy les repliques, demandes Et defences
le tout Examiné nous avons Renvoyé les parties hor de Cour et de
procés a ce sujet Sans pouvoir Rien se repeter lun Enver lautre
depens compensez Entreux.
   a la meme cour

demandeur FRANCOIS COYOLLE defsendeur PIERRE TROGE

Le demandeur concluant a ce que le defendeur soit condamné
a luy payer un billet de Neuf cent vingt Sept livres quinze sols
qu'il a produit.

Le defendeur a repondu qu'il avait fait des ouvrages a demande
a compte dudt Billet et qu'il ofroit de finir ledt ouvrage que
cependant il Convenoit après lourbage fait detre Encore redeva-
ble audt demandeur. le tout examiné nous avons condamné
le d¹ troge a payer presentement la somme de Cent livres audt
sr. Coyole la somme de Cent livres [sic], En outre quils Regleront
leurs comptes sous huit jours Et ledt troge a faire louravage
qu'il est Convenu, Sous trois mois de ce jour Et après ledt
ouvrage fini Et leur compte arrete le Condammons a payer la
solde de son compte audt sr. Coyole sansaucuns delais Et aux
depens.
   a la meme Cour.

CLEMENT ALARY demandeur ETIENNE ARDOUIN defendeur

Le demandeur exposant que ledt ardouin a abandonne une
pouliche au petit Laramée qu'il Croyoit morte Et sur les risques
dudt laramée pour une petite truye. le defendeur aleguant qu'il
Croyoit avoir fait un badinage vû le Certificat de michel girar-
din qui declare que le change a Eté fait de Bonne foy Et
sans Badinage Nous adjugemos la pouliche audt Clement
alary ou laramée. lequel livrera la petite truye audt ardouin
Et par des domagement Condammons ledt Clement alary aux
depens.
   a la meme cour le S¹ francois saucier a Rendu compte a
leon Lepage de la succession de Ses pere Et mere comme
Chargé du recouvrement dont le dit Leon lepage luy a donné
quitance.
COURT RECORD, JUNE, 1785

has not kept his promise. When these replies, prayers and defences were heard and all examined, we dismissed the parties and the suit on the subject without allowing either party to bring suit against the other; the costs are to be shared between them.

At the same Court.

FRANÇOIS CAILLOT, Plaintiff, vs. PIERRE TROGE, Defendant.

The plaintiff concludes that the defendant should be condemned to pay him a note, which he produced, for nine hundred and twenty-seven livres fifteen sols.

The defendant answered that he had done some work for the plaintiff on account of the said note and offered to finish the said work, and moreover agreed that after the work was finished that he would be still in debt to the plaintiff. After all was examined, we condemned the said Troge to pay now the sum of one hundred livres to the said M. Caillot; and furthermore decided that they shall settle their accounts within eight days, and the said Troge is to finish the work for which he has contracted within three months from this day, and after the said work is finished and their account closed, we condemn him to pay the balance of his account to the said Caillot without delay, and to pay the costs.

At the same Court.

CLEMENT ALARIE, Plaintiff, vs. ETIENNE HARDOUIN, Defendant.

The plaintiff shows that the said Hardouin abandoned a filly which he believed dead to the little Laramée and at the risk of the little Laramée in exchange for a little sow. The defendant pleads that he believed that it was a joke. Considernig the certificat of Michel Girardin who declares that the exchange was made in good faith and not as a joke, we adjudge the filly to the said Clement Alarie or Laramée, who shall deliver the little sow to the said Hardouin; and for damages we condemn the said Clement Alarie to pay the costs.

At the same Court M. François Saucier rendered account to Leon Lepage of the estate of his father and mother, as entrusted to make recovery, for which Leon Lepage gave him receipt.
a la meme cour les magistrats voulant Etablir une taxe fixe pour les frais de justice En Egard au temp present avons fixé et taxé les frais de justice ainsy quil suit

Premierement
au juge de Semaine
par chaque sentence ........................................ 5\textsuperscript{lb}
par chaque vacation .......................................... 10
par chaque ordre ........................................... 2.10

au greffier
par chaque ordre ........................................... 5
par chaque sentence ........................................ 5

a lhuissier
par chaque ordre ........................................... 5
par chacques ordres de Crie ................................ 3
p\textsuperscript{r} afiche Et publication .................... 2
par chaque vacation aux Encan de 2 heures ½ .......... 3
pour une saisie provisoire ................................. 5
p\textsuperscript{r} une judg executoire ....................... 10

Et pour tous autres frais ils subsisteront Comme sur Lancien pieds

arreste lesdt jour Et an.
Labuxiere gfer J B H LaCroix pr. Sidant
a la meme Cour a Eté decide Entre les sept magistrat que le s\textsuperscript{r} LaCroix Restera juge de Semaine.

La Cour est ajournee au 1\textsuperscript{er} 8\textsuperscript{bre} 1785.

Labuxiere gfer J B H LaCroix pr. Sidan
a la meme Cour Entre le s\textsuperscript{r} jean B\textsuperscript{ste} Gaffé demandeur Contre antoine harmand dit Sans façon defendeur En Confirmant la sentance de la Cour En datte du 4. 9\textsuperscript{bre} dernier Nous condammons le s\textsuperscript{r} harmand a rembourser au s\textsuperscript{r} Gaffé les frais quil a fait p\textsuperscript{r} Racommoder la voiture quil a presté audt s\textsuperscript{r} harmand Et ce Sans delais Et aux depens.

La Cour ajournee au 1\textsuperscript{er} 8\textsuperscript{bre} 1785.

Labuxiere gfer J B H LaCroix pr. Sidan

\textsuperscript{1} The justice of the week was chosen by the court to hold weekly sessions between the sessions of the court. There is in Belleville, Ill., a record of this court from July 9, 1785, to February 14, 1786. It contains only sixteen pages, and there is little of interest in it. The court is called "reformed."
At the same Court the magistrates wishing to establish a list of fixed prices for the costs of justice with reference to the present time, have established and do establish the costs of justice as follows:

First

To the justice of the week in cash.

For each judgment ........................................ 5
For each vacation .......................................... 10
For each writ ............................................. 2.10

To the clerk
For each writ ............................................. 5
For each judgment ........................................ 5

To the *huissier*,
For each writ ............................................. 5
For each order to be proclaimed ........................ 3
For placard and publication .............................. 2
For each sitting at an auction of 2½ hours ............ 3
For a provisional seizure ................................ 5
For an execution .......................................... 10

And all other cost shall continue on the former scale.

Ordered this said day and year.

Labuxiere, Clerk. J. B. H. LaCroix, President.

At the same Court it was decided by the seven magistrates that M. LaCroix shall remain justice of the week.

The Court adjourned to November 1, 1785.

Labuxiere, Clerk. J. B. H. LaCroix, President.

At the same Court in the suit between M. Jean Bte. Gaffé, plaintiff and Antoine Harmand called Sansfaçón, defendant, we confirm the decree of the Court of the 4th of November last and condemn M. Harmand to reimburse M. Gaffé for the costs he has incurred in repairing his pirogue, which he lent M. Harmand, and that without delay, and to pay the costs.

The Court adjourned to October 1, 1785.

Labuxiere, Clerk. J. B. H. LaCroix, President.

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*Vacation,* time spent in performing some official act; in this case some act not ending in a judgment, hence belonging to non-litigious judicial acts, such as appointing a guardian, settling an estate, etc.
a une Cour du 1erobre 1785.

President M' LaCroix  Philip Engel
ant girardin  charles Ducharme
Tho. Brady  1er Courier
Bte. dubuc

Les Magistrats Étants assemblés la Cour seante après avoir
murement deliberé Entreux Sur les Circonstances malheureuses
du tems ou il y a ny recoltes, ny argent, de plus la perte des Bes-
itaux occasionnée par linondation Et maladie Contagieuse. la Cour
considerant que les habitants de ce district par tous les fleaux
qui leurs Sont arrivez Sont En Retard de payer leurs debtes Et
que leurs Creanciers Sans avoir Egard a leurs miseres leurs font
vendre leurs effets Et Bestiaux p un vil prix aux trois quarts de
leurs valeur, ce qui Ruine totalement Lesdits habitans Et voulant
Remedier a un mal aussi dangereux Et Si Ruineux au public, la
Cour a decidé Et decide que tout Creanciers ne poura faire vendre
Les Biens de Son debiteur quant a present vù le manque despece Et
de pelterie qui metent Les debiteurs hors detat de payer. mais
que les Effets qui seront Saisis aux dits debiteurs Seront Estimez
par arbitres Et gens Connoisseurs Et que Le Creancier Sera
obligé de les prendre au prix de L'estimation Si mieux il naime
accorder du tems aud' debiteur En payant L'interest.

[Signed]

T Brady  a tet Girardin
B Dubuq  Ch DuCharme
Phillipe Engel  J B H LaCroix p. sd
Labuxiere greffier
a la meme Cour

LE S' MOTARD demandeur Contre LE S' BOUVEY LAMARCHE
defendue

vu la requet du S' motard expositive que le defendeur luy doit
une somme de Cinq cent quarante six livres Cinq sols pour mar-
chandises par Son compte, qui luy a vendô du mahis p' partie de

1 The flood of 1785 was one of the severest in the history of the Mississippi. The water
extended to the bluffs on both sides. The people of Cahokia and Kaskaskia were obliged
to seek shelter on the higher ground. At Kaskaskia many houses were swept away. The
western bank suffered no less severely, and the old village of Ste. Genevieve was deserted for a
site more protected from the river.—Dodge to Wm. Clark, Oct. 18, 1785, Dr. MSS. 1M195.
At a Court, October 1, 1785.

President, M. LaCroix.

Ant. Girardin.

Tho. Brady.

Bte. Dubuque.

Philippe Engel.

Charles DuCharme.

Fr. Courier.

The magistrates being assembled and the Court in session, after carefully deliberating on the unhappy conditions of the time, when there are neither crops nor money; and considering furthermore the loss of the cattle occasioned by the inundations and contagious disease; and considering that the inhabitants of this district on account of all the troubles, which have occurred, are backward in paying their debts and that their creditors without heed to their miseries are having their goods and cattle sold for a low price at three fourths of their value, which is ruining the said inhabitants totally; and wishing to remedy an evil so dangerous and so ruinous to the public, the Court has decided and decides that no creditor can have the property of his debtor sold, as at present, because of the lack of money and peltries, which puts the debtors out of position to pay; but that the goods of the said debtors, which shall be seized, shall be appraised by arbitrators and appraisers and the creditor shall be obliged to take them at the appraised price, if he does not prefer to allow the debtor time on condition of paying interest.

[Signed.]

T. Brady.

B. Dubuque.

Philippe Engel.

Labuxiere, Clerk.

Ant. Girardin.

Ch. DuCharme.

J. B. H. LaCroix, President.

At the same Court.

M. Motard, Plaintiff vs. M. Bouvet Lamarche Defendant.

The explanatory petition of M. Motard was examined, in which he says that the defendant owes him the sum of five hundred and forty-six livres five sols for merchandise according to his account and that the latter sold him corn for part of the said sum without knowing the quantity that he had in his barn, which did not amount to eighty sacks, and that the plaintiff had bought it at the rate of fifty francs the load of eighteen sacks
ladite somme sans savoir la quantité qu’il y avait dans son grésier qui naloit pas a quatre vingt sacs. qu’il lavoit acheté sur le pieds de Cinquante franc la tomerée de dixhuit sacs de deux minois. mais que par une autre Convenation led Bouvet devoir mener le mahis a S’t Louis ou il devoir Etre mesuré Et le Demandeuer devoir le payer 60 lb la tomerée Et devoir lui fournir une voiture per le Charoyer seulement que quelque jour après led Bouvet a vendu le mahis Et que le S’t Bouvet luy a fait manquer a Ses Engagement par le deffaud de luy livrer le mahis oy [sic] le d’t Bouvet En Ses deffences qui a dit que le s’t motard luy aivoit livré une voiture Sans tolet ny Rames Et qu’il navoit pas sans servir Et que par ce retard Et diminution qu’il y avoit Eu sur le mahis il lavoit vendû Et qu’il ne desavouoit pas devoir ladite somme le tout Consideré La Cour a decidé que led Bouvet payera la somme de Cinq cent quarante six livres Cinq sols qu’il doit aud s’t motard Et ce Sous un mois de ce jour Et au deffaud qu’il Sera saisy de Ses Effets pour ladite somme Et Estimez par arbitres Lesquels Effets led s’t motard sera tenû de prendre au prix de restimation si-mieu il naime donner plus long terme aud t Bouvet En payant l‘interest a raison de Cinq pour Cent Et Condamnons led t Bouvet aux frais que nous avons liquidez a la Somme de quinze livres ce qui sera executé la Cour seante tenue par Mr LaCroix presidant Mr antoine girardin Thom Bredy Bte Dubuc, philipe Engel, Charle duCharme Et fr Courier lesd t jour Et an.

J B H LaCroix

a la meme Cour

Mr ANTOINE GIRARDIN apelant de la Sentence arbitrale Rendu Contre le 7 7bre dernier Contre le S’t ISAAC LEVY Deffendeur Et demandeur.

Les parties ayant paru a ladite Cour seante ced t jour Sont Convenû de Sen Raporter a la decision sans apel de Mr Thom Bredy, philipe Engel francois Courier Et charles ducharme magistrats Lesquels après être Bien Et murement instruit des Raisons qui font la Contestation des Bœufs en difficulté Entre le demandeur et le deffendeur Et se trouvant les dits S’t quatre magistra de deux
of two minots each; but that by another agreement the said Bouvet was to deliver the corn at St. Louis, where it was to be measured and the plaintiff was to pay him 60 livres the load and to furnish him a boat merely for transporting it; and that some days later the said Bouvet sold the corn and caused the plaintiff to fail in his engagements, because the said Bouvet did not deliver him the corn. Heard the said Bouvet in his defence, who said that M. Motard had delivered him a boat without tholes and oars and that he had not been able to use it, and that on account of the delay and the decrease there was in the corn he had sold it, and that he did not deny that he owed the said sum. After all was considered, the Court decided that the said M. Bouvet shall pay the sum of five hundred and forty-six livres five sols which he owes M. Motard and this within a month from this day, and in default of payment that there shall be a seizure of his goods for the said sum and they shall be appraised by arbitrators; which goods the said M. Motard shall be bound to take at the price of the appraisement, unless he prefers to give the said Bouvet a longer term and receive interest at the rate of five per cent. And we condemn the said Bouvet to pay the costs, which we have set at fifteen livres, for which there will be execution. At the session of the Court held by M. LaCroix, President, MM. Ant. Girardin, Tom. Brady, Bte. Dubuque, Philippe Engel, Charles DuCharme, and Fr. Courier, this said day and year.

J. B. H. LaCroix.

At the same Court.

M. Antoine Girardin, appealing from the sentence by arbitration rendered against him the 7th of September last, vs. M. Isaac Levy, plaintiff and defendant.

The parties appeared at the said session of the Court this day and agreed to refer their cause without right of appeal to the decision of MM. Tom. Brady, Philippe Engel, François Courier and Charles DuCharme, magistrates. After being well and carefully instructed in the grounds of the contest about the ox in dispute between the plaintiff and the defendant, the four magistrates finding themselves divided in opinion called in M. François
ave ciferen ont appele M. Francois trotie pour Cinquieme juge et autre magistrats queray pa donner leur voix et eue territoire euy en leur benefice dans le 2° Cause. cet pour quoy nous magistrats, ci veant Nommes sommes davis E nostre decision est que M. Franque remonter un Boeuf au St. Levy du meme age de terroy que fait euellement la matiere de la Contestation. Lequels Boeuf Levy et Levy sera Contreant de recevoir en place de ceuy terci de bonne foi par le et girardin au st Forget et les condamnons a payer Chaumur. La moitie des frais qui ont Ete fait E ceux fait p. la presente sentence ce qui sera execut sur aucun appele ny. Renvoy a autre seance tel est nostre opinion E nostre decision.

[Signed]
DuCharme
Phippoe Engel
Labuziere greffier

La Cour est assemblee au deux de janvier et a Nomme M. Charle ducharme pour juge de Semaine. Lequel a accepte ladite Charge.

aujourd'hui septieme jour deoctobre mil Sept Cent quatre vingt
Cinq a la requiscition du St. Izaai Levy la Cour. Seant assemblee
pour recevoir le serment docte de douze jurés pour deicider E
reviser lafaire entre St. Levy et le St. antoine Girardin.

Lesdits St. jurés Estait Comparu aujourd'hui Pardevant ladite
Cour savoir les St. bergeron Louis gau. Paul poupard Louis Piller
antoine Boyer. Charles Lejeune mathieu Saucier, phippoe Gervais
Jean. Les quels apres avoir fait aparoi de Lassignation qui leur
a Ete donnee Le jour de bier la Cour leur a fait faire serment do-
fice sur les Sainte Evangelie de deicider En leur arme Et Conscience
ladite contestation au Sujet du Boeuf qui fait la matiere du proces
Entre les parties Et vous pron End Juve dy proceder suivant Leurs
Sermant Les pieces Et Sentence cy devant Renderes leurs ayant

1 This is a translation of the共同发展 tion. See supra, &
1. This case was brought to the court of St. Levy by a person named Girardin against Levy in the court of the judge. The case was brought by a person named Girardin, stating that the case was his when he passed at St. Levy. The judge appointed a jury of twelve to settle the case. The animal was a boeuf, and the claim was for the animal. The parties were present to hear the sentence of the judge. The judge rendered the following sentence, which was signed by the judge. —Report of the Judge of the week in Belleville, Ill.
Trottier as a fifth judge. The other magistrates were not able to give their opinion, since they were either witnesses or had served in the first suit. For this reason we, the magistrates herebefore named, are of the opinion, and our decision is, that M. Girardin shall return to M. Levy an ox of the same age as that which is at present the subject of the contestation; which ox the said M. Levy shall be compelled to accept in place of the one sold in good faith by M. Girardin to M. Forget; and we condemn each to pay half of the costs, which have been made, and those made for the present judgment, for which there will be execution without any appeal or reference to another session; such is our opinion and our decision.

[Signed]

Fr. Trottier  
T. Brady.  
DuCharme.  
Philip Engel.

Labuxiere, Clerk

The Court adjourned to the Second of January and named M. Charles DuCharme as judge of the week and he accepted the said office.

To-day the seventh day of October, 1785, on the application of M. Isaac Levy the Court was assembled to receive the oath of office of a dozen jurors to decide and revise the case between M. Levy and M. Antoine Girardin.

The said MM. jurors appeared to-day before the said Court, to wit: MM. Bergeron, Louis Gaud, Paul Poupar, Louis Pillet, Antoine Boyer, Charles Lefevre, Matthieu Saucier, Philippe Gervais, Pierre Martin, Bte. Dumay, Raphael Gagné, Pierre Laperche called St. Jean, and, after having shown their summonses given them yesterday, the Court made them take the oath of office on the Holy Gospels to decide on their conscience the said litigation in regard to the ox which makes the matter of the suit between the parties, and they have promised and sworn to act according to their oaths. The documents and judgment heretofore rendered were placed in their hands this day by us, Charles DuCharme, Bte. LaCroix, President, B. Dubuque, Tom. Brady and François Courier.

At the session of the Court the said day and year.

Labuxiere, Clerk.  
J. B. H. LaCroix, President.
Eté remise en main aujourd'hui, par sous Charles DuCharme B'° LaCroix président, B° Dubuc, Thém Breidy, et François Coulier.

La Cour sesante le 13 jour d'Eté.
Laboratoire greffier

J B H LaCroix prés.

Et à l'instant le 13 St Levy a fait parvenir arrêté tellement pour rendre témoignage sur ce qui s'est à l'occasion du Beauf Et à l'instant le 13 arrêté tellement Étant Comprimé il y avions fait faire Sermont de dire la vérité Sur ce qui est à Sa Connaissance et ce sujet devan Lédi et juré. Et à dire ce savoir signer Lédi le 13 jour d'Eté.

Laboratoire greffier

J B H LaCroix prés.

Lédi St Levy a fait compliquerie aussi le St phillippe Engel pour rendre témoignage sur ce qui est à Sa Connaissance à l'occasion du Beauf en Comprimé lequel à l'instant Étant Comprimé il y avions fait faire Sermont de dire la vérité Sur ce qui est à la Connaissance et à SIGNE le 13 jour d'Eté.

Phillippe Engel

Laboratoire greffier

J B H LaCroix prés.

Le St DuBreton a fait compliquerie francois Demerco habitant de la partie du pour pour rendre témoignage de voir M° Les juries de ce qui est à Sa Connaissance sur le Beauf En Comprimé lequel après sertment fait il voir M° Les magistrats sus les Saints États de premiers Et voyez ce rapporter Et demurer selon la vérité Sur ce qui sort d'acquittance le Beauf Et certe sur ce signer le 13 jour d'Eté.

Laboratoire greffier

J B H LaCroix prés.

Étendue, le Samedi à 11 Jacques l'Avin, Jacques-Nicolas Jean B° Servais, Louis-Jean-Paul Boyer, Jean-Pierre Boyer, Jacques Lebel, Marie-Henriette Philéas Frémont, présent, B° Dumont, Romain Roger et autres intéressés sous nommes par M° les magistrat sous seins les trois en Comprimé affirmaient St Jean-Baptiste St Jean-Baptiste et St Jean-Baptiste sur les deux parties. Ils sont présence des avocats N° de ces défense qui ont fait entendre sur les Sainte et sur ce qui sort d'acquittance et sur cette proposition de entendre même de nouveau et sur St phillippe
And now the said M. Levy summoned Armand Tellier to give testimony of what he knew about the ox. The said Armand Tellier now appeared and we caused him to make oath to tell the truth about what was within his knowledge on this subject before the said MM. jurors; and he said that he did not know how to sign his name the said day and year.

Labuxiere, Clerk.  J. B. H. LaCroix, President.

The said M. Levy summoned also M. Philippe Engel to give testimony of what was within his knowledge about the ox in dispute. He now appeared and we caused him to make oath to tell the truth to MM. the jurors about what is within his knowledge; and he has signed the said day and year.

Philippe Engel.

Labuxiere Clerk.  J. B. H. LaCroix.

The said M. Girardin summoned François Alexandre, inhabitant of Prairie du Pont, to give testimony before MM. the jurors of what was within his knowledge about the ox in dispute; and he, after oath was made on the Holy Gospels before MM. the magistrates, has promised and sworn to answer and declare according to the truth in regard to all that he knows concerning the said ox; and he said that he did not know how to sign the said day and year.

Labuxiere, Clerk.  J. B. H. LaCroix, Pres.

The said day the seventh of October, 1785, we Jean Bte. Bergeron, Louis Gaud, Paul Poupar, Louis Pillet, Antoine Boyer, Charles Lefevre, Matthieu Saucier, Philippe Gervais, Pierre Martin, Bte. Dumay, Raphael Gagné and Pierre Laperche, all jurors appointed by MM. the magistrates to decide the case in dispute between M. Isaac Levy and M. Antoine Girardin, after hearing the two parties in their prayers, replies, responses, contestations, remonstrances, pleadings and applications, which they have made to us verbally by word of mouth before our decision, together with the depositions of Armand Tellier, François Alexandre and Philippe Engel, which they have made on oath before us, and after examining the petitions and the documents produced by M. Girardin as well as the certificate, act of appeal and judgment
angel quils ont fait devant Nous par Sermant, Les requetes Et pieces a Nous produites par le Sr girardin tant certificat acte dapel que sentences Rendues sur les registres daudience Le tout dont nous avons pris une parfaite connoissance et nous etre instruit de laffaire concernant le Boeuf en Contestation depuis le Commence-
ment de la pte visite jusqua ce jour, Et avoir fait ce dit jour visite dudt Boeuf Et des Etampes Sur la fesse aprés lavoir fait razer pour plus grande sureté Et Eclaircissement, Et apres Etre plainement instruit de toute Ladite Contestations et avoir donné notre opinion, Selon Nos ames Et conscience En consequence du servant que nous avons fait Nous sommes tous davis Et condammons Mr
antoine Girardin a rendre Le meme Boeuf quil a vendû au Sr
josep Lapensée, au Sr Levy Comme Etant Son propre Boeuf a quoy faire le Sr josep Lapensée Contraint. Solidaires avec
ledt sSr Girardin comme ledt Boeuf se trouvant actuellement En la
pcession dudt josep Lapensée, Sauf audt Sr Girardin et La-
pensée de Saranger Ensemble pour se faire Raison dudt Boeuf
En en [sic] remetant un autre audt Lapensée ou Saranger
Comme Bon luy semblera. Sans pouvoir par ledt sSr Girardin ny
lapensée retenir plus longtemps ledt Boeuf En Contestation qui sera Remis audt Sr Levy sous vingt quatre heures Et en outre
Condammons Mr antoine girardin En tous les frais Et depens
 depuis le Commencement du procés jusqua ce jour Lesquels frais
Seront liquidex par la Cour, telle est notre opinion et notre
decision Et avons signé Et fait nos marques ordres lesdt jour et an.

[Signed]

Mth. Saucier        Louis gaud        pierre Laperche
marque de          marque de        marque de
+                  +                  +
Charles Lefevre     pierre martin    Louis pillet
marque de          marque de        marque de
+                  +                  +
Bte Dumay          Bergeron         Philipe Gervais
marque             marque de        marque de
+                  +                  +
dantoine Boyer      raphael Gagnez    paul poupart
rendered on the registers of the Court, of all which we have received a perfect knowledge, and after we have instructed ourselves of the cause concerning the ox in dispute, since the first inspection up to this day; and after we have made this said day an inspection of the said ox and of the mark on the buttock, after having it shaved for greater sureness and clearness; and after being fully instructed of all the said litigation and having given our votes according to our conscience in consequence of the oath which we have taken; we are all agreed and condemn Antoine Girardin to return to M. Levy, as it is his own, the same ox which the former sold to M. Joseph Lapancé, to which M. Joseph Lapancé is constrained conjointly and severally with the said M. Girardin, since the ox is at present in the possession of the said Joseph Lapancé, reserving to the said MM. Girardin and Lapancé to make arrangements together to do each other justice for the said ox either by gift of another to the said Lapancé from M. Girardin or by making arrangements as seem good to them; without power by the said M. Girardin or Lapancé to retain the ox in litigation a longer time, but it shall be returned to the said M. Levy within twenty-four hours; and furthermore we condemn M. Antoine Girardin to pay all costs and charges from the commencement of the suit up to this day, which costs shall be determined by the Court. Such is our opinion and our decision, and we have signed and made our marks this said day and year.

[Signed]

Mark of
+
Charles Lefevre Pierre Martin Louis Pillet
Mark of
+
Bte. Dumay Bergeron Philippe Gervais
Mark of
+
Antoine Boyer Raphael Gagné Paul Poupard
LE JUGE PARTIE COLLECTIONS

La partie suivante nous con-

nuite qu'elle nous a montrées avec

monnaies que celle de

leurs deniers de leur État, an-

meur.

Je, H. de La Croix.

La partie suivante nous a montrées des quatre vingt-dix

année le 2e de La Croix

rien de montrer sous

élie durant sous

rejet de son ordre.

neuf et qui est la preuve que est et la preuve aux

marche est l'année. Notre preuve est l'année

faisait l'original

La partie suivante nous a montrées sous l'année 3e de La Croix

meur et à

Je, H. de La Croix.

du 1er 9e 1782.

Me en terre Extraordinirement par les magistrats cy

meur.

Mr. Hubert de l'Hermel

Théodore Breton

Philippe Engel

Le 2e Jean de La Croix demandeur

Le demandeur appelle la Cour de lui accorder Sa démission

tenu pour la trahison de la Cour de ce village ainsi qu'elle luy ait été

été par une sentence de ladite Cour du 8 mars 1782. Et

elle, par une autre sentence de la même Cour du 29 8bre

ment.
The judgment of the other part being duly considered by the Court, we confirm and sustain it by these presents and order that it shall have its full and entire effect; and we have signed this said day and year.

[ Signed ]

Mark of Ducharme
+ Brady
Fr. Courier J. B. H. LaCroix
B. Dubuque Labuxiere, Clerk.

To-day, the eighth day of October, 1785, there has appeared at the record-office of this jurisdiction M. Jean Bte. LaCroix bearing the following note, and he required of me, the undersigned clerk, the registration thereof, and it contains what follows:

In the presence of the undersigned witnesses, I, John Marie Durand, under my mark, promise and bind myself to pay at New Orleans to the order of M. Jean Bte. LaCroix the sum of one hundred and ninety-nine livres in money in return for a like sum which the said gentleman has loaned me at Cahokia, the 20th of August, 1784. Signed with + for the mark of J. M. Durand; Fr. Saucier, witness; and after the said registration was made, the said original was returned by me, the undersigned clerk, to M. Jean Bte. LaCroix, who has signed with me the said day and year.¹

Labuxiere, Clerk.

J. B. H. LaCroix.

November 12, 1785.

At a special session of the Court held by the magistrates hereafter named:


M. JEAN BTE. LACROIX Petitioner

The petitioner prays the Court to accept his resignation of the privilege to trade with the savages in this village in the form it was granted him by a decree of the said Court, March 8, 1782,² and confirmed by another decree of the said Court the 29th of October last, for reason known to himself; and he declares that he abandons and leaves it to the Court to make orders in regard thereto.
dernier pourraison a luy Commue declarant quil la abandonne et laisse a la disposition de la Cour de se conformer.

Veu la demande du Sr LaCroix Nous avons Ennuie Sa demission Et Le dechargez de la traite des sauvages En ce poste Et de toutes les conditions aux quelles il se voit oblige par la Sentence du 6 mars 1782.

Du Charme P. sd.

J B H LaCroix.

Labuxiere greffer

Et a linstant Sont comptcus les Sr Isaac Levy Et Thom Brady citoyen de ce village Les quels ont sule La Cour de leur accorder la meme traite Et privilege dont le Sr LaCroix a donne Sa demission, ofrant de se Conformer a la sentence du 8 mars 1782. surquoy La Cour a accordé Et accorde aux exposant le meme privilege qui avoir Ete cy devant donné auds Sr LaCroix Et ont fait Sermant de sy Conformer lesd jour Et an.

Brady.

Labuxiere greffer

La Cour assemblee voulant remedier aux abus continuels qui se Commetent journellement dans ce village par luo de vie qui se versse aux sauvages dont il En resulte des Effets tres dangereux Et pennisseux au bien Et a la tranquillite publique.

La Cour a defendu Et defient tres empresements a toutes personnes de telle qualite Et conditions quelles puissent etre de donner aucune Boisson Enyvrante aux Sauvages, Sous pretexte de visite de Camarade, de Connaissance, traite ou autrement, pas meme Seulement un Coup Soit a leur arrivee ou a leur depart a peine de trois cent livres demandes, de Confiscation de la traite, quils auront fait Et de plus grande peine En Cas de residive. dont les Sauvages Seront Cru Sur leur declaration Sans qu'il Soit Besoin de plus grande preuve. Et les Sauvages Seront arretes jusqu'a ce qu'ils aient fait leur declaration Reservons neantmoins la libert a Mf trotier commandant de ce village den donner avec prudence Et moderation lors que les sauvages viendront Le voir tant pour les Conseils que pour les autres occasions ou un Commandant ne peut Sen dispenser ainsy qu'il est durage donne la Cour Seante lesd jour Et an. Et la presente Sera lu publiée Et
In view of the prayer of M. LaCroix we have accepted his resignation and relieved him of the trade with the savages in this post and of all the conditions by which he was bound by the decree of March 8, 1782.

DuCharme, Pres.

Labuxiere, Clerk.

J. B. H. LaCroix.

And now appeared MM. Isaac Levy and Tom. Brady, citizens of this village, who petitioned the Court to grant them the same commerce and privileges, of which M. LaCroix gave his resignation, and they offer to conform to the decree of March 8, 1782. Whereupon the Court has granted and does grant to the petitioners the same privilege, which had been herebefore given to the said M. LaCroix; and they have made oath to conform thereto the said day and year.

Brady.

J. B. H. LaCroix, Pres.

Labuxiere, Clerk.

The Court assembled to remedy the continual abuses, which are daily committed in this village through the liquor which is served to the savages, from which there results effects very dangerous and penurious to the welfare and the tranquillity of the public.

The Court has forbidden and does forbid very expressly all persons, of whatever quality and condition they may be, to give any intoxicating drink, even a draught, to the savages under pretext of social visit, of acquaintance, by way of trade or otherwise, either on their arrival or their departure, on pain of three hundred livres fine and confiscation of the business they have made, and of greater punishment in case of second offense; in regard to which the savages shall be believed on their affidavit without need of greater proof, and the savages shall be held until they have made their affidavit. We reserve, however, to M. Trottier, commandant of this village, the liberty to give some with prudence and moderation, when the savages shall come to see him either for holding councils or on other occasions when a commandant cannot dispense therewith, as it is customary. Given at the session of the Court the said day and year. And the present decree shall be read, published and placarded on the door
a a la porte de cette Eglise Et signifiée au marchand Etranger residant En ce poste a ce quils nen pretendent Cause dignor-
ence.

Labuxiere greffier J B H LaCroix p Si

Publiée et aächée p² la 2e fois le 3 xbre 1786. Labuxiere

a une Cour du dix neuf Novembre mil sept cent quatre vingt Cinq. Le S'r pierre antoine Thabault a fait Serment de fidelité aux
Etats unis de Lamerique Et promis de se Conformer aux Edits et
reglements du Gouvernement de virginie et a Signé lesd¹ jour Et

an.

P A Tabneau

J B H LaCroix pr.sed.

a la meme Cour

M'r JEAN DUMOULIN demandeur contre PIERRE TROGE defendeur

Le demandeur a produit un billet contre le defendeur de la
Somme de Sept cent quatre vingt une livres quinze sols En argent
Echus En demandant le payement.

Le defendeur a reconnu le Billet Et a dit Navoir point de quoy
le payer actuellement qu'il demdoit [sic] huit jour de delais. Pour
saranger avec le S'r Caillole avec qui il avoit des comptes. le de-
mandeur a replique que jusqu'a ce tems M'r LaCroix ne se denantis-
se pas de quarante Cinq Sacs de mahis qu'il avoit aparternalns au-
troge.

La Cour faisant droit a accorde Le delais de huit jour audit
troge Et jusqu'a ce tems a Saisy conservatoire entre les mains de
M'r LaCroix les quarante Cinq Sacs de mahis p't led' tems passé
etre ordonné ce qu'il apartiendra.

Labuxiere greffier J B H LaCroix pr.sed

a une Cour du deux janvier mil sept Cent quatre vingt Six

tenue par

Messieurs jean Bte LaCroix, presid'.
Thom Bredy Philipe angel
j. Bte Dubuque Carle duCharme

Les habitants du grand Ruisseau ont presente une Requete. que
la dite a repondu et ordonne que les representant Seront sommis
a cette jurisdiction comme Etant de cette dependance sauf a eux

¹ Note in the margin by the clerk.
of this church and announced to the alien merchants residing in
this post, so that they may not plead the cause of ignorance.
Labuxiere, Clerk.

J. B. H. LaCroix, Pres.

Published and placarded for the second time December 3, 1786.
Labuxiere.

At a Court the 19th of November, 1785, M. Pierre Antoine
Tabeau made oath of fidelity to the United States of America and
promised to conform to the edicts and regulations of the govern-
ment of Virginia, and has signed the said day and year.

P. A. Tabeau.

Labuxiere.

J. B. H. LaCroix, Pres.

At the same Court.

M. JEAN DUMOULIN, Plaintiff, vs. PIERRE TROGE, Defendant.

The Plaintiff produced a note against the defendant for the
sum of seven hundred and eighty-one livres fifteen sols in
money, which is matured, and demands payment.

The defendant acknowledged the note and said that he did not
have wherewith to pay at present and demands delay for a week to
make arrangements with M. Caillot with whom he had some
accounts. The plaintiff replied that until that time M. LaCroix
ought not to dispose of forty-five sacks of corn, which he had,
belonging to the said Troge.

The Court justly granted the delay of a week to the said
Troge and until that time attached for security the forty-five sacks
of corn in the hands of M. LaCroix, that orders may be given as
may be fitting, when that time is passed.

Labuxiere, Clerk.

J. B. H. LaCroix, Pres.

At a Court the 2nd of January, 1786, held by
MM. Jean Bte. LaCroix, President. Philippe Engel.
Tom Brady. Charles DuCharme.

J. Bte. Dubuque.

The inhabitants of the Grand Ruisseau presented a petition,
which the said [Court] answered and it decrees that the petitioners
shall be submitted to this jurisdiction as belonging to this depend-
ency, reserving to them the right to name arbitrators in case of dis-
putes in their affairs occurring among them, without detracting from
de nommer des arbitres En Cas de Contestation dans les affaires qui surviendront Entreux Sans desroger a lhotorité de cette dite Cour. Et leur accorde En outre de Nommer Entreux un Commandant pour y maintenir le Bon ordre Et la police qui sera subordonné au Commandant des Cahos Et Sujet a luy obeir et a recevoir Ses ordres Et qui se presentera devant cette dite Cour pour preter Sermant dosice Et de fidelité avant dexercer aucun pouvoir donné aux Cahos le deux janvier mil sept Cent quatre vingt Six.

Labuxiere grevier

J B H LaCroix prdt

a la meme Cour

Le Sr Izaac Levy demandeur Contre Charles LaCroix Forgeron defendeur

Le demandeur produit un Billet de la Somme de huit Cent livres En argent dub par le defendeur Et Echu demandant que ledis defendeur Soit Condamné a luy En payer Sans delais le montant.

ouy aussi le defendeur qui a reconnu Son dit Billet, mais qu'il est convenu verbalement avec le Sr Levy dans le tems qu'il luy a fait Ses avances de prendre des Billets dhabitants En payements. Et que cest sa Convention sans laquelle il Nauroit Rien pris chés Le Sr Levy.

Le Sr Levy a repliqué le Contraire Et a dit qu'il netoit point Convenu de ce fait persistant a ce que le defendeur Soit Condamné a luy payer ladite somme Sans delais N'Entendant aucunement prendre des Bons d'habitant En payement.

Ledis Charles laCroix a soutenu que Ledis Sr Levy Etoit Convenu verbalement de prendre lesdits Bons d'habitants Et que Setoit Sa Convention.

Les quelles parties N'ont pu donner aucunes preuves de part ny dautre Et le billet ne faisant aucune mention de ce fait parties ouyes et le tout Consideré Et Examiné La Cour a ordonné Et ordonne qu'il sera donne au Sr Charles laCroix un mois de Credy pour retirer ce qui luy Est dub des habitants Soit En argent ou danrees au prix du Cour. les quelles payement Seront Remis

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1 The currency of the period consisted principally of what were called "peltre bons." They were notes, issued generally by the merchants, bearing on their face the inscription that they were good (bon) for so many pounds of shaved deer-skins. These were used in all the
the authority of this said Court; and it grants them furthermore the right to name among them a commandant to maintain there good order and police, who shall be subordinated to the commandant of Cahokia and obey him and receive his orders, and who shall present himself before this said Court to take the oath of office and of fidelity before exercising any authority. Given at Cahokia the 2nd of January, 1786.

Labuxiere, Clerk J. B. H. LaCroix, Pres.

At the same Court.

M. ISAAC LEVY, Plaintiff vs. CHARLES LA CROIX, blacksmith, defendant.

The plaintiff produces a note for the sum of eight hundred livres in money due by the defendant and which has matured, and prays that the said defendant be condemned to pay to him the amount thereof.

Heard also the defendant, who acknowledged his said note, but says that it was agreed verbally with M. Levy, at the time that the latter made him these advances, to take some notes of the inhabitants in payment; and that this is his agreement, without which he would have taken nothing at M. Levy’s.

M. Levy made rejoinder and said that there was no agreement of that kind and persisted that the defendant should be condemned to pay him the said sum without delay, since he did not intend to take bons of the inhabitants in payment.

The said Charles LaCroix maintained that the said M. Levy made a verbal agreement to take the said bons of the inhabitants and it was his convention.

Neither party has been able to give any proof and since the note makes no mention of this agreement, after the parties were heard and all considered and examined, the Court decreed and does decree that there shall be given Charles LaCroix a month’s credit to procure from the inhabitants what is due him either in cash or commodities at the price current, which payments in the same kind shall be delivered to the said M. Levy, who shall not be transactions of the inhabitants. The form of a bon was as follows: "Bon pour six livre de Barbue à St. Louis ce 25 fbrer, 1799. Antoine Roy."—Address by Judge W. C. Carr at St. Louis, February 15, 1747.
audt St Levy par ledt LaCroix En meme nature qui ne poura les refuser jusqu’a la Concurrence de Son dub. si mieux naime ledt St Levy de sacommoder des Billets quil jugera a propos, ou avec les personnes qui les doivent Et condamnons le defendeur aux frais que nous avons liquidez a quinze livres lesdt jour Et an.

p° Le grefe 10  J B H LaCroix prsdtt
p° lhuissier 5  Labuxiere grefier

La Cour est ajournee au 1er de fevrier mil sept cent quatre vingt six Et les Extraordinaire auront lieux.

a une Cour du quatorze fevrier mil Sept Cent quatre vingt Six.

Mtte Jean Bte LaCroix President
fr. courrier Charles ducharme
antoine girardin Philipe angel
Bte Dubuque

JEAN Bte BARON demandeur contre LOUIS LAMBERT defendeur et JOSEPH VAUDRY aussi defendeur

Le demandeur demande a la Cour qu’il luy soit payé la Somme de Soixante livres pour deux Communs qu’il a fait le printems dernier pour les dits deux defendeurs par ordre de Mte girardin Et Dubuque magistrats aux Communs De la prairie de ce village les dits defendeurs ayant refusé de la faire dans le temps fixe.

ouy les defendeurs qui ont dit quils navaient point de terre a la prairie de ce village Et quils avoient fait leur commun a la prairie du pont que ces Communs appartenoient a des personnes du village qui n’avoient point fait.

Le demandeur a repliqué qu’il les avoit faites pour les defendeurs par ordre de Mte Dubuque Et girardin Et qu’il luy avoit promis de le faire payer, ouy Mte Dubuque magistrats qui est Convenu du fait. Le tout consideré tout considere Nous dammions les dits Lambert et vaudry a payer Chacun la sette de trente livres audt jean Bte Baron Et ce sans delais Et aux frais Et depens que nous avons liquidez a la Somme de vingt Cinq livres, dont dix livres p° lhuissier et quinze livres pour le grefier tant p° deux ordres que pour la presente sentence ce qui sera Execute lesdt jour Et an.

1 Clerk’s note in the margin.
allowed to refuse them up to the equivalent of his due, unless the said M. Levy prefers to accept notes which he shall judge good or to make arrangements with the persons who owe them; and we condemn the defendant to the costs which we have fixed at fifteen livres the said day and year.

For the record office 10. J. B. H. LaCroix, Pres.
For the huissier 5. Labuxiere, Clerk.

The Court adjourned to the 1st of February, 1786, and special sessions shall have place.

At a Court, February 14, 1786.

MM. Jean Bte. LaCroix, President. Charles DuCharme.
Fr. Courier. Phillippe Engel.

JEAN BTE. BARON, Plaintiff vs. LOUIS LAMBERT, Defendant, and

JOSEPH VAUDRY, also Defendant.

The plaintiff prays the Court that there be paid him the sum of sixty livres for two fences on the common field which he made last spring for the said two defendants by order of MM. Girardin and Dubuque, magistrates for the fences of the meadows of this village, since the said defendants had refused to make it in the fixed time.

Heard the defendants who said that they had no land in the meadow of this village and that they had made their fence in the Prairie du Pont and that these fences in the common field belonged to some persons of the village who had not made them.

The plaintiff replied that he had made them for the defendants by order of MM. Dubuque and Girardin and that the former had promised him to make them pay. Heard M. Dubuque, magistrate, who has admitted the fact. All considered we condemn the said Lambert and Vaudry to pay each the sum of thirty livres to the said Jean Bte. Baron and that without delay and to pay the costs and charges, which we fix at the sum of twenty-five livres, of which ten livres are for the huissier and fifteen livres for the clerk,

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1 This probably means the fence, but it might mean any other structure built by the community. The use of the feminine pronoun, however, would point to the idea of la clôture being in the clerk’s mind.

2 A common abbreviation for somme.
Sauf leur reur [sic] sur ceux quils disent savoir point fait de Commun tant p' les soixante livres que p' Les frais.
Labuxiere greffier  J B H LaCroix pdt
La Cour est ajournée le,deux de Mars mil sept cent quatre vingt Six.
Labuxiere greffier  J B H LaCroix pr sd

a la meme Cour du 14 fevrier 1786.
LA VEUVE BEAULIEU demanderesse contre ANTOINE GIRARDIN
defendeur
La demanderesse a produit une requete Portant ce qui Suit.
a Messieurs les magistrats et president tenant la Cour du dis-

Messieurs
Madame veuve Beaulieu a l'honneur de vous exposer que
depuis lespace de vingt trois ans ou plus elle est proprietaire d'une
Sucrey a elle concedee par Messieurs Les missionnaires dont
elle En a tous les titres Et depuis quelques mois, Monsieur Girar-
din Setant presenté a vôtre cour pour vous la demander de rechef
vous luy avez accordé Sur la mauvaise information qu'il vous a
faite. Et En ayant eu connoissance ainsy que plusieurs Citoyens
de ce village En jugeant que Ceci ne pouvoit etre que prejudiciable,
nous avons representé au Sieur girardin qu'il ne pouvoit nous oter,
un bien qui nous appartenoit si legitiment et qu'il auroit grand
tor dy faire travailler vû que cela ne pouvoit luy occasionner que
de la perte, il nous a resisté En nous disant que nous etions
trop ignorant pour juger de Ceci Et qu'il connoissoit mieux
Lentendue de la Seigneurie qu'aucun habitant domicilié de ce
village.
Le temps Etant vent pour travailler a nos sucrerie Nous nous
y Sommes transportés Et avons trouvé le Sieur girardin, qui nous
a fait defences dy travailler Et meme de nous y presenter Et
sil faloit En venir aux extremitez qu'il se Battroit Et resteroit
plustost Sur la place et qu'il N'avoit aucune reserve a faire contre
des coquins.

1 The seigniory of the mission
both for the two orders and for the present judgment, for which there will be execution the said day and year, reserving to them recourse against those who, they say, have not made the fences, both for the sixty livres and for the costs.

Labuxiere, Clerk.  
J. B. H. LaCroix, Pres.
The Court adjourned [to] the second of March, 1786.
Labuxiere, Clerk.  
J. B. H. LaCroix, Pres.

At the same Court, February 14, 1786.
The Widow Beaulieu, Plaintiff vs. Antoine Girardin, Defendant.

The plaintiff produced a petition containing what follows:
To MM. the Magistrates and President holding the Court of the District of Cahokia.

Gentlemen:

Madame Beaulieu, widow, has the honour to show you that for the space of twenty-three years or more she has been proprietor of a sugar-farm conceded to her by MM. the Missionaries from whom she has all the title deeds therefor; and that some months ago when M. Girardin presented himself at your Court to demand it from you anew, you granted it to him upon the misinformation which he made to you; and that I and also several citizens of this village, having had knowledge of this and judging that this could be only prejudicial, we have shown M. Girardin that he could not take away a property which belonged to us so legitimately and that it would be a great wrong to have work done upon it, seeing that it could only occasion him loss. He resisted us saying that we were too ignorant to judge of that and that he knew the extent of the seigniory better than any inhabitant living in this village.

When the time to work on our sugar-farm came, we went thither and found M. Girardin, who forbade us to work or even to go there, and said that if it was necessary to come to extremities he would fight and would prefer to be killed on the spot, and that he had no reserve to make in dealing with rascals.

This report having been made to us we concluded to make our report to you; but M. Girardin, having recognized his fault as
ce rapport Nous ayant Été fait Nous avons Conclu de vous en faire notre Rapport, mais M. girardin ayant connu Sa Faute plus grande que de Contume est venu des le lendemain trouver M. trotier pour Se Blanchir Et y ayant trouvé madame Baulieu ainsi que plusieurs Cytoyens qui luy exposerent leurs raisons, disant que lon N’étoit pas pour se detruire, que nous En passerions par la justice, a quoy il nous a dit qu’il ne vouloit pas être jugé par aucuns Cytoyens de L’Endroit, vu qu’il vous manquoit deux Choses la Siance et la probité. Et nous ne pretendons pas avoir Établi une Cour pour la detruire et pour nous faire juger par aucun Etranger. Tous les habitans demandent qu’il Soit denanty de tout ce qui luy a Été accordé a la prairie du pain de Sucre parce qu’il est dans le Cas de Nuire a tous les habitans, Nous esperons que vous nous rendrez la justice que nous attendons de vos Bonte aux Kaos le 7 fevrier 1786.


ouy le Sr girardin en Ses defences qui a dit que la cour luy avoit accordé sa Concession sur le refus quavoyait fait madame baulieu de representer Son titre a la Cour. qu’il avoit Exploite La terre dont est question pendant trois ans sans interruption de qui ce soit Et y avoit fait des frais et depenses qu’il Croyoit que sa Concession devoit etre valable, Et a offert de remetre la-dite terre a la dame baulieu Et aux habitans en luy Remboursant les frais que lon luy a laissé faire suivant un memoire qu’il a produit montant a 792lbs En argent faute de quoy qu’il demandoit a Etre maintenu dans Sa concession.

1 A reference to the United States’ court, for which the French were to wait until 1790. The Court makes a similar reference to the expected court below.
greater than usual, came the next day to find M. Trottier to clear himself, and having found there Madame Beaulieu as well as several other citizens who set forth to him their reasons saying that it was not a question of destroying oneself, that we would submit to justice; upon which he said to us that he was not willing to be judged by any of the citizen of this place, since you were lacking in two things, knowledge and probity. And we do not pretend to have established a Court to overthrow it and to have ourselves judged by any outsider. All the citizens pray that he may be deprived of all that which has been granted him in Sugar-Loaf Meadow, because he is in position to injure all the inhabitants. We hope you will render to us the justice which we expect from your benevolence. At Cahokia, February 7, 1786.

Signed Widow Beaulieu; Pierre Martin a +; Chatel a +; Pierre Cabassier a +; Ch Lefevre; + Lafleur; Louis Trottier; J. Bte. Milot; + Bte. Baron; + Lebrun; + Jean Marie Dorion; + Bergeron; + Lagrave; Deshayes; h. B. r. Biron; + Gabriel Baron; Bte. Saucier; Fr. Lonval; Pierre Lafleur; Lonval for Louis Gaud; Francois Lapancé; + Antoine Boyer; + Groslé; + mark of Lecomte; + J. Lapancé; + Clement Alarie; Fr. Grandmont; M. Saucier; + Gervais; + Buteau; + Louis Pillet; + Raphael Gagné; + Gabriel Tellier; + Vaudry; + Pelletier; + Bouvet; + Joseph Cesirre; + Bte. Dumay; Fr. Trottier; + Charles LaCroix; Alexis + Tabean; + Chatel.

Heard M. Girardin in his defense and he said that the Court had granted him his concession on the refusal of Madame Beaulieu to exhibit her title-deed to the Court; that he had farmed the land in dispute during three years without interruption from anyone and had incurred costs and expenses thereon; and that he believed that his concession should he held valid; and he offered to deliver the said land to Madame Beaulieu and to the inhabitants, if they reimbursed him for the expenses, which they permitted him to make, and which amounted to 792 livres in money according to a memorandum which he produced; in default of which he demanded that he be maintained in his concession.
Le tout considéré la Cour a apointé ladite Requete de la dame Beaulieu ainsi qu'il suit.

Veut la requête présentée à la Cour et les raisons aleguées par toutes les parties Ensemble un titre du vicaire ou Curé des Cahos, par lequel il donne au Sr Beaulieu le Canton de Bois que ces prédécesseurs Setoient reservez pour faire du Sucre daté du 19.9\textsuperscript{bre} 1763. produit ce jourd'hui par la veuve Baulieu, Ensemble notre concession accordée au Sr girardin En datte du premier octobre 1783. La Cour ne pouvant decider Sur la validité de l'un ou de Lautre titre atendû que lorsque nous avons donné ladite concession au Sr girardin, il a lui meme le jour precedent averty madame Baulieu de Nous representer Ses titres Si Elle En avoit, faute de quoy quil aloit demander Sa concession ce quelle a refusé costamment Et na voulu les produire a la Cour: vû led\textsuperscript{r} refus Nous avons Crû, devoir accorder ladite Concession au Sr girardin dautant quil a Exploité ladite terre et fait des travaux pendant trois ans a la Connoissance de tous Les habitans des Cahos et de la dame beaulieu Sans opposition ny depressions des personnes cest en consequence que notre opinion netant pas de Casser auncune des dites Concessions Nous renvoyons cette decision au gouvernement que nous atendons qui Fera droit a qui il apartiendra donné aux Cahos la Cour Seante le quatorze fevrier mil sept cent quatre vingt Six Signé Sur la copie de la presente sentence Ecrite au bas de La requete Remise a la dame Beaulieu.

Dubuque=Philipe Engel=duCharme=une+pour marque de Courier tous quatre conseillers magistrats Et j B\textsuperscript{te} LaCroix presidant et moy grevier sousigné.

Labuxiere grevier. J. B H LaCroix pr. Sidant
delivré 1 copie de la Sentence a la veuve Baulieu delivre 1 copie de la requete et Sentence au Sr girardin.

\textsuperscript{1}Note in the margin by the clerk.
All considered the Court referred the-said petition of Madame Baulieu as follows:

In view of the petition presented to the Court and the pleadings by all parties, and also of a deed dated November 19, 1763, from the vicar or curé of Cahokia, by the terms of which he gave to M. Beaulieu the section of woods which his predecessors had reserved for making sugar, and which was exhibited this day by the widow Beaulieu; and also of our concession made to M. Girardin, dated October 1, 1783: the Court not being able to decide on the validity of either deed, because, when we gave the said concession to M. Girardin, he himself notified Madame Beaulieu on the preceding day to exhibit to us her deeds, if she had any, in default of which he said that he was going to ask for his concession, and she constantly refused and did not wish to produce the deeds in Court; considering the said refusal we believed that we ought to grant the said concession to the said M. Girardin, inasmuch as he had farmed the said land and had had work done on it for three years with the knowledge of all the inhabitants of Cahokia and of Madame Beaulieu without opposition or prohibition by anyone: therefore it is our opinion that, since we do not wish to annul either of the said concessions, we remit this decision to the government which we are expecting, and which will render justice to whomsoever it belongs. Given at Cahokia at the session of the Court, the 14th of February, 1786; and signed on the copy of the present judgment which is written beneath the petition returned to Madame Beaulieu.

Dubuque; Philippe Engel; DuCharme; a + for the mark of Courier, all four councilors and magistrates and J. Bte. Lacroix. President, and I, Clerk signed below.

Labuxiere, Clerk. J. B. H. LaCroix, President.

Delivered one copy of the judgment to the widow Beaulieu. Delivered one copy of the petition and judgment to M. Girardin.
Mme jean Bte LaCroix, président. Charles ducharme
Philipe Engel Thom Bredy
fr Courier j Bte Dubuque

accordé quatre concession aux cy après Nommés Savoir.
a jean Bte alary
a Charles Wood
a joseph Lambert
a joseph LaCouture
dont les originaux sont déposés au Rang des minutes du Notaria.
a la meme Cour délivré un ordre a jacob groot ameriquain pour se faire payer des habitans du grand Ruisseau.
La Cour est ajournée au p° davril prochain.
a la dite Cour Le Sr Girardin a présente une requete contre la dame baulieu En datte du 28 f° dernier tendant a la decizion de leur contestation p° la terre du pain de sucre. la Cour assemblée a Confirmé Sa sentence du 14 f° dernier Et Renvoy l'exposan a se pourvoir devant le gouvernement que nous attendons ainsy qu'il a Été Cy devant décidé par notre dite Sentence du quatorze fevrier dernier La Cour tenant ledt jour deux mars 1786.

[Signed] B Dubq. Brady
Philipe Engel DuCharme
de
marque+f°
Courier

J B H LaCroix presdt

a une Cour du trois avril mil sept Cent quatre vingt Six tenue par
Mme jean Bte LaCroix presdt Charles ducharme
antoine girardin Philipe Engel
jean Bte dubuque

Le Sr jean Bte LaCroix a rendu compte ce dit jour devant la Cour de la succession de Michel Godiniere En presence de Louis

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1 The decision was not final. On March 31, Girardin petitioned the Court again, and his concession was sustained.—Chi. Hist. Soc., Cah. Rec.
COURT RECORD, MARCH, 1786

At a Court, March 2, 1786.

MM. Jean Bte LaCroix, President. Charles DuCharme.
Antoine Girardin. Thom. Brady,
Fr. Courier. J. Bte Dubuque,
Philippe Engel.

Granted four concessions to the hereinafter named, to wit:
to Jean Bte. Alarie.
to Charles Wood
to Joseph Lambert.
to Joseph Lacouture.
The originals of these are deposited in the files of the minutes
of the notary's office.

At the same Court: delivered an order to Jacob Groot, Ameri-
can, to compell payment by some inhabitants of Grand Ruisseau.
The Court adjourned to the first of April next.

At the said Court M. Girardin presented a petition against
Madame Beaulieu, dated the 28th of February last, pleading for
the decision of their litigation over the land of the Sugar-Loaf.
The Court in assembly confirmed its judgment of the 14th of
February last and dismissed the petitioner to sue before the
government which we are expecting, as has been herebefore
decided by our said judgment of the 14th of February last.1
In the session of the Court the said second of March, 1786.

[Signature]
B. Dubuque Philippe Engel
Brady DuCharme
Mark of
+
Fr. Courier J. B. H. Lacroix, Pres.

At a Court, April 3, 1786, held by

MM. Jean Bte. Lacroix, President. Charles DuCharme.
Antoine Girardin. Philippe Engel.
Fr. Courier Jean Bte. Dubuque.

M. Jean Bte. Lacroix, this said day, rendered before
the Court account of the estate of Michel Godiniere in the
presence of Louis Chatel according to the receipt which the
Chassé suivant la quittance que le(s) Chassé en a donnée ci-dessus pour vous J. LaCroix.

La même jour a été accordé au S. Jean solivin une saisie privilégiée sur toutes les peltry et autres effets et maison provenants du produit des marchandises qu'il a avance a devant E. Leduc. ladite saisie adressée au S. Maillet commandé dans la rivière des Illinois.

La même cour Jacob Groot habitant américain a présenté un billet contre Jean Solivin par lequel il reclame trente minot de mahis ou qu'il ait à lui payer le prix qu'il vaut aujourd'hui.

Oui led' solivin qui a reconu devoir les trente minot de mahis mais qu'il etoit hors detat de pouvoir les livrer quant à present.

Le tout considere a décidé que Ledit solivin payera aud' Groot dans le Cour doctobre prochain Le mahis a raison de Sept livres dix sols les minot En Egard au temps present de sa valeur actuelle montant a la somme de deux cent vingt cinq livres Et que le payement sera fait soit En argent, Lard, farine ou mahis ou bled froment au Cour du prix du mois doctobre Et non En autre danree de laquelle somme a faute de payement dans led' temps les effets dud' solivin seront vendus Et condemnons led' debiteur aux depens.

J B H LaCroix pr. Sdt

La Cour est ajourné au premier de May 1786.

J B H LaCroix p. S.

1 Jean Dumoulin was a native of Switzerland. According to Reynolds (Pioneer History, 1773), he was a man of good education and gentlemanly bearing. He must have settled at Cahokia about this time, although his name does not appear as a resident in the census of 1783. See ibid p. 624. In 1796 he was appointed a justice of the Court of Common Pleas, and from that time on he held many important positions. Like many others, he became wealthy by purchasing from the French their claims to land granted by Congress in various acts to the inhabitants of Illinois. Since the United States was dilatory in settling these claims, the poorer Frenchmen were compelled to part with their rights for a song. Dumoulin died in 1808.

2 Smith, St. Clair Papers, II., 165.

3 It is difficult to say anything about this man, since so much that is inconsistent and false has been written. In the Record, his name is written Maillet; Reynolds calls him Paulette Maillet; in Amer. State Papers, Public Lands, his name is given as Jean Bte Maillet; and I am sure that his name was Jean Bte. Maillet. This last must be wrong, since Colonel Sargent, secretary of Governor St. Clair, writes it J. Bte. Mayet, evidently a phonetic spelling.
said Chatel gave therefor to the said M. LaCroix this day aforesaid.

On the same day was granted to M. Jean Dumoulin a writ of privileged seizure of all the pelttries, other effects and house, accruing from the proceeds of the merchandise, which he advanced to the deceased Bte. Leduc. The said writ of seizure was addressed to M. Mailhet, commandant on the Illinois river.

At the same Court Jacob Groot, American inhabitant, presented a note against John Sullivan by which he claims either thirty minots of corn or that he be paid the price that it is worth to-day.

Heard the said Sullivan, who acknowledged that he owed the thirty minots of corn; but said that he could not deliver it at present.

All considered the Court decided that the said Sullivan shall pay the said Groot, in the course of October next, the corn at the rate of seven livres ten sols the minot, which is at the present time its value and which amounts to the sum of two hundred and twenty-five livres, and that the payment shall be made either in money, lard, flour, corn or wheat at the current price of the month of October, and not in other commodities. In default of payment of this sum at the said time the effects of the said Sullivan shall be sold; and we condemn the said debtor to pay the costs.

J. B. H. LaCroix, Pres.

The Court adjourned to the first of May, 1786.

J. B. H. LaCroix, Pres.

trader there. From him the village was called the Ville de Maillet. He had relations with the Cahokia traders and the magistrates of that village regarded Peoria as being a dependency of their district and Maillet as the commandant of the post. See pp. 380, 417. In Reynolds' time the tradition was preserved that he led a successful expedition against St. Joseph in 1778 as a retaliation on the British for their defeat of the Cahokia expedition of the previous year. This attack by the Cahokians occurred in 1780 and was inspired by Colonel de la Balme. If the tradition in regard to Maillet is correct, he must have accompanied the Spanish and Cahokia expedition against the British post at the beginning of the next year. See Introduction, p. xxi. Maillet appears to have extended his trading ventures as far as the Rocky Mountains. He was killed in 1801.—Reynolds, Pioneer History, 97; Tasse, Les Canadiens de l'Ouest, i, 241 et seq.; Amer. State Papers, Public Lands, iii., 478.
La Cour est ajoynée au 3e de may 1786.

J B H LaCroix prs.dt

a une Cour du premier May 1786.

Mme pauc B° LaCroix presidant Philipe angel
antoin girardin jean B° dubuque
Charles du harme francois Courier
entre la veuve GEORGE BLAIN demanderesse contre LOUIS LE-
COMTE defendeur.

La demanderess dît que le defendeur luy a Brulé un arpent.
At a Court in special session, held April 15, 1786.

MM. Jean Bte. LaCroix, President. François Courier.
FRANÇOIS CAILOTT, trader of the Spanish bank, Defendant,
vs. M. JEAN DUMOULIN merchant at Cahokia, Defendant.

The plaintiff asks that M. Dumoulin be condemned to deliver to him twenty-five sacks of corn.

The said Dumoulin says in defence that the plaintiff by account and agreement promised him a heifer, and that he offered to give him his corn, if he delivered the said heifer, and that he (the defendant) has already delivered two minots of it.

After the parties were heard in their prayers, answers, replies, and rejoinders, the Court decrees that M. Dumoulin shall deliver to M. Caillot thirteen minots of corn and he shall be constrained to do this without delay; and we condemn the said Dumoulin to pay the charges and costs.¹

At the same Court M. Dumoulin produced an account for the sum of one hundred livres for the wages of one of his men whom M. Caillot engaged.

Heard M. Caillot, who answered that the said employé had worked only eight days at the rate of forty livres a month and that at the end of that time he had left him; that he offered to pay him on the scale of forty livres. The parties heard, we condemn M. Caillot to pay for the eight days' work at the scale of forty livres a month agreed between them, and to pay the costs and expense.

The Court adjourned to the first of May, 1786.

J. B. H. LaCroix, Pres.

At a Court, May 1, 1786.

MM. Jean Bte. LaCroix, President. Philippe Engel.
Charles DuCharme. François Courier.

The widow GEORGE BLIN, Plaintiff, vs. LOUIS LECOMTE,
Defendant.

The plaintiff says that the defendant burnt an arpent² of

¹Arpent, as a French-Canadian linear measure, is equivalent to 180 feet. —Clapin, Dict.
²Canadien-Français.
de Closture En perches. quelle requiere qu'il ait a luy remettre la
meme quantite de perche.

Le defendeur dit qu'il a voulu entrer En arrangement avec
la demanderesse et quelle na voulu entendre a aucun accommodate-
ment. Nous avons condamne Le Sr Le comte a livrer la meme
quantite de perche qu'il a brule Recevable Et la demanderesse
fera faire sa Closture a Ses frais et condamnons les parties a payer
chacun la moitie des frais.

Entre HENRY BIRON demandeur contre MICHEL CHARTIER
defendeur

Le demandeur reclame une sie de long qu'il dit avoir preté au
Nomme Charpentier Et que ce dernier partant pour la Nouvelle
orleans luy dit qu'il avoit laissé la sie au Sr Chartier qu'il navoit
qu'a la luy demander qu'il la luy remetroit ou qu'il la luy payeroit
que luy demandeur la demandée aud Chartier dans le tems
et qu'il luy dit qu'il ne la perdroit pas et qu'il lavoit que ces jours
passé il a demandé de Nouvau la sie aud Chartier qu'il luy a
repondu qu'il setoit mal arangé.

ouy led Chartier qui a dit qu'il navoit aucune connoissance
que le Sr Biron luy En ait parlé qu'il ne sen souvient pas Et qu'il
a payé la sie aud Charpentier Et qu'il ne pouvoit pas la payer
deux fois.

La Cour leur ayant proposé sil acceptoit le serment lun de
lautre led chartier a defferé le Sermant au Sr Biron. sur quoy
luy ayant fait faire serment sur les Saints Evangiles a dit et
declaré qu'il a averty led Chartier au depart dud Charpentier
Et qu'il a promis de luy payer la sie. sur quoy Condammnons
led Chartier a la payer a demeurde la somme de quatre vingt
livres En argent et aux frais qui seront avancés par le Sr Biron
Et a luy remboursés par led Chartier. * Et a led Biron donné un
mois de Credy au defendeur.

J B H LaCroix prstd

La Cour est ajournée au premier juin 1786.

Labuxiere grefir.
rail fence and prays that he be compelled to deliver the same quantity of rails to her.

The defendant says that he wished to make an arrangement with the plaintiff and that she was unwilling to listen to any settlement. We condemned M. Lecomte to deliver the same quantity of acceptable rails that he burnt, and the plaintiff shall have her fence made at her own expense; and we condemn the parties each to pay half of the costs.

Henry Biron, Plaintiff, vs. Michel Chartier, Defendant.

The plaintiff claims a whip-saw which he says he lent the named Charpentier, and that the latter, when he set out for New Orleans, said to him that he had left the saw at M. Chartier's and that the plaintiff had only to ask the latter for it and he would return it or that he would pay him for it. The plaintiff says that he demanded it of the said Chartier at the time, and that the latter said to him that he would not lose it, that he had it; that a few days ago he asked for the saw again from the said Chartier and that the latter answered that he had made no clear bargain.

Heard the said Chartier, who said that he had no other knowledge than that M. Biron had spoken to him about it and that he did not remember about it; and that he paid the said Charpentier for the saw, and that he could not pay for it a second time.

The Court having asked them if one would accept the other's oath, the said Chartier tendered the oath to M. Biron. Thenceforward having caused the latter to make oath on the Holy Gospels, he said and declared that he notified the said Chartier on the departure of the said Charpentier and that the latter promised to pay him for the saw. Whereupon we condemn the said Chartier to pay to the plaintiff the sum of eighty livres in money, and to pay the costs, which shall be advanced by M. Biron and reimbursed to him by the said Chartier; and we order the said Biron to give a month's credit to the defendant.

J. B. H. LaCroix, Pres.

The Court adjourned to the first of June, 1786.

Labuxiere, Clerk.
a une Cour du premier juin mil Sept cent quatre vingt Six.
M'ns Jean B'ns LaCroix président. Charles ducharme
ant' Girardin. f Courier
Magistrats
Le St Izaac Levy demandeur contre ANTOINE HARMAND dit
sans façon absent defaillant faute de procureur pour luy.
Le dit St Levy presente une requete par laquelle il reclame
la Somme de quatorize Cent livres suivant l'obligation hypotéquaire
dud' sans façon Echu depuis le mois de Novembre de L'année
derniere demandant que les Choses hypotéquées soient vendues
jusqu'a parfaite liquidation ou qu'il soit fait une Estimation des
biens hypotéqués p't luy être remis En payment. consistant En
Sa maison, trois vaches dont deux avec leur vaux Et deux chevaux,
surquoy vû la Creance Legitimes du St Levy Et le retard du s'
sans façon la cour a ordonné que les Choses hypotéquées seront
Estimés par arbitres et que le St Levy les prendra En payment
au prix de L'estimation jusqua parfaite liquidation interest frais
Et depens a cet Effet avons nommé henry Biron, B'ns Dumay
Et philipe Gervais arbitres pour estimer Les effets hypotéquez,
lesquels feront leur Estimation ce lundy Cinq de ce mois p't être
Excutée. Et condannons led' harmand aux depens qui seront
avancez par led' s' Levy lesdt jour Et an.

J B H LaCroix

a la meme Cour

Le St Izaac Levy demandeur contre ALEXIS THABAULT def-
fondeur.

Le demandeur requiere que le défendeur soit Condamné a
luy payer la Somme de quatre Cent vingt une livres En argent
par Son Compte Courant Et aux depens Et frais.

ouy le defendeur qui a dit qu'il y avoit baucoup d'artcle qu'il
ignoroit sur quo quy La Cour a requis que le St Levy feroit sernant
Et affirmeroit son compte veritable a L'instant ayant levé la
main droite sur les Saints Evangiles a juré et afirmé que
son Compte Etoit sincere Et veritable. le tout considere la
Cour a condanné et condanné led' defendeur a payer Sans
delais a demandeur la Somme de quatre Cent vingt une livres
COURT RECORD, JUNE, 1786

At a Court of the first of June, 1786.

MM. Jean Bte. LaCroix, President  Charles DuCharme.
Ant. Girardin                           Fr. Courier.
               Magistrates.

M. ISAAC LEVY, Plaintiff, vs. ANTOINE HARMAND called SAN-
façon, absent and without an attorney to represent him.

The said M. Levy presents a petition by which he claims the
sum of fourteen hundred livres according to the obligation assured
by mortgage of the said Sansfaçon, due since the month of Novem-
ber of last year; and demands that the things mortgaged be sold
up to the perfect liquidation, or that there be made an appraise-
ment of the mortgaged property to be delivered to him in pay-
ment. These consist of his house, three cows, two of which have
calves, and two horses. Whereupon in view of the legitimate
claim of M. Levy and the delay of M. Sansfaçon, the Court
decreed that the mortgaged property be appraised by arbitrators,
and that M. Levy shall take them in payment at the price of the
appraisement up to full liquidation of the debt, interest, costs and
charges. For the purpose we have named Henry Biron, Bte.
Dumay and Philippe Gervais as arbitrators to appraise the mort-
gaged effects, and these shall make their appraisement this
Monday, the fifth of this month, in order that there may be
execution; and we condemn the said Harmand to pay the
costs, which shall be advanced by the said M. Levy this said day
and year.

J. B. H. LaCroix.

At the same Court.

M. ISAAC LEVY, Plaintiff, vs. ALEXIS TABEAU, Defendant.

The plaintiff begs that the defendant be condemned to pay
him the sum of four hundred and twenty-one livres in money
according to his current account, and to pay the costs and
charges.

Heard the defendant, who said that there were many items
which he didn’t know about. Whereupon the Court required
that M. Levy should make oath and affirm his account as true.
Now having raised his right hand he swore on the Holy Gospels
En argent p° le montant dud° Compte Courant et aux frais et depens qui seront avancés par le st° levy Et a luy Rembourcez par le defendeur.

s° al tabault a fait son billet ce dit jour accepté p° le st° Levy payable En Novembre prochain.

J B H LaCroix
a la meme Cour.

MICHEL CHARLEY demande contre ETIENNE ARDOUIN
defendeur

Le demandeur reclame contre le defendeur la S° de vingt livres ou un minot de Bled froment prix du Cour pour la bedaudeurie.

ouy le defendeur qui a alegue qu'il ne payeroit pas par ce qu'il ny ait pas un an Et un jour qu'il avoit une maison sur quoy la Cour a condamné led° arduoin a payer Sans delais et Charly la somme de vingt livres Et aux frais Et depens qui seront avancés par led° Charly, les vingts livres seront payez Sous trois mois De ce jour.

J B H LaCroix
a la meme Cour.

le St° JEAN B° TUSSON demande contre Le St° ANDRE BELLE
defendeur et defailant après avoir Eté assigné.

Le demandeur a produit un Billet a ordre Echu a luy dub Et passé a Son ordre par mr° Clamorgan. de la Somme de onze cent livres En argent payable En pelterie sur lequel il y a deux recu montant Ensemble a la somme de Cent soixante huit livres En argent partant reste sur led° billet neuf cent trente deux livres, dub par led° st° Bayles, concluant le demandeur a ce que ledit

\[N:\text{not in margin by the clerk.}\]

\[J:\text{Jacques Clamorgan was a resident of St. Louis and was as long as he lived, conspicuous in his entertainments. He always treated his friends to meals of good cheer. According to the city's records, he was one of the most active citizens of St. Louis. He was also a member of the Missouri Historical Society. His home in Hannibal was famous for its hospitality. He was one of the earliest settlers in what is now Missouri. He used the money he earned from his business to support the Missouri Historical Society.} \]
and affirmed that his account was true and genuine. All considered the Court has condemned and does condemn the said defendant to pay without delay to the plaintiff the sum of four hundred and twenty-one livres in money according to the amount of the said current account; and to pay the costs and expenses which shall be advanced by M. Levy and reimbursed to him by the defendant.

J. B. H. LaCroix.

M. Al. Tabeau made his note this said day which was accepted by M. Levy and is payable November next.¹

At the same Court.

MICHEL CHARLY, Plaintiff, vs. ETIENNE HARDOUN, Defendant.

The plaintiff claims from the defendant the sum of twenty livres or a minot of wheat at the current price for the beadlery.²

Heard the defendant, who pleaded that he should not pay, because he had not had his house a year and a day. Whereupon the Court condemned the said Hardoun to pay without delay to the said Charly the sum of twenty livres and to pay the costs and charges, which shall be advanced by the said Charly. The twenty livres shall be paid within three months from this day.

J. B. H. LaCroix.

At the same Court.

M. JEAN BTE. TUSSON, Plaintiff, vs. M. ANDRE BAYLES, Defendant, and not appearing after being summoned.

The plaintiff produced a note to order, due him and matured, and assigned to his order by M. Clamorgan,³ for the sum of eleven hundred livres in money payable in peltries, on which there are two receipts amounting to the sum of one hundred and sixty-eight livres in cash and leaving a balance on the said note of nine hundred and thirty-two livres due by the said M. Bayles; and the plaintiff concludes that the said M. Bayles should be condemned to pay him without delay the said sum of nine hundred and thirty-

₁. This sentence is incomplete and lacks a clear subject or verb.
₂. Livres and minots were units of currency and trade in medieval and early modern times.
₃. Clamorgan was a prominent figure in Louisiana history and was involved in various political and economic activities. His involvement in the Louisiana Purchase is well-documented. See Amer. State Papers, Pub. Lands, iii., 303 et seq.; Houck, Boundaries of the Louisiana Purchase, 59 et seq. He was living when Louisiana was transferred to the United States and was one of the first judges of the new Court of Quarter Sessions. Dillon, Annals of St. Louis, ii., 9.
Bayle soit condamné à lui payer sans delais ladite somme de Neuf cent trente deux livres avec Les interest frais et depens. sur quoi le defendeur ayant point paru ny procureur pour lui. Et après que ladite Cour a fait apeler par lhuissier ledt Belie par trois Cries different du porte de Laudience et quil na point paru ny personne pour lui, la Cour a Condamné Et condamné ledt Belie a payer audt Stt tusson ou au porteur du billet la somme de Neuf cent trente deux livres pour restant diceluy suivant les conditions du susdit billet avec les interest frais et depens. lesquels frais seront avancés par le Stt tusson Et a lui remboursez par le defendeur ce qui sera executé lesdts jour Et an.

J B H LaCroix.

La Cour est ajournée au Six de ce mois pte proceder a une Nouvelle Election de magistrats.

Labuixiere greff

J B H LaCroix

a une Cour du Six juin 1786.

Le Stt jean Bte LaCroix antoine girardin Louis Chatel, Louis trolier, mathieu saurier joseph Lapensée, Et Clement alary ayant Eté Nommé par la Nouvelle Election sont Comparus Et après avoir prêté serment de fidelité ainsi que celui doffice ont pris leurs place En leurs qualitez du Magistrats.

a la meme Cour

pro Curier demandeur contre Le Stt Billet dit BAUSOLEIL

defendeur

Le demandeur reclame trois cent Cinquante Cinq livres contre le defendeur qu'il lui doit pte restant du payement dune paire de Boeuf qu'il lui a vendu Et qu'il devoit lui payer comptant ce qu'il na fait jusqu'à ce jour concluant a ce qu'il ait a le payer sans delais et aux frais Et depens.

le defendeur a reconnu ladite debte Et offre de payer.

La Cour a Condamné le defendeur a payer sous huit jours Et aux frais qui seront avancés par le Stt Curier Et a lui rembourser par le defendeur.

a la meme jour Bte durbois a presente une requete expositive que le Stt harmand lui doit neuf minots de Bled froment pte sa
two livres with interest, costs and charges. Whereupon, since neither the defendant nor an attorney for him appeared and after the said Court caused the said M. Bayles to be called by the huissier by three different shouts at the door of the audience chamber and he did not appear or anyone for him, the Court has condemned and does condemn the said M. Bayles to pay the said M. Tusson, or bearer of the note, the sum of nine hundred and thirty-two livres for the balance of it according to the conditions of the note aforesaid with the interest, costs and expenses; which costs shall be advanced by M. Tusson and reimbursed to him by the defendant, for which there will be execution this said day and year.

J. B. H. LaCroix.

The Court adjourned to the sixth of this month to proceed to a new election of magistrates.

Labuxiere, Clerk. J. B. H. LaCroix.

At a Court, June 6, 1786.

The MM. Jean Bte. Lacroix, Antoine Girardin, Louis Chatel, Louis Trottier, Matthieu Saucier, Joseph Lapancé and Clement Alarie, having been named by the new election, appeared, and after taking oath of fidelity and also that of office, took their places as magistrates.

At the same Court.

FR. COURIER, Plaintiff, vs. M. BILLET called BEAUSOLEIL, Defendant.

The plaintiff claims three hundred and fifty-five livres from the defendant, which he owes him for the balance of the payment for a yoke of oxen which the plaintiff sold him, and for which the latter ought to pay cash, which he has not done up to the present day; and concludes that the defendant should pay him without delay and also the costs and expenses.

The defendant acknowledged the said debt and offers to pay.

The Court condemned the defendant to pay within a week and also the costs which shall be advanced by M. Courier and reimbursed to him by the defendant.

On the same day Bte. Dubois presented an explanatory peti-
recolte de 1784. ce qui a Eté prouvé par la declaration du Sr Courier, la Cour a recû led1 harmand intervenant dans les ventes des Biens dud1 harmand p1 le payement des Neuf minots de bled Evaluatez a 20 lb le minot la s1 de 1801b Et condamnons sans facon aux frais.

La Cour est ajournée au p1 juillet 1786.

Labuxiere grefier. J B H LaCroix pr. s. d.

a la meme Cour il a Eté décidé que vu la demande des Creanciers du s1 antoine harmand absent pour le payement de ce qu il leur doit quinvantoino Sera fait devant un magistrats de tous Les Biens meubles Et immeubles dud1 harmand et questimation En sera faite par jeun Bte dubuc, charle du-charme Et françois Courier p1 le huit de ce mois a huit heures du matin.

J B H LaCroix

a une Cour assemblée le 12 juin 1786.

M1e LaCroix president Clement alary
Mathieu saucier Joseph Lapensée
Louis trotier

Les creanciers dantoine harmand dit Sans facon presentent une requete demandant quen vertu de linvantoire quils ont fait faire des Biens dud1 harmand que la vente des dits Biens En soit faite le plus promptement que faire se poura p1 en Empechier le deperissement Et qu il soit done terme sufisant p1 que lesd1 effets puissent se vendre avantageusement tant p1 Leurs interest que celuy dud1 harmand.

La Cour ordonne que la vente des biens dud1 harmand quant aux meubles Se Fera le lundy dixneuf du Courant et quil Sera donné Credy jusques et compris le mois doctobre prochain sous bonne Et Sure caution qui Seront recue par les Creanciers Et quand au regard de la maison et ses dependances elle Sera Crie de mois en mois pendant trois mois Consecutif a la porte de lEglise jour de dimanche Et adjugée a la troisieme Crie avec le Credy jusques au mois davril de Lannée prochaine 1787

1 The huissier held the auction each Sunday to receive bids, but only on the last Sunday was the property sold.
tion, in which he says that M. Harmand owes him nine minots of wheat from his harvest of 1784, which was proved by the affidavit of M. Courier. The Court admitted the said Dubois as a party to the sale of the goods of the said Harmand for the payment of nine minots of wheat, valued at 20 livres the minot, amounting to the sum of 180 livres; and we condemn Sansfaçon to pay the costs.

The Court adjourned to the first of July, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At the same Court it was decided that, in view of the demand of the creditors of M. Antoine Harmand, who is absent, for the payment of what he owes them, an inventory of all the property, real and personal, of M. Harmand shall be made before a magistrate, and the appraisal thereof shall be made by Jean Bte. Dubuque, Charles DuCharme and François Courier on the eighth of this month at eight o'clock in the morning.

J. B. H. LaCroix.

At a Court assembled June 12, 1786.

MM. LaCroix, President. Clement Alarie.
Louis Trottier.

The creditors of Antoine Harmand called Sansfaçon present a petition praying that, in virtue of the inventory of the goods of the said Harmand which they have had made, the sale of the said goods be held as promptly as possible in order to prevent them perishing; and that there be given a sufficient time in order that the said effects may be sold to the advantage as well of their interests as of those of the said Harmand.

The Court decreed that the sale of the personal property shall take place Monday, the nineteenth of the present month; and that there shall be given credit with good and safe surety, which will be accepted by the creditors, up to and including the month of next October; and that the sale of the house and its appurtenances shall be cried month by month during three consecutive months on Sundays at the door of the church, and adjudged at the third proclamation, and credit with good and sufficient surety will be given till the month of April of the next year, 1787.
bonne Et suffisante Caution. laquelle maison ne Sera vendue toutes fois que au Cas que les meubles ne suffisent pas pour payer Lesdits Creanciers et les affiches posées prealablement afin que personne ne ignore donné par la Cour lesd' jour et an.

Labuxiere J. B. H. LaCroix.

a une Cour du 1er juillet 1786

M. LaCroix presidant joseph Lapensée

Chatel
girardin conseiller magistrats

Michel antaya a fait sermant de fidélité Et En meme temp sermant dosice En qualité de Bailly.

a La meme Cour

JACQUES LARDOISE demandeur contre GABRIEL BARON
deffendeur

Le demandeur Reclame deux cent Cinquante livres en argent pour le payement dun Cheval quil a vendû au deffendeur depuis Lauthomme derniere laquelle somme il devoit payer au 5e Cadien Et quil na point payé Et quil a payé luy meme a mad' Cadien Et aux depens.

ouy le deffendeur qui a alegué quil offroit de luy remetre un Cheval et quil n’avoit pas dautre argent pour le present Et quil Navoit acheté le Cheval que quarante piastre ce qui a Eté reconnu par le demandeur.

sur quoy la Cour ayant murement deliberé ordonne que le deffendeur Rentra au demandeur le meme Cheval aux conditions quil ne sera point extropié Et quil naura aucun mal, ou quil le payera Les quarante piastres prix de La vente Convenues En- treux condammons le deffendeur aux frais que nous avons liquidé a quinze livres. ce qui sera executé.

La Cour est ajournée au 1er juillet 1786.

Labuxiere greffier J B H LaCroix pr S.
COURT RECORD, JULY, 1786

But the house shall be sold only in case the personal property is not sufficient to pay the said creditors and placards have been posted previously so that no one is ignorant thereof. Given by the Court this said day and year.

Labuxiere.

J. B. H. LaCroix.

At a Court, July 1, 1786.

MM. LaCroix, President.
Chatel.

Girardin.
Joseph Lapancé.

Councilors and magistrates.

Michel Antaya made oath of fidelity and at the same time that of office as bailiff.

At the same Court.

JACQUES LARDOISE, Plaintiff, vs. GABRIEL BARON, Defendant.

The plaintiff claims two hundred and fifty livres in money for the payment of a horse which he sold the defendant last autumn, which sum he was to pay M. Cadien and has not paid; the plaintiff says that he himself paid Madame Cadien, and he demands costs.

Heard the defendant, who pleaded that he offered to deliver a horse to the plaintiff and that he had no money at present; that he had bought the horse for only forty piastres, which was acknowledged by the plaintiff.

Whereupon the Court after careful deliberation decrees that the defendant shall render to the plaintiff the same horse, on condition that it shall not be maimed or sick or that he shall pay for it the forty piastres, the price of the sale agreed upon between them. We condemn the defendant to pay the costs, which we have set at fifteen livres, for which there will be execution.

The Court adjourned to July 1, 1786.

Labuxiere, Clerk.

J. B. H. LaCroix, Pres.
COLLECTIONS

17 août 1786

Le dix-septième jour de août 1786.

Chargé de gérer le bien de la veuve Louis Chater,

Joseph Lapensée

magistrats

EN LA COUR DE NOTRE LIEU.

... et défendeur Cinq Chevaux qu'il... En pelerie par son... En plus de lui donner quarante livres sterling pour les marchandises que... marchand na... était le cheval.

... et défendeur lui a... une mule des Chevaux... remise sur les contestations... En conformité avec la requête, il est dit qu'il avait... qui n'a pas été livré par lui... a... connaissance qu'une de ses marques est... d'acquérir le cheval... de plus, les dix livres sterling... Est rendu à Christin...

Le procureur a dit qu'il était impossible de... témoin qui a... de même que les témouilles rédigées par Sa Majesté. L'Acte... Sentences rendues par accord entre les parties.

Laboulière greffier

Le Seigneur Louis LaCroix, greffier.
At a Court sitting in special session, July 13, 1786.
MM. Jean Bte. LaCroix, President. Louis Chatel.
Magistrates.

LOUIS MARCHAND, Plaintiff, vs. LAURENT HAMELIN, Defendant.

The plaintiff demands of the defendant five horses which the latter is retaining and two hundred and thirty-two livres in peltries, according to his account, which he affirmed before the Court.

The defendant says that he agreed at Peoria to give him forty jugs of tafia for a horse; but that the said Marchand was unwilling to take them and that he offered him a horse.

The plaintiff rejoins that the defendant refused him the forty jugs of tafia and that he traded horses with [him]. As to the account produced by the plaintiff, the defendant says that he had no knowledge about the contestations. Hereupon the plaintiff brought forward the named Lacouture for a witness, who, after he had taken the oath before the Court, said that he knew that the forty jugs of tafia had not been delivered by the said Hamelin to the said Marchand; and that he knew that one part of the bill produced had been furnished by the said Marchand to the said Hamelin; and that he knew that the latter had received a horse which he had used last winter.

The plaintiff produced Claude Paneton as second witness, who, after he had made oath, said that he knew that the said Marchand was pledged to M. Duchenaud to go from the Mauvaise Terre to Peoria for 60 livres, and that the said Hamelin summoned Marchand to go for him, and that the former made two journeys for the said Hamelin.

Whereupon the Court, having carefully reflected, non-suited the parties, and the costs are to be divided, that is to say, each one half, for which there will be execution. The said judgment was rendered by agreement between the parties.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.
a une Cour du premier aoust 1786. Siegent
Mme jean Bte LaCroix President Louis trotier
antoine Girardin Mathieu Saucier
Louis Chatel Contre magistrats
Entre LOUIS PILLET demandeur contre CLEMENT ALARY
deffendeur

Le demandeur reclame un Boeuf a luy apartenant qui a passe
par la Closture du defendeur Et a Ete Sempaler Sur les pieux
de la Closture du s' LaCroix requerant qu'il luy soit rendu
un Boeuf de la meme valeur Et condamner le deffendeur aux
depens.

ouy le deffendeur qui a dit pour defences que Lon ne devoir pas
tuer le Boeuf que lon devoir atendre son retour de Chasse
quil Lauroit Guery, que puisqu'on lavoit tué Et vendu la viande
il demandoit a Etre dechargé du Boeuf Et condamner sa partie
aux frais.

Vu le marché consenty par led Clement alary avec les mar-
guiliers de la fabrique de cette paroisse par lequel led Clement
alary nest obligé qu'aux reparations du dedans de la maison qui
a Ete louée pour servir de presbitaire Et a deffaud par les mar-
guiliers de Navoir point fait reparer les Clostures Nous avons
decidé que la fabrique rendra un pareil Boeuf au demandeur ou
En payera la valeur au prix destination et les marguiliers se
feront rendre compte de la viande ou produit dicelle pour En
Compter au profit de L Eglise ce qui sera execute condamnons la
fabrique aux frais.

a la meme Cour.

JOSEPH VAUDRY demandeur contre GABRIEL BARON deffendeur

Le Demandeur a presente une requete par laquelle il reclame
sa petite fille quil a mis Entre les mains du deffendeur disant
quelle netoit pas traitee Selon les Convention de leur marche au
Contraire quelle etoit traitee pis quune esclave requerant que
led Baron soit Condamné a la luy remetre.

ouy le deffendeur qui a denié tout ce qui est porté En ladite
requete demandant que le demandeur soit tenu a luy fournir des
preuves. sur quoy la Cour a ordonné que led Vaudry fournira
At a session of Court, August 1, 1786.

MM. Jean Bte. LaCroix, President. Louis Trottier.
Antoine Girardin. Matthieu Saucier.
Louis Chatel. Councilors and Magistrates.

LOUIS PILLET, Plaintiff, vs. CLEMENT ALARIE, Defendant.

The plaintiff claims an ox belonging to him, which passed through the defendant’s fence and was impaled on the pickets of M. LaCroix’s fence, and prays that there be rendered an ox of the same value and that the defendant be condemned to pay the costs.

Heard the defendant, who said in defence that they should not have killed the ox; that they should have waited his return from the hunt and that he would have cured it; that since they had killed it and sold the meat, he prayed that he be discharged from payment for the ox and that his opponent be condemned to pay the costs.

In view of the bargain made by the said Clement Alarie with the church-wardens of the vestry-board of this parish, according to the terms of which the said Clement Alarie was only bound to repair the interior of the house, which was rented to serve for a parsonage, and of the fault of the church-wardens in not having had the fence repaired, we have decided that the vestry-board shall render a similar ox to the plaintiff, or shall pay the value thereof at an appraised price; and that the church-wardens shall have rendered to them an account of the meat or proceeds therefrom, in order to account for it in the profits of the church, for which there will be execution. We condemn the vestry-board to pay the costs.

At the same Court.

JOSEPH VAUDRY, Plaintiff, vs GABRIEL BARON, Defendant.

The plaintiff presented a petition by which he reclaims his little daughter, whom he placed in the hands of the defendant, saying that she was not treated according to the terms of their agreement; but on the contrary she was treated worse than a slave; and he prays that the said Baron be condemned to render her to him.

Heard the defendant, who denied all that is contained in the said petition, and demands that the plaintiff be held to furnish him proofs. Whereupon the Court ordered that the said Vaudry shall
preuves suffisantes. et a linstant ledt vaudry a fait assigner par ordre de cette Cour, mathieu saucier, Et antoine Lamarche pour temoins, Et a linstant le Sr Bte saucier est comparé lequel après sermant par luy fait a dit seulement qu'il ait Entendu jurer après lenfant Et la gronder, mais qu'il ne lavoit pas vœu batre qui est tout ce qu'il a dit savoir. ledt lamarche N'ayant point parti par absence avons renvoyé lafaire a plus Emple information devant un magistra de la Cour qui fera droit a qui il apartiendra.

La Cour est adjournée au 1er 7bre 1786.
Labuxiere grefier

J B H LaCroix pr Sd.

a la Cour de ce dit jour 1er aout 1786.

En continuant la Cause ci dessus est comparé antoine Lamarche lequel après sermant par luy fait sur les Saints Evangiltes a dit sur les demandes a luy faites par la Cour qu'il n'avait autre connoissance si non qu'il avait vu foueter la petite fille mais qu'il Croyoit quelle l'avoit mérité et tant qu'aux autres motif de mauvais traitements defaud dhabillements ou de Nouriture qu'il n'en avoit pas de Connoissance. sur quoy parties ouyes Le tout examine la Cour a ordonné Et décidé que le Sr gabriel Baron Rendra la petite fille au Sr vaudry son pere avec ses petites hardes a son usage. Sans aucune repetition de la part dudit Sr Baron Enver ledt Sr vaudry de pension ny Entretien Condammons le Sr vaudry aux frais par forme de des domagement Enver le Sr macarty ce qui sera executé lesdt jour Et an.

J B H LaCroix pr Sidant.

a une Cour du premier Septembre 1786.

Mme jean Bte LaCroix: president Mathieu Saucier
antoine Girardin Joseph Lapensée
Entre Louis Laperche demandeur contre Le Sr MOTARD defendeur

Le defendeur [sic] expé se qu'il luy est dub par le Sr motar la Somme de trois cent Cinqua nte livres En pelterie pour ses gages

1 The only explanation possible for th is decision is that Gabriel Baron was named Gabriel McCarty called Baron or vice versa, unless we assume that the clerk made a slip. I know no other authority for the coupling of the two names.
furnish sufficient proofs. And now the said Vaudry caused to be summoned by order of this Court Matthieu Saucier and Antoine Lamarche as witnesses. Now appeared M. Bte. Saucier, who, after making oath, only said that he had heard them swear at the child and scold her, but that he had not seen her beaten; and this is all that he said he knew. The said Lamarche not having appeared on account of absence, we continued the cause for fuller information before a magistrate of the Court, who will render justice to whom it shall belong.

The Court adjourned to September 1, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At the Court of this said day, August 1, 1786.

At the continuance of the above cause there appeared Antoine Lamarche, who, after making oath on the Holy Gospels, answered to the questions made him by the Court that he had no other knowledge except that he had seen the little girl whipped, but said he believed that she deserved it; and as to the other counts of bad treatment, lack of clothing and nourishment, he said that he had no knowledge thereof. Whereupon, after the parties were heard and all examined, the Court decreed and decided that M. Gabriel Baron shall render the little girl to M. Vaudry, her father, with her little clothing for her use, without the right of any action for recovery on the part of the said M. Baron against the said M. Vaudry for board and maintenance. We condemn M. Vaudry to pay the costs by way of damages to M. Macarty, for which there will be execution this said day and year.

J. B. H. LaCroix, Pres.

At a Court, September 1, 1786.

MM. Jean Bte. LaCroix, President. Matthieu Saucier.

LOUIS LAPERCHE, Plaintiff, vs. M. MOTARD, Defendant.

The plaintiff sets forth that there is due him by M. Motard the sum of three hundred and fifty livres in peltries for wages for going to the Republic on the service of M. Trudeau according to his pledge made to M. Motard, dated August 3, 1785; and that he had not been able to go thither on account of the war of the
daler a la republique p\textsuperscript{r} le service du s\textsuperscript{r} trudeaux suivant son Engagement fait au s\textsuperscript{r} motar En datte du 3. aout 1785. Et que comme nayant pas pû fi [sic] Rendre par la guerre de la republique avec les Shaus ce qui les avait obligé de relacher nayant point de vivre p\textsuperscript{r} subsister pendant lhiver suivant deux Certificat qu'il a produit.

ouy le s\textsuperscript{r} motar En Ses defences qui a dit que le s\textsuperscript{r} st\textsuperscript{t} jean devroit hyverner p\textsuperscript{r} attendre le St\textsuperscript{r} trudeaux ou aler le rejoindre de Bonprintems qu'il lavoit Engage a Ses Conditions mais qu'il navoit pas voul\ä attendre quoy qu'il eu des marchandises p\textsuperscript{r} vivres suffisament Mais que de Son Chif il avoit redescend\ä Et abandonné les interest du St\textsuperscript{r} trudeau ayant produit un Certificat a ce sujet du St\textsuperscript{r} Rivet.

Veu l'engagement dud\textsuperscript{t} St\textsuperscript{t} jean les deux Certificats des Nommes Rivet Et deschamp le tout produit par le demandeur. Et autre Certificats donné par led\textsuperscript{t} Rivet aud\textsuperscript{t} deffendeur, le tout examiné; la Cour a Condamné Et condamne le s\textsuperscript{r} motard a payer aud\textsuperscript{t} St\textsuperscript{t} jean la moitié de Ses gages montant a cent soixante quinze livres en pelterie Et aux depens ce qui sera executé lesd\textsuperscript{t} jour Et an.

La Cour est ajournée au 1\textsuperscript{er} gbre 1786.
Labuxiere grefier J B H LaCroix pr Sdt.
a une Cour tenue Extraordinairement le douze Septembre mil sept cent quatre vingt Six.

M\textsuperscript{e} jean B\textsuperscript{e} LaCroix president Clement alary
antoine girardin joseph Lapensée
Louis chatel Louis trotier
Mathieu saucier magistrats

Entre M\textsuperscript{r} ANTOINE REILHE demandeur contre Le St\textsuperscript{r} SAMUEL TODD deffendeur

Le demandeur a présenté une requete expositive que le St tood la fait venir icy aux cahos pourterminer une affaire qu'il avoit avec M\textsuperscript{de} veuve Caimps par arbitres quen Conceuance il a Emmené Ses arbitres comme procureur de ladite dame veuve Camps. que led\textsuperscript{t} St\textsuperscript{r} tood Etant aussi arrive avec Ses arbitres lors

\footnote{1}{The name looks like Kans, but it may be, as given, Shaws. The Shawnees were on the warpath during the winter 1785-1786.}
\footnote{2}{The full name of the plaintiff was Louis Laperche called St. Jean.}
Republic with the Shawnees, which obliged them to give up, since they did not have provisions for subsistence through the winter, according to two certificates which he produced.

Heard M. Motard in his defence, who said that M. St. Jean should have wintered in order to await M. Trudeau or to go and join him in the spring, and that he had engaged him on these conditions; but that he had not been willing to wait, although he had merchandise for sufficient provisions; but that of his own accord he had redescended and abandoned the interests of M. Trudeau; and the defendant produced two certificates of M. Rivet on the subject.

Considering the agreement of the said St. Jean, the two certificates of the named Rivet and Deschamp, all produced by the plaintiff, and other certificates given by the said Rivet to the said defendant, after all were examined, the Court has condemn and does condemn M. Motard to pay to the said St. Jean half of his wages, amounting to one hundred and seventy-five livres in peltries and to pay the costs for which there will be execution the said day and year.

The Court adjourned to October 1, 1786.

Labuxiere, Clerk.  J. B. H. LaCroix, Pres.

At a Court sitting in special session, September 12, 1786.
MM. Jean Bte. LaCroix, President.  Clement Alarie.
Antoine Girardin.  Joseph Lapance
Louis Chatel.  Louis Trottier.
Matthieu Saucier.  Magistrates.
M. ANTOINE REILHE, Plaintiff, vs. M. SAMUEL TODD, Defendant.

Plaintiff presented an explanatory petition, in which he says that M. Todd made him come here to Cahokia to terminate by arbitrators a cause which M. Todd had with Madame Camp, widow, and that consequently he brought his arbitrators as attorney for the said Madame Camp, widow; and that the said M. Todd, when he arrived also with his arbitrators and it was

3 Reilhe was from St. Louis.
4 Samuel Todd was a Canadian merchant.
a question of producing these documents, refused; and he prayed that the said Todd be compelled to produce them or that he be denied all his prayers against the said Madame Camps and be condemned to pay the costs and expenses.

Heard M. Todd who said that he brought action personally against the said M. Reilhe and produced in Court a note due by M. Guillon jr. for twelve hundred and five pounds weight of beaver guaranteed by the deceased M. Camp under date of September 23, 1785, without demanding the payment therefor.

Whereupon the Court asked him if he wished to have the cause decided now on this bank or elsewhere, saying that he was free to have it decided by the four arbitrators, as was agreed with M. Reilhe, or by jurors.

To which the said M. Todd answered that he would abandon it for the present and have it decided at another time, that he had only an affair with M. Reilhe.

Whereupon M. Todd having conformed to the order of the Court written below the petition of M. Reilhe, under date of this day and to the prayer of M. Reilhe, the Court condemned M. Reilhe to pay all the costs and charges of the special session. Given at Cahokia at the session of the Court the said day, the twelfth day of September, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court, October 2, 1786.

MM. Jean Bte. LaCroix, President. Louis Chatel.
Antoine Girardin. Matthieu Saucier.
Louis Trottier. Clement Alarie.
Councilors.

PHILIPPE ENGEL, Plaintiff, vs M. DORSEY PENTECOSTE,1 represented by M. Jean Bte. LaCroix, Defendant.

The plaintiff demands of the defendant that he be held to build the party fence of pointed stakes between the lands of the said M. Pentecoste and the said M. Engel. M. LaCroix answered that he offered to build the party fence, provided, however, that the Court command it, in order that there may be rendered to him account thereof by the said M. Pentecoste. Whereupon the
la Cour ordonne au S't LaCroix de faire ladite moyenne En pieux
de bout bonne Et recevable dont il se fera Rembourser par ledt
S't pentecoste condamnons le S't LaCroix aux frais.

at Girardin
La Cour est ajournée au deux de Novembre prochain.
Labuxiere greffier J B H LaCroix pr sdt.

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passé par Erreur et par inadertance [sic].

a une cour du 2. 9bre 1786.
M'tn jean B'te LaCroix presidant Louis trotier
  antoine girardin Louis chatel
Mat. saucier Clement alary
  joseph Lapensée

LE SR ISAAC LEVY demandeur contre JEAN B'te BARON
deffendeur

Le S't Levy a produit un compte a la Charge du deffendeur
de la Somme de trois cent soixante livres en argent p't fournitures faites audt baron Lequel compte le deffendeur na pas voulu
aprouver En plusieurs articles et demande qu'il soit detallé
depuis le commencement jusqua la fin. Sur quoy la Cour a
ordonné que le s't Levy fournira au deffendeur son compte de
taillé art. par art. avec les dattes Et avoir qu'il aura Reců p't
etre disente ou aprouvé par le deffendeur Et En Etre ordonné
devant un magistrat de la Cour a qu'il apartiendra depens reservé
jusqua la definition de leurs comptes.

La Cour est ajournée au 1er decembre 1786.
Labuxiere greffier J B H LaCroix pr Sdt.

a une Cour tenue du 1er decembre 1786.
M'tn jean B'te LaCroix presidant Louis Chatel
  antoine girardin joseph Lapensée
Mathieu saucier

MR JOSEPH LABUXIERE demandeur contre JEAN B'te DUMAY
deffendeur

Le demandeur a presenté un billet contre ledt dumay par
lequel il demande p't restant quarante Cinq livres en argent ou
Court ordered M. LaCroix to build the said party fence of pointed stakes, good and acceptable, for which he shall cause himself to be reimbursed by the said M. Pentecoste. We condemn M. LaCroix to the costs. At Girardin.

The Court adjourned to the second of November next.
Labuxiere, Clerk.  J. B. H. LaCroix, Pres.

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Passed by error and inadvertence.

At a Court, November, 2, 1786.

MM. Jean Bte. LaCroix, President.  Louis Trottier.
Antoine Girardin.  Louis Chatel.
Mat. Saucier.  Clement Alarie.
Joseph Lapance.

M. Isaac Levy, Plaintiff, vs Jean Bte. Baron, Defendant.

M. Levy produced an account due from the defendant for the sum of three hundred and sixty livres in money for supplies made to the said Baron. Several articles of this account the defendant has been unwilling to approve and demands that it be itemized from beginning to end.

Whereupon the Court decreed that M. Levy shall furnish the defendant his account itemized article by article with the dates and credit which he shall have received, to be disapproved or approved by the defendant, and a decree for the payment thereof to whomsoever it belongs will be made before a magistrate of the Court; the expense being reserved until the final decision in regard to their accounts.

The Court adjourned to December 1, 1786.
Labuxiere, Clerk.  J. B. H. LaCroix, Pres.

At a Court held December 1, 1786.

MM. Jean Bte. LaCroix, President.  Louis Chatel.
Matthieu Saucier

M. Joseph La Curié, Plaintiff, vs. Jean Bte. Dumay, Defendant

The plaintiff presented a note against the said Dumay on which he demands as balance forty-five livres in money or flour, and
farine Echû. le défendeur a dit navoir point dargent p颢 payer qui est tout ce que les parties ont dit.

La Cour a condamné le défendeur à payer sans délai et aux frais. J B H LaCroix

M颢 de Sté pierre curé de cette paroisse a présente Sa requête pour demander linterdiction de la boisson aux sauvages. La Cour a ordonné que les ordonnances rendues a ce sujet cy devant seront publiées dimanche prochain afin que personne ne lignore et les contrevenant punis selon lesd颢 ordonnances.

a la même Cour.

M颢 Dubreuil marchand de la rive espagnole Contre FR Trotier comparant par Charles duCharme son fonde de pouvoir et chargé de Ses affaires.

Le Sté Dubreuil demande le payement dune somme de deux cent Cinq piastres quatre Escalins suivant le Billet dud颢 Sté Trotier Echus depuis le mois octobre led颢 Billet a ordre En daté du 13 fevrier de cette presente année.

Le défendeur a dit navoir point de fond quant a present a-partenant au Sté trotier p颢 payer mais qu'il avoit En main des obligations a lui dues, qu'il aloit forcer les payments pour Satisfaire auled颢 Billet.

La Cour a ordonné que vu le manque de fond Entre Les mains du Sté ducharmie Et l'absence du M颢 trotier que M颢 Dubreuil Suspendre les payement jusques au mois octobre de Lannée prochaine Et lui sera payé par M颢 trotier L'interet suivant le taux du Commerce condamnons le Sté trotier aux frais.

a la même Cour.

LE Sté Billet demandeur contre Louis Lecompte défendeur

Le demandeur a produit un Billet contre Le défendeur de la somme de deux cent livres En argent Echus depuis le mois octobre dernier de la somme de deux cent livres requerant que le défendeur le paye sans délai et aux frais et depens.

Le défendeur a repliqué que S'etoit pour un Boeuf Et qu'il n'avoit pas pù se Servir du Boeuf qu'il ne pouvoit pas le payer Et que le Sté Blay actuellement icy Etoit present qu'il sait ce que

1 See p. 915.
which has matured. The defendant said that he had no money to pay, which is all the parties have said.

The Court condemned the defendant to pay the note without delay and the costs. J. B. H. LaCroix.

M. de St. Pierre, Curé of this parish, presented his petition in order to request the prohibition from giving drink to the savages. The Court decreed that the ordinances rendered here-before on this subject shall be published next Sunday in order that no person be ignorant and that offenders shall be punished according to the said ordinances.¹

At the same Court.

M. Dubreuil, trader from the Spanish bank, vs. Fr. Trottier, represented by Charles DuCharme, his private attorney and commissioned with his affairs.

M. Dubreuil demands the payment of a sum of two hundred and five piastres four escalins according to the note to order under date of February 13 of this present year, given by the said M. Trottier and matured since the month of October.

The defendant said that he did not have any funds at present belonging to M. Trottier with which to pay; but that he had in his hands obligations due him, of which he was going to force payments to satisfy the said note.

The Court decreed that, in view of the lack of funds in the hands of M. DuCharme and of the absence of M. Trottier, M. Dubreuil shall suspend payment until the month of October of next year and there shall be paid him by M. Trottier the interest according to the commercial rate. We condemn M. Trottier pay the costs.

At the same Court.

M. Billet, Plaintiff, vs. Louis Lecomte Defendant

The plaintiff produced a note against the defendant for the sum of two hundred livres in money, matured since the month of October last, and requires that the defendant pay him without delay with the costs and charges.

The defendant answered that it was for an ox and that he had not been able to make use of the ox; that he could not pay for it; and that M. Blay, now here, was present and that he knew
le defendeur a dit au s^e Beausoleil et leur Conventions. sur quoy avons fait paroître, le S^e Blay lequill après sermant par luy fait sur les S^e Evangiles Et interogé sil sait les conventions des parties a dit quil ne savoit point leurs conditions si non quil avoit Entendu que Le s^e LeCompte avoit achete du s^e Beausoleil, le boeuf p^e deux cent livres qui est tout ce qu'il a dit savoir. le tout examiné la Cour Condamne led^e Louis Lecomte a payer au s^e Beausoleil la Somme de deux cent livres p^e le montant du boeuf Et ce sans delais, si mieux naime led^e s^e Beausoleil repren- dre le boeuf au Cas qu'il se retrouve a son Choix condammons led^e Lecompte aux frais qui seront avancés par le s^e Beausoleil Et remboursés par led^e Lecompte.

a la meme Cour.

Le S^e MOTARD demandeur contre LAURANT HAMELIN defendeur

Le S^e motard demande au defendeur le payement de Son Billet de la Somme de Cent quatre livres Seize sols En p^trie Echus. le defendeur a dit que la pelterie ne valoit dans ce temps que vingt sols En argent Et quil na jamais Entednu faire un billet que de Cent quatre livres Seize sols En argent qu'il ofroit de payer ladite somme de Cent quatre livres siege sols En argent et non en pelterie.

Led^e S^e Motard a repliqué qu'il Etoit vray que la pelterie ne valoit pas plus que largent dans le temps que le billet a Eté Consenty mais que par le retard du payement il demandoit que son payement fut fait suivant le Billet que daillleur SEtoit pour Equipement Et qu'il avoit Vendu aud^e.hamelin ce qu'il avoit pris En pelterie Et non En argent. le tout considéré La Cour a Condamné led^e hamelin a payer son Billet en Entier de la Somme de Cent quatre livres Seize sols en pelterie Et ce sans delais Et aux frais qui seront avancés par le s^e motard et a luy Rembourez par led^e hamelin.

a la meme cour.

LE S^e MOTARD demandeur Contre FRANCOIS TURGEON def- fendeur

Le demandeur requiere le payement de plusieurs articles de travail qu'il devoit luy faire Et qu'il na point fait le tout verbalement.
what the defendant said to M. Beausoleil and their agreement. Whereupon we summoned M. Blay, who, after taking oath on the Holy Gospels and being asked if he knew about the agreement of the parties, said that he did not know the conditions, except that he had understood that M. Lecomte had bought from M. Beausoleil the ox for two hundred livres, which is all he said he knew. After examining all, the Court condemns the said Louis Lecomte to pay to M. Beausoleil the sum of two hundred livres for the price of the ox and this without delay, unless the said Beausoleil prefers to take back the ox in case it be found to his liking. We condemn the said Lecomte to pay the costs, which shall be advanced by M. Beausoleil and reimbursed to him by the said Lecomte.

At the same Court.

M. MOTARD, Plaintiff, vs. LAURENT HAMELIN, Defendant.

M. Motard demands of the defendant the payment of his note for the sum of one hundred and four livres sixteen sols in pelttries, which is matured. The defendant said that pelttries were worth at the time only twenty sols in money and that he never meant to make a note except for one hundred and four livres sixteen sols in money, that he offered to pay the said sum of one hundred and four livres sixteen sols in money and not in pelttries.

The said M. Motard answered that it was true that pelttries were not worth more than money at the time that the note was accepted; but that, on account of the delay in payment, he demanded that the payment should be made according to the note, and that besides it was for equipment; and that he had sold to the said Hamelin, what he had taken, for pelttries and not for money. After considering all, the Court condemned the said Hamelin to pay his entire note for the sum of one hundred and four livres sixteen sols in pelttries and this without delay, and to pay the costs, which shall be advanced by M. Motard and reimbursed to him by the said Hamelin.

At the same Court.

M. MOTARD, Plaintiff, vs. FRANÇOIS TURGEON, Defendant.

The plaintiff demands the payment of several items of work, which the defendant ought to do for him, and which he has not done, all on a verbal agreement.
Le demandeur a produit un Compte d'ouvrage & de journée à la charge du s° moizard.

Les quantités non pas luimême suffisantes La Cour p° donner un jugement juste. Le tout examiné elle renvoy les parties à se pourvoir devant les arbittes devant qui ils produiront leurs comptes départ & fautes.

Et l'Égard du bled Et recette qu'ils ont En société la cour a décidé que tout sera Raporté à la masse Et que led° Bled sera Bâti à frais Commun C'est à dire que le s° moizard fournira un bton de & le Nourrir. Et payera led° Turgeon Se fournira et se Nourrir pour le tout Bâti sans que qu'il que ce soit y puisse toucher. led° Bled sera partagé savoir un tier p° Turgeon Et les deux tiers p° s° moizard. toutes fois la semences de dix neuf minots prélevée par le s° moizard Et tous les frais de ladite recolte, tant des trois minots que le s° moizard a fait semer que les quatre minots que turgeon a Semé seront payez le tout sur la masse du bled La baterie de la grange sera réamodérée par led° turgeon et le s° moizard a frais Commun et par moitié.

Et pour les réparations de la maison que le s° moizard demande aud° turgeon. Et que led° Turgeon n'a point fait. condamnons led° Turgeon à payer Cinquante livres au s° moizard p° led° réparations. Et les frais du proces compensez chacun par moitié qui seront avancés par le s° moizard et l'autre moitié luy sera Remboursée par led° Turgeon.

La Cour est ajournée a 1° janvier 1787.
Laburie le girier

J B H LaCroix pr sdt.

a une cout du deux janvier mil sept cent quatre vingt sept

M° jean B° LaCroix       clement alary
ant girardin            Louis Chatel
joseph Lapsée

Le s° Dumolain demandeur contre pierre troge defendeur

Le demandeur requiere que le defendeur luy paye le restant
de son Billet Echû duquel il y a Eu ci devant condamnation.
The defendant produced an account of work and of day's labor done at the charge of M. Motard.

Since these accounts could not instruct the Court sufficiently to make it possible to render a just judgment and after examining all, the Court dismissed the parties to plead before arbitrators, before whom they shall produce their accounts.

And in regard to the wheat and crops which they have in partnership, the Court decided that all shall be accounted for in the mass and that the said wheat shall be thrashed at the common expense, that is to say, M. Motard shall furnish a man with his keep and wages and the said Turgeon shall furnish himself with his keep, for the time of the whole thrashing. Without anyone whomsoever meddling with it, the grain shall be divided as follows, one third to Turgeon and two thirds to M. Motard. Yet the seed of the nineteen minots deducted previously by M. Motard, and all the expense of the said crop, as well as some three minots which M. Motard has had sown, and the four minots which Turgeon sowed, shall all be paid from the whole quantity of grain. The threshing-floor of the barn shall be repaired by the said Turgeon and M. Motard at common expense, equally divided.

And for the repairs of the house, which M. Motard demands of the said Turgeon and which the said Turgeon has not made, we condemn the said Turgeon to pay fifty liures to M. Motard for the said repairs. And each shall pay half of the costs of the suit, which shall be advanced by M. Motard, and one half shall be reimbursed to him by the said Turgeon.

The Court adjourned to January 1, 1787.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court of the second of January, 1787, held by
MM. Jean Bte. LaCroix. Clement Alarie.
Antoine Girardin. Louis Chatel.
Joseph Lapancé.

M. DUMOULIN, Plaintiff, vs. PIERRE TROGE, Defendant.

The plaintiff demands that the defendant pay him the balance of his matured note for which judgment has been given here-before.
Le défendeur a répondu qu'il le payeroit à présent si il avait de quoy, mais qu'il le payeroit le plus tost qu'il pourroit.

Sur quoy la Cour a ordonné au défendeur de payer ce qu'il Redoit audt s'r dumoulin dans le Cour de ce mois, lequel tems passé la presente Sentence Sera mise a Execution condamné le defendeur aux depens.

a la requisition de Thom Bredy la Cour a Saisy entre les mains du S'r jean Bte LaCroix la valeur dun Costé de Cuir et dun Eperon qui lui sont dub par le S'r Lorens taneur de la partie espagnole a qui le S'r Lacroix a des fonds Entre les mains, la Cour luy defend de sen dessaisir que ledt lorams n'ait satisfait ledt Thom Bredy ou qu'il nen soit ordonné et Sera signifié audt S'r LaCroix.

Sur la demande du S'r Beausoleil

Le S'r Louis Lecomte ayant refusé sur notre Sentence rendue contre luy de payer audt s'r Beausoleil après que commandement et signifia de ladite sentence luy a Eté faite par notre huissier la Cour ordonne que la terre dudt LeCompte d'un arpent de large située a la prairie du pont tenant a Sans façon et a Courville sera saisie Et vendue judicieusement a la porte de l'Eglise par trois Créées au plus offrant Et dernier Encherisseur au contant Et jusqu'à la Concurrence de ce qu'il doit audt Beausoleil frais et depens.

La Cour est ajourné au 1er fevrier prochain.

aujourd'hui quatorze janvier mil Sept cent quatre vingt sept est comparé au greffe de la Cour en presence de Mr Jean Bte Dubuque commandant de ce vilage

Le S'r augustin dubuque marchand voyageur demeurant presentement en ce susdt village des Cahos. lequel a declaré qu'il desiroit de devenir un des sujets des Etats unis de Lamerique et a fait le Sermant de fidélité aux dits Etats ainsi qu'il suit. Je fait Sermant de renoncer et refuser toute fidélité a george trois Roi de la grande Bretagne Ses hoirs Et Successeurs, que je seray fidel Et porteray vray fidélité a la republique de la virginie comme un Etat
The defendant answered that he would pay it now, if he had means; but that he would pay it as soon as he could.

Whereupon the Court commanded the defendant to pay what he still owed to the said M. Dumoulin in the course of this month; and when that time was past, the present judgment shall be put in execution. Condemned the defendant to pay the expenses.

On the requisition of Tom Brady the Court has seized from the funds belonging to M. Lorens, tanner on the Spanish side, now in the possession of M. Jean Bte. LaCroix, the value of a side of leather and a spur, which is due him from the said M. Lorens. The Court forbids M. LaCroix to dispossess himself thereof until the said Lorens has satisfied the said Tom Brady or an order thereto has been made; and notice shall be served on the said LaCroix.

On the prayer of M. Beausoleil.

M. Louis Lecomte having refused, upon our judgment rendered against him, to pay the said M. Beausoleil, after formal demand and notification of the said judgment was made to him by our huissier, the Court decrees that the land of the said Lecomte, of an arpent in width, situated in the Prairie du Pont adjacent to the lands of Sansfaçon and Courville, shall be seized and sold by judicial sale at the door of the church, after three publications, to the highest bidder for cash and up to the equivalent of what he owes to the said Beausoleil with costs and expenses.

The Court adjourned to next February 1.

To-day the fourteenth of January, 1787, there appeared at the record-office of the Court in the presence of M. Jean Bte. Dubuque, Commandant of this village,

M. Augustin Dubuque, traveling trader, dwelling at present in this village aforesaid of Cahokia, who declared that he desired to become one of the subjects of the United States of America and made oath of fidelity to the said States as follows: I make oath to renounce and refuse all fidelity to George III., King of Great Britain, his heirs and successors; and that I will be faithful and bear fidelity to the Republic of Virginia as a free and in-
libre et independant Et jamais je ne feray ni ne feray faire aucune Chose qui puisse etre prejudiciable ni injurieuse a la liberté Et independance dudt Etat comme est declaré par le congre. Et aussi que je discouvriray et feray savoir a quelque juge de paix dudt Etat toutes trahisons ou Conspirations qui Seront venues ou pourront venir a ma connoissance formée contre ledt Etat ou quelquautres des Etats unis de Lamerique. duquel Sermant ledt augustin dubuque a requis acte En presence de Lassemblée tenue cejordhuy En la maison du Mr fr. Saucier, Et Encore dudt Sr jean Bte dubuque Commandant de Mr jean Bte LaCroix president magistrat et dudt Sr francois Saucier temoins qui ont avec ledt Sr augustin debuque signé le present lesdt jour et an.

[signed] Aug. Dubuque B Dubuque
marque de DuCharme +
F. Courier
Labuxiere gsier J. B. H. LaCroix pr sdt.

a une Cour du 19 fevrier 1787.
Mr saucier presidant a l'absence du Mr LaCroix
ant girardin joseph Lapensée t.
Louis Chatel Mstre saucier
clement alary
demandeur Mr fte. SAUCIER contre JOSEPH BARIBAUD
Le demandeur a dit que le defendeur luy devoit un millier de Bardaux Et qu'il luy avoir paye. le defendeur a denie par des raisons repliques et autres propos que la Cour a bien entendu Et le tout murement Examiné, le serment preté par pte leperche Comme temoins. Ladite cour condamne Ledit Baribaud a rendre dans la Cour du Sr saucier un millier de Bardaux bon et recevable sujet a visite le tout aux frais dudt Baribaud et payera au sr saucier Les frais du proces liguidez [sic] a quinze livres dont le sr saucier fera compte a la justice ce qui sera executé le tout sans delais.

At Girardin
dependent state; and I will do nothing nor will I cause anything to be done, which can be prejudicial or injurious to the liberty and independence of the said State, as is declared by Congress. And also I swear that I will disclose and make known to some justice of the peace of the said State all treasons or conspiracies, which shall have come or may come to my knowledge, formed against the said State or others of the United States of America. Of which oath the said Augustin Dubuque demanded certificate. Given in the presence of the assembly, held to-day in the house of M. Fr. Saucier, and also in the presence of M. Jean Bte. Dubuque, Commandant of [this village] and of M. Jean Bte. LaCroix, President and Magistrate, and of the said M. François Saucier, witness, who have with the said M. Augustin Dubuque signed the present the said day and year.


Mark of DuCharme.

+ +

Fr. Courier.
Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court, February 19, 1787.

M. Saucier, President in the absence of M. LaCroix.


Clement Alarie.

M. FR. SAUCIER, Plaintiff, vs. JOSEPH BARIBAUD.

The plaintiff said that the defendant owed him a thousand shingles and he had paid him for them. The defendant denied by arguments, rejoinders and other talk, which the Court has attentively heard; and having carefully examined all and the oath taken by Pierre Laperche as witness, the said Court condemns the said Baribaud to deliver in the yard of M. Saucier a thousand shingles, good and acceptable, and subject to inspection, the whole at the expense of the said Baribaud; and he shall pay to M. Saucier the costs of the suit which are fixed at fifteen livres, for which M. Saucier shall make account to justice, for all of which there will be execution without delay. At. Girardin.
a la meme cour.

**LOUIS VADEBONCOEUR** demandeur contre **GABRIEL BARON** qui
na voulû paroir après lordre recû

Le demandeur a produit un compte de fourniture montant a
vingt cinq livres qu'il a servanté devant la Cour.

vû le refus du defendeur de ne vouloir paroir la dite cour la
condamné a payer sans delais audt demandeur la somme de vingt
Cinq livres Et En quinze livres de frais. qui seront avancés par
le demandeur et a luy remboursés par ledt gabriel Baron ce qui
sera Executé.

La Cour est ajournée au 1er mars 1787.

f. saucier.

a une Cour du premier mars 1787.

Mme LaCroix président

**Girardin**

**Laurent**

Les députés de la fabrique des Cahos Etant assemblez devant
la Cour pour Se laver de Limputation qui leur a Eté faite davoire
recelé des papiers que Mr augustin dubuque leur avoit confié,
lequel dit sç dubuque après un Certain tems et plusieurs Recherche a dit Les avoir trouve Entre deux pieux de son terrain Mr de
St père curé de cette paroisse present a requis le servant d'un
chacun des dits deputez comme il Navoit aucune part a l'Egare-
ment des papiers. Lesquels devant La Cour Savoir le sç francois
sauquier, sç jean Br LaCroix, sç antoine Girardin, Charle du-
Charme, francois Courier joseph Labuxiere, grefier, Et Mondt
St de St père curé ont fait ledt servant.

sur quoy la Cour les a declaré absout de tout soupcon a cet
Egard. sur la declaration que le sç dubuque fait. Et de son serv-
ment quel a fait qu'il ignoroit qui les avoit mis a cet Endroit dont il
decharge les dits deputez Et tous autres.

marque de  

+ 

joseph Lapensee

+ 

Clement alary

Les Sts Lonval, deslonchamps Et joseph Lapensée on de-
mandé le des domagement des Clotures des terres de l'Eglise
vendue a rente le dimanche 25 de ce mois. la Cour a ren-
At the same Court.

Louis Vadeboncoeur, Plaintiff, vs. Gabriel Baron, who was unwilling to appear after receiving summons.

The plaintiff produced an account for supplies amounting to twenty-five livres to which he made oath before the Court.

In view of the refusal of the defendant to appear, the said Court condemned him to pay without delay to the said plaintiff the sum of twenty-five livres, and fifteen livres for costs, which shall be advanced by the plaintiff and reimbursed to him by the said Gabriel Baron, for which there will be execution.

The Court adjourned to March 1, 1787.

F. Saucier.

At a Court March, 1, 1787.

MM. LaCroix, President. Joseph Lapancé.

The deputies of the vestry-board of Cahokia having assembled before the court to clear themselves of the charge, which has been made against them, of having concealed some papers which M. Augustin Dubuque had confided to their care, and which the said M. Dubuque said he had found, after a certain time and several searches, between two stakes of his land, M. de St. Pierre, curé of this parish who was present, demanded the oath from each of the said deputies that he had no share in the loss of the papers. The following have taken the said oath before the Court, to wit: M. François Saucier, M. Jean Bte. LaCroix, M. Antoine Girardin, Charles DuCharme, François Courier, Joseph Labuxiere, Clerk, and the said Sieur de St. Pierre.

Whereupon the Court declared them absolved from all suspicion in this respect on the affidavit which M. Dubuque made and his oath which he made that he did not know who put them in that place, with which he discharges the said deputies and all others.

Mark + of
Joseph Lapancé
Mark + of
Clement Alarie
MM. Lonval, Deslonchamps and Joseph Lapance demanded damages for the fences of the church lands, the leases of which were sold Sunday, the 25th of this month. The Court dismissed the case to the next Court for decision, not finding itself complete. The Court adjourned to April 1, 1787.

J. B. H. LaCroix.

To-day, the first of March, 1787, there appeared at the office of the Court in the presence of the magistrates, Marie Louise Lemire, widow of the deceased Groslé, who was killed by the savages about a week after their marriage; and since the said Groslé, before being married to the petitioner and entering into a community of goods with her, had contracted divers debts, and there is found nothing from which to refund her dower, declared by her contract of marriage, except the sum of two hundred livres, which are in the hands of François Biguier called Groslé, father of the said deceased, and which she claims for her dues, which are for a greater sum; this is the reason why, after examining the affairs of the said deceased and the obligations which he contracted as well before his marriage as for the expenses of the marriage and after the marriage aforesaid, and seeing from the death of the said deceased Groslé Biguier, her husband, that the community of goods which exists is more burdensome than profitable for her, she declared before the said Court and declares that she renounces, as in fact she has renounced, the community of goods, which existed between the said deceased François Biguier called Groslé and herself, on account of the wrong which she would suffer and is suffering from it; and now she declares that she abandons the said community of goods; and that the said deceased contributed nothing, neither gains nor work, thereto; the said widow declares furthermore that she has not entered upon possession in any way either by paying or receiving any thing which may have belonged to the deceased; and that the said François Groslé, father of the deceased, has taken and withdrawn all that which could belong to his said son, and that she claims only the sum of two hundred livres, which the said François Groslé has in his possession, belonging to the deceased, her husband, and
which descended from the estate of his mother, to replace the dower and jointure, accorded her by her contract of marriage with the said François Biguier called Groslé. And she has asked for a certificate of this declaration and renunciation, which the Court has granted to her upon her making oath that she had nothing, drawn from the effects belonging to the said deceased, her husband, and by which she acknowledges the truth of all she has declared above. Whereupon the said Court approves the said renunciation and decrees that it shall have its complete and full effect and the said Lemire shall be truly and validly discharged from all debts of the said community and others which may have been contracted as well before as after the said marriage. And the Court allows the said widow the two hundred livres, which are in the hands of the said François Biguier, father of the said deceased, to replace the dower and jointure, to the payment of which the said François Biguier shall be constrained.1 And we have signed the said day and year, and the said widow made her mark, not knowing how to sign, the said day and year.

Mark of J. B. H. LaCroix.

+ Marie Joseph Lemire.

At a Court, April 2, 1787.

Jean Bte. LaCroix, President Joseph Lapancé
Antoine Girardin Matthieu Saucier.
Louis Chatel.

M. JOSEPH LABUXIERE, attorney for the property in abeyance of the estate of Raphael Gagné, plaintiff, vs. JOSEPH Poupard, citizen, defendant.

Heard the plaintiff in his explanatory petition which shows that the said Poupard owes the said estate a sum of fourteen hundred and nineteen livres in money or peltries according to his note which munity, this caused complexity in the property rights of the families. In the above case the widow found that the succession to the community of goods would be more burdensome than profitable, and therefore she appeared before the Court and made formal renunciation thereof. She thus escaped from all responsibility for the debts of the community. This, however, did not annul her rights in her husband’s property, for by the renunciation of her rights to the community, she had revived her dower rights, amounting to a half or a third of her husband’s property. Since the parents of her husband participated in making the contract of marriage by giving their consent thereto, the widow acquired a life interest in their property to the amount of her dower. De Ferriere, Coutume de Paris, iii., 2 et seq.; Viollet, Histoire du droit civil Francais, 771 et seq.
ouy le demandeur en sa requete expositive que ledt poupard doit
a ladite Succession une somme de quatorze cent dix neuf livres en
argent ou pelterie suivant son Billet Echû depuis plus de dix huit
mois, que la Succession doit a plusieurs particuliers qui reclament
leurs Creances que lancan ayant Eté fait a deux ans de Credy le
demandeur n'a aucun fond pour payer, qu'il a fait plusieurs
requisition au defendeur de payer Sans avoir pu obtenir de luy le
pavement a cette fin Concluant a ce qu'il soit condamné a payer le
restant de son Billet montant a ladite somme de quatorze Cent
dix-neuf livres, Et aux frais Et depens et interest.

ouy le defendeur qui a dit qu'il reconnaît devoir la Somme de
quatorze cent vingt neuf livres mais qu'il na aucun moyen de payer
actuellement ne se voyant pas En satsiation [sic]. Sur quoy la Cour
a sauvit le payement jusques au mois doctobre prochain en payant
l'interet a Cinq pt Cent sur laquelle somme le defendeur a payé
Compte celle de trois cent soixante dix neuf livres Cinq sols En-
dossé sur son obligation ce dit jour donné aux Cahos lesdt jour
Et an I En un memoire qu'il a produit.

a la meme Cour.

MATHEU SAUCIER demandeur contre Bte LA BECASSE defendeur

Le demandeur a produit un Billet contre le defendeur de la
somme de Cinq Cent livres Echus depuis un an En demandant le
pavement Sans delais. le defendeur a reconnu le billet Et a dit
n'avoir aucun moyen de payer a present qu'il le payeroit quando il
auroit de quoy.

Sur quoy la Cour a ordonné Et a condamné le defendeur a
payer au defendeur le montant de Son obligation dans le cour
doctobre prochain a quoy faire il sera contraint par saisie Et
vente de Ses Biens privilegiereinent. donné En Cour lesdt jour Et an.

a la meme cour.

MR AUGUSTIN DURQUE demandeur contre THOM BREDY
defendeur

Le demandeur reclame la Somme de douze Cent trois livres
onze sols quatre deniers pour marchandises qu'il lui a fourni par
son Commerce avec l'interet frais et depens.
matured more than eighteen months ago; and that the estate owes several persons who are claiming their dues; and that, since the auction of the property had given two years credit, the plaintiff has no other fund from which to pay; that he has made several demands upon the defendant to pay without being able to obtain the payment from him; therefore he concludes that the defendant should be condemned to pay the balance of his note amounting to the said sum of fourteen hundred and nineteen livres and the costs, charges and interest.

Heard the defendant, who said that he acknowledged that he owed the sum of fourteen hundred and twenty-nine [nineteen?] livres, but that he had no means to pay at present, not finding himself in position to pay. Whereupon the Court suspended the payment until the month of October next, and decreed that interest at five per cent be paid. On this sum the defendant paid this day an installment of three hundred and seventy-nine livres five sols, endorsed on his obligation. Given at Cahokia the said day and year on a memorandum which he produced.

At the same Court.

MATTHIEU SAUCIER, Plaintiff, vs. BTE. LABECASSE, Defendant.

The plaintiff produced a note against the defendant for the sum of five hundred livres, matured a year ago, and demands the payment of it without delay. The defendant acknowledged the note and said that he had no means at present, and that he would pay when he had means.

Whereupon the Court decreed and condemned the defendant to pay to the plaintiff the amount of his obligation in the course of October next; to do which he shall be constrained by seizure and sale of his property with preference. Given in Court the said day and year.

At the same Court.

M. AUGUSTIN DUBUQUE, Plaintiff, vs. TOM BRADY, Defendant.

The plaintiff claims the sum of twelve hundred and three livres eleven sols four deniers with interest, costs and charges for merchandise, which he furnished him for his trade.

Heard the defendant, who said that he did not owe this entire
ouy le defendeur qui a dit quil ne devoit pas cette somme en 
Entier et quil navoit pas de quoy la payer actuellement, qua la 
permiere demande de Mr dubuque il avoit voulu luy hypotequer 
des effets p'r surete de ce qu'il pouvoit luy devoir mais que ledt s'r 
dubuque Navoit pas voulu les accepter dans le temps, que pour le 
present son epouse ne le vouloit plus. quelle vouloit Rendre 
comppte a Ses Enfans auparavant, qui ne desavouet pas de devoir 
au s'r dubuc Mais qu'il demandoit un delais en faisant son obliga-
tion.

Sur quoy la Cour a condamné le defendeur a payer au demand-
eur le montant de ce qu'il doit audt s'r dubuc Et ce sans delais a 
quoy faire qu'il soit contraint par saisie Et vente des meubles et 
effets qui appartienent directement audt Thom Bredy sur lesquels 
ledt S'r dubuque aura privilege. Sans derroger au privilege et pre-
ference que les Enfans de laflame on sur ceux dudt defendeur 
Lesquels Bien du defendeur. En cas que preference Nait lieu 
p'r les mineurs laflame Seront estimez et aura le Chois ledt s'r dubuq 
de les prendre au prix de destimation ou de accorder un delais. 
condamnons ledt Thom Bredy aux frais Et depens qui seront 
avancez par le s'r dubuq.

delivre copie p'r signifier a thom Bredy.

la meme cour.

Père MARTIN demandeur contre LE S'R AUGUSTEN DUBUC defendeur

Le demandeur reclame contre le defendeur un memoire de 
fournitures p'r Loyer de Cloison fournitures de Madriers planches 
et Cloux montant a deux cent vingt Cinq livres dix sols En argent 
Lesquels fournitures il luy a fait a Sa demande.

ouy le defendeur qui declare avoir Emprunté la Cloison Sans 
lui re [sic] ni meme sans parler de loyer, Et que les Conventions 
Etoient de luy remetre la Cloison En meme Etat quelle Etoit lors 
qu'il preté luthomme. Et comme il avoit recommandé a Mr 
tabault de faire remetre la Cloison il a dit au defendeur qu'il avoit

1 The wife of Thomas Brady was a Madame Laflamme, whose children by her first hus-
bond had rights in the community of goods established by her marriage with their father and 
which had not been ended by a division of the property, when she formed the second com-
mony of goods with Brady. Madame Brady now desired to settle with her children before 
the community of goods with Brady became responsible for the debts owing Dubuque; but the 
Court gave judgment against that property which had been brought to the community by Brady

2 Note in margin by the clerk.
sum, and that he did not have means to pay at present; that
at the time of the first demand of M. Dubuque, he had wished
to give him a mortgage on his effects for surety for that which
he might owe him; but that the said M. Dubuque had not been
willing to accept them at the time, and that now his (the defend-
ant's) wife was no longer willing, and that she wished to render
account to her children first; that he did not disavow his debt to
M. Dubuque, but that he asked for a delay in fulfilling his obli-
gation.

Whereupon the Court condemned the defendant to pay to the
plaintiff the amount of what he owed the said M. Dubuque and
that without delay; and the Court decreed that he should be con-
strained to do this by seizure and sale of the personal property
belonging directly to the said Tom Brady, on which the said
M. Dubuque shall have preference, without derogating from the
privilege and preference, which the children of Laflamme have on
the property of the said defendant.\footnote{In case the minor heirs of
Laflamme have no right of preference, this property of the defend-
ant shall be appraised and the said M. Dubuque shall have the
choice of taking it at the appraised value or of granting a delay.
We condemn the said Tom Brady to pay the costs and charges,
which shall be advanced by M. Dubuque.}

Delivered a copy for notification to Tom Brady.\footnote{Pierre Martin, Plaintiff, vs. M. Augustin Dubuque,

Defendant.

The plaintiff claims payment from the defendant of a bill for
supplies, namely for rent of partition, supplies of joists, planks
and nails amounting to two hundred and twenty-five li\`evres ten
sols in money, which supplies he furnished the defendant at his
request.

Heard the defendant, who declares that he had borrowed the
partition without renting or even speaking of rent; and that the
agreement was that he return the partition to the plaintiff in the
same condition it was when the latter lent it in the autumn; and
as he had ordered M. Tabeau to have the partition returned,
he told the plaintiff that he had made arrangements with Troge}
pris des arrangement avec troge p\textsuperscript{r} la remetre telle quelle \textit{Etoit Et} comme il y avoit quelques planches qui avoient \textit{Eté} rognés il devoit luy En remetre dautres ou sarranger avec martin quil \textit{Etoit juste} que si la Cloison navoit pas \textit{Eté} Remise comme m\textsuperscript{r} martin sen plain il faut quelle soit remise En sa Nature par troge ou \textit{par ceux} qui ont les fonds de la société.

Le tout examiné par la Cour Elle a Condamné \textit{Et condamne} le s\textsuperscript{r} dubuque a payer Sans delais aud\textsuperscript{t} pierre martin la Somme de Cent trente Cinq livres dix sols pour le montant de son \textit{memoire} a laquelle nous lavons reduit sauf le recour dud\textsuperscript{t} s\textsuperscript{r} dubuque sur la société condamne le s\textsuperscript{r} dubuque aux frais \textit{Et} depens.

\textsc{Michel Charly} demandeur contre \textsc{Francois Gramont} \\
\textit{defendeur}

Le demandeur Reclame contre le \textit{defendeur} dix livres pour la bedauderie qui luy sont dus p\textsuperscript{r} lannée dernier \textit{1786} p\textsuperscript{r} la maison du \textit{defendeur}.

Le \textit{defendeur} a dit qu'il avoit vendu sa maison des le \textit{24 7\textsuperscript{bre}} dernier que dailleurs il ny demeuroit pas qu'il demeuroit chés M\textsuperscript{r} LaCroix.

La Cour a condamné le S\textsuperscript{t} gramont a payer au demandeur \textit{Sept} livres dix sols p\textsuperscript{r} sa part de la bedauderie jusqu'a la fin de Septembre dernier Et condamne M\textsuperscript{r} charles cadron a luy payer Cinquante sols p\textsuperscript{r} les trois derniers mois de \textit{1786}.

condamne la \textit{Sucesion de deffunt gramont aux depens liquidez a quinze livres donne En Cour lesd\textsuperscript{t} jour \textit{Et} an.

\textit{a la meme Cour.}

\textsc{Joseph Amelin} demandant contre \textsc{Henry Kertis} dit \textsc{Bienvenu}

Le demandeur a produit un \textit{Certificat du Nommé Maillet, Et Chevalier, vizé par m\textsuperscript{r} Cruzat commandant a S\textsuperscript{t} Louis par lequel il apert que led\textsuperscript{t} maillot \textit{Etoit Chargé dune obligation de Neuf cent Soixante neuf livres En pelterie Et qu'il a perdu ladite obligation suivant led\textsuperscript{t} Certificat qu'il donne p\textsuperscript{r} tenir lieu dobligation declarant qu'il na Rien recû dessus. ladite obligation due par led\textsuperscript{t} joseph Kertis dit \textit{Bienvenu} icy present a la Cour Requerant que led\textsuperscript{t} Kertis dit \textit{Bienvenu} ait a luy En payer le montant \textit{Et} aux frais \textit{Et depens}.

\textsuperscript{1} \textit{See case somewhat similar on p. 239}.
to return it in the same condition it was; and since there were some planks which had been cut off, he ought to return others for them or make arrangements with Martin. He said that it was just, if the partition had not been returned, as M. Martin makes complaint, that it should be returned in good condition by Troge or by those who have the funds of the partnership.

All having been examined by the Court it condemns and does condemn M. Dubuque to pay without delay to the said Pierre Martin the sum of one hundred and thirty-five livres ten sols the amount of his bill, to which sum we have reduced it, reserving to the said M. Dubuque recourse against the partnership. Condemned M. Dubuque to pay the costs and charges.

MICHEL CHARLY, Plaintiff, vs. FRANÇOIS GRANDMONT, Defendant.

The plaintiff claims from the defendant ten livres for the beadlery, which are due on the house of the defendant for last year, 1786.

The defendant said that he had sold his house the 24th of last September, and that besides he did not live there, but at M. LaCroix.¹

The Court condemned M. Grandmont to pay to the plaintiff seven livres ten sols for his share of the beadlery up to the end of September last; and condemns M. Charles Cadron to pay him fifty sols for the three last months of 1786; and condemns the estate of the deceased Grandmont to pay the costs which are set at fifteen livres. Given in Court the said day and year.

At the same Court.

JOSEPH HAMELIN, Plaintiff, vs. HENRY KERTIS called BIENVENU.

The plaintiff produced a certificate of the named Mailhet and Chevalier, signed by M. Cruzat, commandant at St. Louis, according to which it appears that the said Mailhet was intrusted with a note for nine hundred and sixty-nine livres in peltries and that he lost the said note, according to the said certificate, which he gives to take the place of the note; and he declares that he has received nothing upon the said obligation owed by the said Joseph Kertis called Bienvenu, here present in Court; and he prays that the said Kertis called Bienvenu be held to pay him the amount with costs and charges.
ouy le defendeur qui a recusé le Certificat et qui a dit qu'il ne devoit qua son Billet que lon N'avoit qua le luy presenter quil offroit de le payer quil declaroit ne pouvoit le payer autrement quil pouvoit luy etre presente a missilimakinac ou ailleurs Et quil seroit obligé de le payer. quil avoit donne ordre au st Louis gaud de retirer de largent ou pelterie du st maillet mais que maillet avoit repondu quil avoit a produire des debtes aud1 Bienvenu que cest peut Etre led3 Billet dont est question. quil ne devoit Rien aud3 maillet daillleurs.

La Cour a daboutée le demandeur de Ses demandes jusques a ce qu'il ait produit Le Billet en question la Condamné aux frais Et depens liquidez a quinze livres donné en Cour lesd4 jour Et an.

delivré 1 copie a hamelin 51b

Mr MYER Michael demandeur contre PIERRE TROGE defendeur nayant voulu paroître après avoir Eté assigné.

Le demandeur a presenté deux billets a luy dus par le defendeur lun de la somme de deux Cent Cinquante deux livres dix sois En argent Et lautre de Cent Cinquante formant les deux sommes celle de quatre Cent deux livres deduction faite des acompte Reste trois cent Cinquante six livres Sept sois qui le demandeur requiere que led3 troge luy paye sans delais avec les frais et depens.

La Cour atendu que led3 troge na voulu paroître après avoir Eté appele trois fois a la porte de laudience la Condamné a payer au demandeur la dite somme de trois cent Cinquante six livres Sept sois. Et ce sans delais sauf aud3 troge de donner des sureté au demandeur il veut obtenir du terme Et la Condamné aux frais liquidez a quinze livres qui seront avancez par le demandeur Et a luy remboursez par le defendeur donne En Cour.

La Cour est ajoynée au premier May prochain ce 2 avril 1787.

J B H LaCroix Pr Sdt.

1 Note in margin by the clerk.
Heard the defendant, who took exception to the certificate and who said that he owed only for his note; that one had only to present it to him; that he offered to pay it; that he declared he could not pay it otherwise; that it might be presented to him at Michillimackinac or elsewhere and that he would be bound to pay it; that he had given orders to M. Louis Gaud to withdraw money or peltries from M. Mailhet; but that Mailhet had answered that he had to give particulars of the debts to the said Bienvenu, and that perhaps that is the said note in question; that he owed nothing to the said Mailhet otherwise.

The Court denied the prayers of the plaintiff until he should have exhibited the note in question; and condemned him to pay the costs and charges, which were set at fifteen livres. Given in Court the said day and year.

Delivered a copy to Amelin, 5 livres.¹

M. MYER MICHÆELS, Plaintiff, vs. PIERRE TROGE, Defendant, who was unwilling to appear after having been summoned.

The plaintiff presented two notes due him by the defendant, one for the sum of two hundred and fifty-two livres ten sols in money and the other for one hundred and fifty, the two amounting to four hundred and two livres. After deduction for the installments made, there remain three hundred and fifty-six livres seven sols, which the plaintiff demands that the said Troge pay him without delay, with costs and charges.

The Court, considering that the said Troge did not wish to appear after having been summoned three times at the door of the audience chamber, condemned him to pay to the plaintiff the said sum of three hundred and fifty-six livres seven sols, and that without delay, reserving to the said Troge the right to give surety to the plaintiff, if he wishes to obtain terms; and condemned him to pay costs, which were set at fifteen livres, which shall be advanced by the plaintiff and reimbursed to him by the defendant. Given in Court.

The Court adjourned to the first of May next, this second day of April, 1787.

J. B. H. LaCroix, Pres.
a une Cour du premier May mil sept cent quatre vingt Sept.
M** Jean B**e LaCroix President        Mathieu Saucier
Louis Chalet                                 Joseph Lapensée
magistrats

Le S** Jean Dumoulin** demandeur contre Augustin Dubuq défendeur

Le demandeur reclame une Somme de deux Cent dix neuf livres dix sols En argent p**r** plusieurs articles portés au compte qu'il a Produit devant la Cour concluant a ce que le défendeur luy paye ladite Somme Et aux frais Et depens, demandant a Etre dechargé du payement des Clouestre que les adjudicatants avoient fait Sur les terres de la mission, dautant que les dites terres ont Ete reprises par la fabrique.

Le défendeur repond que les Conventions faites avec M**r** Dumoulin Etoit de luy donner le dix p**r** cent sur toutes les sommes qu'il recevoit de la vente des Biens a la charge de payer les frais de Créës Et que ce dix p**r** cent devoit etre partagé Entre led**e** S**r** dumoulin Et le S**r** Labuxiere p**r** les Ecritures qu'il feroit mais que n'en ayant point fait le S**r** Labuxiere ne demandoit Rien, Et que Comme la fabrique a repris les Biens de ladite mission le défendeur demandoit a Etre dechargé du payement quexige M**r** du Moulin p**r** son recononcment [sic].

Sur quoy vu les contestations des parties Et Nayant voulu Sen rapporter a un arbitrage La Cour a Nommé les jurés cy aprés pour decider de leur affaires. savoir

M**r** Myer Michaels            Morel
Helene                        Hugues Huvard
Largeau                       Jacq LaCroix
Laurant Ducharme              Belle
Courtois                      Kaorn
Wouel                         P**r** Billet
donné en Cour le 1**er** may 1787.

a la meme Cour.

Le S**r** Augustin Dubuque demandeur contre Pierre Martin défendeur

Sur le proces entreux devant la cour du deux avril dernier le s**r** Dubuq a dit navoir Rien promis a martin p**r** loyer de sa Cloison
At a Court, May 1, 1787.

MM. Jean Bte. LaCroix, President. Matthieu Saucier.

Magistrates.

M. JEAN DUMOULIN, Plaintiff, vs. AUGUSTIN DUBUQUE, Defendant.

The plaintiff claims a sum of two hundred and nineteen livres
ten sols in money for several items carried on the account which
he exhibited to the Court and he concludes that the defendant
should pay him the said sum with costs and charges; and he prays
that he be released from the payment for closing up the accounts,
which the purchasers made on the lands of the mission, inasmuch
as the said lands have been taken back by the vestry-board.

The defendant answers that the agreement with M. Dumoulin
was to give him ten per cent on all the sums which he received from
the sale of the property, on condition that he pay the costs of the
auction; and that this ten per cent was to be divided between the
said M. Dumoulin and M. Labuxiere for the deeds which the
latter should make, but since he had made none, M. Labuxiere
demanded nothing; and that since the vestry-board had taken
the property of the said mission, the defendant demanded that
he be released from the payment which M. Dumoulin exacts for
his renunciation.

Whereupon, because of the contests of the parties and since
they are unwilling to submit to an arbitration, the Court named
the following jurors to decide their cause. to wit:

MM. Myer Michaels. Morel.
Largau. Bell.
Laurent DuCharme. Cahorn.
Hugues Heward. Courtois.
Wonel. Pierre Billet.

Given in Court May 1st, 1787.

At the same Court.

M. AUGUSTIN DUBUQUE, Plaintiff, vs. PIERRE MARTIN,
Defendant.

In the suit between them before the Court the second of last
April, M. Dubuque said that he had promised Martin nothing
et qu'il luy a seulement dit qu'il la luy feroit Remetrez au meme Etat. Martin a dit qu'il luy avoit promis un loyer Et qu'il seroit Contant mais que au lieu de suivre ces conventions il a gasté Ses planches et sa Cloison ainsi que plusieurs Madriers au [?] plancher den bas qui manquent demandant que le tout luy soit payé par ledt S' dubuque suivant le memoire quil produit Et qu'il ofre de produire p'termon le S' paul poufart a linstant le S' paul poufart est comparé auquel nous avons fait faire serment de dire la verite Et a dit qu'il Navoit aucune connaissance que le S' dubuque luy avoit promis du loyer qu'il ne lavoit pas Entendu. Le S' dubuque a produit le S' trogge qui après avoir fait serment a declaré qu'il avoit payé par ordre de M' tabaut la Cloison de martin mais que en ayant fait une partie il luy a demandé de luy faire une Equiere, qu'il la aussi faite par ordre du M' tabaut et que ledt martin la Cloison faite navoit Rien dit après la cloison faite.

Sur quoy la Cour ne pouvant decider a renvoyé les parties a Se pourvoir pardevant des arbitres.

Bte DUMAY demandeur contre JEAN Bte BARON defendeur Le demandeur concluant a ce que le defendeur luy payé la somme de Cent quatre vingt dix sept livres dix sols Sur quoy il a recu la seconde somme de Cent livres reste quatre vingt dix sept livres dix sols qu'il demande que ledt baron luy paye Sans delais.

Sur quoy les parties Se Sont arrangées.

FRANCOIS GEROSME demandeur contre JOSPEH BIGUER dit GROSLE defendeur Le demandeur demande au defendeur Soixante trois Boulins dune Cabanne que ledt defendeur a Emprunte de la femme dudit gerosme qu'il a les luy remettre de la meme grandeur et grosseur Et aux frais Et depens.

Ledt Grosle a repondu qu'il ne devoit point de bois audt gerosme Et qu'il navoit aucun afaire avec luy que Setroit son fils qui avoit emprunté du bois qu'il pouvoit saranger avec luy a linstant est

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1 *Boulins*. This probably means "upright posts, grooved on two sides, which the French used in building their houses. These posts were set in the ground a few inches apart with the grooved sides together. The space thus left was filled with "net and clay" — the earth being finely cut up or mixed — and the grooves prevented the filling from falling out. See illustration of a typical house of this description on opposite page.
House of François Saucier. Purchased for a courthouse in 1795.

From photograph by J. Slier of St. Louis, Missouri.
for ren of his partition: that he only said that he would have it returned to him in the same condition. Martin said that Dubuque had promised him a rent and that he would be contented; but instead of keeping these agreements he had spoiled his boards and his partition as well as several joists in the lower floor of which are missing; and he prays that all be paid to him by M. Dubuque according to the account which he produces: and he offers to produce Paul Poupar as witness. And now appealed M. Paul Poupar, whom we have made take oath to tell the truth, and who said that he never had any knowledge that M. Dubuque had promised rent, that he had never heard of it. M. Dubuque produced Mr. Trone who, after having taken oath, declared that he had by order of M. Tapaque put Martin's partition in place: but that, having made a part of it, the latter had asked him to make a balustrade for him, that he had also made it by order of Mr. Tapaque; and that he and Martin had said nothing after the partition was made.

Whereupon, the Court not being able to decide dismissed the parties to the before arbitraries.

BRIEF OF PLAINTIFF in favour of DEFENDANT

The plaintiff concludes that the defendant should pay him the sum of one hundred and nine thousand francs on the two years which he has received of the sum of one hundred thousand francs which remain nine thousand francs on which he takes that the old Baron gave him without delay.

Whereupon the parties came to an agreement.

FRANCOIS LE RUSME, PLAINTIFF in favour, procured the said...

The plaintiff demands of the defendant he has been promised to give him which the old defendant promised to give him in the said agreement and that he would be paid for him.

Le Rusme.

The defendant responded that he had borrowed and he would settle with M.
intervenât michel peltier lequel après sermant par lui fait a dit que le fils de groslé lui avoit dit qu'il avoit Eu de la veuve giroux du bois p° finir Sa maison Et qu'il devoit En rendre p° finir la maison de ladite veuve jusques a son quarré sur quoy a defaud de preuves sufisantes la Cour a renvoyé les parties a Se pourvoir pardevant m° girardin commandt a la prairie du pont Et magistra pour aranger Les parties.

Bte CHARTRAN demandeur contre PIERRE TROGE

le demandeur reclame la somme de deux cent Cinquante livres a lui duee par pierre troge s° son Billet Echu et aux frais Et depens.

le defendeur a dit navoir point de quoy payer qu'il ofroit de payer et demdoit [viv] Credy jusquapres la recolte Et donneroit Cotion.

Sur quoy la Cour a accordé audt troge delais jusqua lundy prochain pour avoir le temps de vendre sa jument p° payer faute de quoy ladite jument sera saisie et vendue pour payer le demandeur et au Cas quelle ne suffise pas Sera Saisy de Ses autres meubles p° finir de payer condamnons troge aux frais qui seront avancés et payez par ledt Chartran.

LE St COURTOIS demandeur contre FRANCOIS RENOUSSE defendeur

Le demandeur reclame la somme de Cent vingt livres Suivant Son Billet Echus. a lui due par francois Renousse Et aux frais Et depens.

Ledt francois Renousse a dit navoir point de quoy payer actuellement. la Cour a Condamné Le defendeur a payer si mieux il naime sengager pour payer au prix du Cour des autres condamnons ledt Courtois aux frais.

La Cour est ajournée au premier juin 1787.

J B H LaCroix prsdt.

1 At the bottom of the page and evidently signed by accident.
2 Quarré et carré means all that square part of the house below the roof.
Now intervened Michel Pelletier who, after taking oath, said that
the son of Groslé had said to him that he had obtained from the
widow Giroux some wood to finish his house; and that he was to
return some to finish the house of the said widow up to the roof. Whereupon the Court in default of sufficient proofs dismissed the
parties to sue before M. Girardin, commandant and magistrate at
Prairie du Pont, who will adjust the difficulty between them.

BTE. CHARTRAN, Plaintiff, vs. PIERRE TROGE

The plaintiff lays claim to the sum of two hundred and fifty
livres due him by Pierre Troge according to his note, which is
due, with costs and charges. The defendant said that he did not
have the means to pay, that he offered to pay and demanded
credit until after harvest and would give surety.

Whereupon the Court granted the said Troge delay until
Monday next to have time to sell his mare in order to pay; in
default of which the said mare shall be seized and sold to pay
the plaintiff, and in case that is not sufficient there shall be seized
other goods to complete the payment. We condemn Troge to
pay the costs, which shall be advanced and paid by the said
Chartran.

M. COURTOIS, Plaintiff, vs. FRANÇOIS RENOUX, Defendant.

The plaintiff lays claim to the sum of one hundred and twenty
livres according to the note, fallen due, which is owed him by
François Renoux, with costs and charges.

The said François Renoux said that he did not have means to
pay at present. The Court condemned the defendant to pay, un-
less he prefers to bind himself out for the payment at the current
wage. We condemn the said Courtois to pay the costs.

The Court adjourned to the first of June, 1787.

J. B. H. LaCroix, Pres.
a une Cour tenue Extraordinairement le Sept de May mil sept cent quatre vingt sept.
Mme Jean Bte LaCroix presidant Louis Chatel
ant. girardin Math. Saucier
Joseph Lapensée magistra
Entre JACOB GROOT demandeur contre JAQUES PIQUET habitant du grand Ruisseau deffendeur
Declaration dud1 jacob groot

a dit que lundy dernier trente davril il Etoit dans Son champ avec Sa femme a travailler. que Son fils ainé Etoit venû a luy pour luy dire que Lenfant de M'r piquet aivoit Eté mordû par un Chien au visage que un instant après il est venû a leur fort avec Sa femme p'r voir lenfant que sa femme luy aivoit dit qu'il feroit Bien de manger un morceau Et quaprés il iroit voir lenfant. que En entrant dans le fort il a entendu dire par des femmes ou denfans dont il nest pas certain que Setoit Son Chien qui aivoit mordû lenfant, que après avoir mangé luy et sa feme ont voulu sortir pour aler voir lenfant que sortant de Sa porte il a vû le St'r piquet avec Sa Carabine a la main, que le St'r piquet les voyant sest arreté tout cour avec le feu dans le Visage et Changeant de Couleur deux ou trois fois, Enfin tramblant de Colere il a prononcé que Croyez vous faire avec votre Chien, le St'r groot a repondû qu'il ne savoit point mais que si Setoit juste que Son Chien Eu merité la morte qu'il le feroit tuer, led2 piquet luy a repondû si vous le tuez cela mevitera la peine de le tuer Et dans listant Setant retouren il a apercû le Chien Et la Blessé avec Sa Carabine dont il est mort quelques jour apres, le St'r piquet a resté ou il a tiré le Chien Et a rechargé Sa Carabine. la Femme du Deposant voyant cela a Sorti a la porte pour faire Entrer Ses enfans dans Sa maison. Et a dit que le — vous con-fonde pour quoy navez vous pas tués le Chien Roide Et pourquoi cette Garce de femme qui demeure ches vous n'a telle pas fait rester Ses Batard a la maison Et que si Ses Enfans avoient Etez

1 In the session of March 7, 1780, p. 362 the names Piquet and Piggott are used to designate the same man.

2 Several American families lived in a common block-house at Grand Ruisseau. The houses of the several families were situated within the stockade, and the scene here described by the different witnesses shift from one of the private houses to the open court. For an account of Grand Ruisseau, see Introduction, pp. cxvii, cxviii.
At a Court meeting in special session, May 7, 1787.

MM. Jean Bte. LaCroix, President. Louis Chatel.
Jos. Lapancé. Magistrates.

JACOB GROOT, Plaintiff, vs. JAMES PIGGOTT, inhabitant of Grand Ruisseau, Defendant.

Declaration of the said Jacob Groot.

Said that on Monday last, the thirteenth of April, while he was in the field with his wife working, his oldest son came to him and said that the child of M. Piggott had been bitten in the face by a dog; that a moment after he went to the blockhouse with his wife to see the child; that his wife had said to him that it would be better to have something to eat; and after that he might go to see the child. On entering into the blockhouse he had heard some women or children, he is not certain which, say that it was his dog which had bitten the child; that after having eaten, he and his wife wished to go out and see the child; that after he went out of his door he saw M. Piggott with his rifle in his hand; that M. Piggott upon seeing them stopped short with fire in his eyes and changed color two or three times, and finally trembling with anger uttered: "What do you intend to do with your dog?"

M. Groot answered that he did not know; but that if it was true that his dog had merited death, he would have him killed. The said Piggott answered: "If you kill him that will spare me the trouble of killing him", and at the same moment turning around he saw the dog and wounded it with his rifle so that it died a few days after. M. Piggott stopped where he shot the dog and reloaded his rifle. The wife of the deponent, upon seeing that, went out of the door to make her children enter the house, and she said, "May the —— confound you! Why didn't you kill the dog stone dead, and why didn't that hussy of a woman who lives at your house make her bastards remain in the house? If her children had been legitimate, God would not have punished her in this fashion." Groot upon seeing that took his wife by the hand and made her sit on a chair. He deposes that Piggott answered: "God damn you! You call my children bastards,
legitimes que dieu ne Lauroit pas punie de cette façon, que groot voyant cela a pris Sa femme par la main et la faite assoir Sur une Chaise. que piquet a voit repondu que dieu vous damme, vous apeler les enfants Batard Jenveroy votre ame En Enfer, il a Entre dans la maison avec Sa Carabine a la main En tramblant m'r groot luy a dit de ne pas Entrer avec Sa Carabine dans la maison et de penser a ce qu'il vouloit faire Et de mettre Sa Carabine En dehor de la porte le priant pour lamour de dieu de ne pas les tuer dans Sa maison, piquet a repondit adressant la parole a la fémme du deposant dieu vous damme Jenveroy votre ame a leternité. En disant ces propos Piquet avoit Sa Carabine la Crosse apuyée sur le costé droit avec une main sur la platine Et lautre sur le Canon, le Bout tourné Sur le Sain de M'de Groot, que luy deposant a Entendu les ressort de la Carabine faire du bruit mais qu'il nest pas sur sil a raté Et dans linstant qu'il a entendu Craquer les ressorts de la Carabine piquet Setoit retourné Et a pris Sa Corne et a Ramorcé de frais Sa Carabine, luy deposant luy a dit pr lamour de dieu de ne pas tuer Sa femme et de prendre garde a ce qu'il aloit faire Et de Sortir, dieu vous damme Sacré Coquin Bien Souvant vous mavez afronté je vous serviray de même, En disant cela piquet a tourné la teste du costé de la porte et a aperçu un homme qui est le Sr Izaac West assis dans Sa porte qui Etoit vis a vis la porte de luy deposant. Et que avant de tourner la teste il avoit levé sa Carabine et avoit présenté le Bout a luy deposant quausitot qu'il a apercû West il abaissé sa Carabine Et a sorty de la maison Et a pris le Chemin de Sa maison. Et luy deposant layant suiy. et luy a dit Croyez vous que cela merite Satisfaction. si vous le croyez metez votre carabine a part. mais que piquet navoit pas voulû, qu'il luy avoit repondu que de ce moment jusques au soir je penseray a ce que je feray. que voyant qu'il Etoit En danger de Sa vie luy et sa femme ne pouvant pas sortir de Sa maison Sans En craindre les suites il etoit venû pour en demander justice a la Cour. qui est tout ce qu'il a a dire que cest la pure vérité. Jacob groot.

avons fait paroître ledt jaques piquet lequel a dit que Son intention Etoit de tuer le Chien Si m'r groot ne prenoit pas sur luy
I will send your soul to Hell.” He entered the house with his rifle in his hand, all in a tremble. M. Groot told him not to enter the house with his rifle and to think what he was going to do and to put his rifle outside the door; and he prayed him for the love of God not to kill them in his house. Piggott responded in answering the words of the deponent's wife: “God damn you! I'll send your soul to eternity.” While saying these words Piggott had his rifle with the butt supported on his right side with one hand on the screw-plate and the other on the barrel, and the end pointed toward the breast of Madame Groot; and he, the deponent, heard the spring of the rifle make a noise, but he is not sure that there was a flash in the pan, and at the moment he heard the spring of the rifle crack, Piggott had turned and taken his horn and primed his rifle anew. He, the deponent, told him for the love of God not to kill his wife and to take care what he was going to do and to go out. “God damn you, you damned rascal, you have attacked me often enough, I will serve you the same way.” In saying that Piggott turned his head toward the door and saw a man, M. Isaac West, seated in his doorway which was opposite the deponent's door; and that before turning his head he had raised his rifle and aimed at the deponent; that as soon as he perceived West, he lowered his rifle and went out of the house and started for his house; and that he, the deponent, followed him and said to him: “Do you believe that this deserves satisfaction? If you believe it, put your rifle down.” But Piggott was not willing. That he had answered him: “From now till evening I will think of what I shall do.” That he, the deponent, seeing that he and his wife were in danger of their lives and that they could not go out of their house without fear of the consequences, he had come to demand justice of the Court. This is all that he has to say and it is the simple truth.

Jacob Groot.

We summoned the said James Piggott, who said that his intention was to kill the dog, if M. Groot didn't take it upon himself to kill it; that there came a woman of the neighborhood who told him that Groot was not two hundred paces from his house,
de le tuer. quil est venû une de ses voisines qui luy a dit que groot netoit pas a deux cent pas de Chez luy lorsque le Chien a mordû son Enfans quil a Ete Environ deux heures a venir que le Chien a meme emporté un morceau du nez de lenfant. que groot Etant arrivé ches luy il y a Ete pour voir ce qu'il vouloit faire de Son Chien que groot luy ait repondû qu'il etoit juste que Son Chien meure puisqu'il avait mordû Son Enfan quel qu'il avoit deja averti groot que Son Chien avoit mordû deux ou trois personnes avant celui ci que cette fois netoit pas a disputer. que lors qu'il a tiré le Chien il la apellé En dehor du fort et qu'il la Blessée. que y ayant quelques enfans dehors ils ont ouvert la porte du fort le Chien ayant Rentré il a Chargé Sa Carabine potr la chercer de tuer. que Etant a la porte du fort il a rencontré madame groot qui lui a fait Beaucoup de reproches daivor blessé le Chien. que dans le temps il netoit pas Beaucoup en situation de donner Satisfaction a madame groot qui luy a dit achèvez le Detuer vous meme, que Son intention Etoit toujours de le tuer, quil Croyoit que le Chien etoit entré ches son maître, quil y Etoit Entré pour le faire sortir et pr finir de le tuer. que si groot navoit chassé le Chien que son intention Etoit de le tuer luy meme dans la maison, sans faire tor a personne. que madame groot luy ayant dit de mauvais paroles En parlant et luy reprochant Ses Batard, il luy avoit dit que Son caractere Etoit meilleur que le Sien qu'il avoit dit a madame groot quelle Etoit une Sacrée Salope et qu'il enverroit Son Caractere En Enfer, que lors qu'il avoit dit cela Mr groot et sa femme avoit compris la Chose tout autrement Et qu'il setoient imaginez voyant Sa carabine qui avoit Envie de les tuer qu'il avoit mal Compris la Chose, qu'il Croit Sans en Etre Bien sur qu'Jean solivant Etoit la plus grande partie du tems a la porte. qu'il na jamais manacé Mr groot ni personne de sa famille de leur faire aucun tor que ce na jamais Été Son intention. qui est tout ce qu'il a a dire.

avons fait venir Izaac West temoins produit par le Sr groot lequel après sermant par luy fait de dire la verité a dit que lors que le Chien a mordû lenfant qu'il Etoit dans Son champ et qu'il a arrivé comme piquet sortoit de La maison de groot pr tirer le Chien quil
when the dog bit the child; that he had been about two hours in coming; that the dog had bitten off a piece of the child’s nose; that when Groot arrived at his house, he went there to see what Groot was willing to do with his dog, and that Groot had answered that it was just that his dog should die, since it had bitten his child; that he had already notified Groot that his dog had bitten two or three persons before this one; that this time was not to be disputed; that when he shot the dog, he called it outside the blockhouse, and that he wounded it; that there were some children outside and they had opened the door of the blockhouse, and that when the dog entered, he loaded his rifle to try to kill it; that when he was at the door of the blockhouse, he met Madame Groot who reproached him severely for having wounded the dog; that at the time he was not able to give satisfaction to Madame Groot; that he had said to her, “Finish killing it yourself;” that his intention was to kill it and that he believed that the dog had entered into its master’s house; that he had entered there to drive it out and finish killing it; that if Groot had not chased the dog out, that it was his intention to kill it himself in the house without harming anybody; that Madame Groot had used bad words in speaking to him of it and in throwing his bastards in his teeth. He had said that his character was better than hers; and he had said to Madame Groot that she was a damned slut and he would send her character to Hell. He says that when he had said that, M. Groot and his wife had understood the thing quite differently, and that the former had imagined, because he had his rifle, that he wanted to kill them; that Groot had badly understood the thing; that he believed, without being very sure of it, that John Sullivan was most of the time at the door; that he never threatened to do any harm to M. Groot or any one of the family; that it was never his intention; which is all he has to say.

We summoned Isaac West as witness produced by M. Groot, who after taking the oath to tell the truth, said that when the dog bit the child, he was in his field, and that he arrived as Piggott was going out of Groot’s house to shoot the dog; that Piggott called the dog out of the door of the blockhouse, where he shot it; that
a apellé le Chien le de la porte du fort. où il la tiré. que luy de-
posant a dit a piquet pourquoi il n'avoit pas tiré le Chien, que pi-
quet lui a respondu j'ay assez de satisfaction a present Et je n'ay
pas voulu le tuer. que piquet ayant rechargé sa Carabine a Eté
dans la maison de groot. que luy deposing Etoit assis a Sa porte
vis a vis celle de groot qu'il a vu Seulement que piquet ait a
Carabine dans Ses mains Elevée Et En faisoit plusieurs mouve-
ment Et entendoit parler avec force, mais qu'il na pû distinguer
ce qui se disoit. Et qu'il Croyoit a tout moment Entendre tirer la
Carabine que luy meme En Etoit hors de luy meme par la fureur
dud' piquet qu'il croyoit reelemment que piquet aloit tuer quelqu'un
que apres tous Ses mouvement il a vu piquet Se retourner Et
ouvrir la bательie de Sa Carabine Et verser la poudre dans le Bass-
inét Et la morcer tout de frais. Et qu'apres qu'il a Eut amorcé la
carabine il a Entendu quelque parole qu'il na pû comprendre et
que piquet a sorty tout de suite. ajoute En outre que lors que
piquet a Eté sorty que groot la suivy et qu'il luy a dit par l'afrent
que vous mavez fait dret venir ches moy avec votre carabine metez
la par terre et nous alons vous donner satisfaction. mais que
piquet ait refusé. que groot ait dit puisque vous ne voulez pas
je vais voir ce que je feray dicy a ce soir. qui est tout ce qu'il
a dit savoir. lecture a luy faite de Sa declaration a dit Contenir
verité y a persisté et a Signé.

Isaac West.

Veù par la Cour assemblée les declarations cy dessus Ensemble
la deposition du temoin Izaac verst ladite cour a ordonné et or-
donne que led' jaques piquet donnera Bonne et sufissantе caution
tu la satisfaction et demande dud' jacob groot qui repondra par Sa
personne et Ses Biens de tous les Tort mal fait cele prejudice Et
atantats que led' jaques piquet pourroit Exercer tramer ou induire
sur la vie dud' groot de celle de Sa femme Et de Sa famille ainsi
que de tous Ses autres Biens dont ladite Caution Solvable Sera
Recue pardevant Mr Robert Wach commandant dud' lieu du
grand Ruisseau a la satisfaction dud' groot auquel dit Mr Wach
nous enjoignons de donner la main a lexécution de notre presente
sentence Et de nous en informer condamnons les parties a
he, the deponent, asked Piggott why he had not killed the dog and that Piggott answered: "I have sufficient satisfaction now and I did not wish to kill it;" that Piggott had reloaded his rifle and was in Groot’s house and that he, the deponent, was seated at his door opposite Groot’s; and that he only saw that Piggott had his gun raised in his hands and was making several movements with it and he heard words of violence, but he could not distinguish what was said; and that he expected to hear the gun fired at any moment; that he was beside himself on account of the fury of the said Piggott; that he really believed that Piggott was going to kill some one; that after all these movements he saw Piggott turn, cock the hammer of his rifle and pour powder into the pan and he reprimed it; and after he had reprimed it, he heard some words which he could not understand, and that Piggott went out immediately. He adds, furthermore, that when Piggott went out, Groot followed him and said to him: "Because of the insult you have done me in coming to my house with your rifle, put it on the ground and we are going to have satisfaction;" but Piggott had refused; that Groot had said: "Since you are unwilling, I am going to see what I shall do between now and evening," which is all that he said he knew. Reading of his deposition was made to him and he said that it contained the truth and persisted in it, and he has signed.

Isaac West.

After consideration of the above affidavits, together with the deposition of the witness, Isaac West, by the assembled Court, the said Court decreed and does decree that the said James Piggott shall find good and sufficient surety to the satisfaction and demand of the said Jacob Groot, and that the bondsman shall be answerable in his person and his property for all wrongs, malefaction, concealed tort, and criminal attempts, which the said James Piggott may practise, plot or incite against the life of the said Groot, of that of his wife and of his family, or against his property, and for this the said solvent bondsman shall be received before M. Robert Watts, commandant of the said place of the Grand Ruisseau, to the satisfaction of the said
payer Chacun la moitié des frais Suivant le mémoire qui sera produit par le greffier donné en Cour le huit May mil sept Cent quatre vingt sept.

[Signed]

aë Girardin
marque de + Louis Chatel
Labuxiere greffier

mth Saucier
marque de + joseph lapensée
J B H LaCroix prsdt.

a une Cour du premier juin mil sept Cent quatre vingt Sept.

Mtr francois Saucier, antoine girardin, philipe angel, Bte Saucier, Charles ducharme, Mathieu saucier Et pierre Laperche ont fait le Sermant dofficie En qualité de magistrat p® la Nouvelle Nomination.

a la meme Cour

Thom Bredy a fait pareillement serment dofficie pour la Charge dhuissier de la Cour.

a la meme Cour

JEAN Bte DUMAY demandeur contre Le S® MYER MICHAELS defendeur

Le demandeur reclame vingt pots dhuile qu'il a ches le S® myer michaels.

Le defendeur replique que led® dumay luy doit une somme dargent qu'il offre de luy remetre son huile En payant ce qu'il luy doit par son Billet En argent.

La Cour a ordonné que le S® maier gardera lhuile en deduction de ce qu'il luy est dub par le demandeur a raison de Cinq livres le pot prix du Cour, sauf aud® dumay den remetre le montant en argent au defendeur condamne dumay aux frais.

a la meme Cour.

Sur une demande formée par le S® pierre Laperche p® obtenir une saisie sur deux Chevaux qu'il a dit appartenir au Nommé Chate-
not and we enjoin the said M. Watts to see to the execution of present sentence and to inform us thereof. We condemn the parties to pay each the half of the costs according to the memorandum which will be furnished by the clerk. Given in Court the 1st of May, seventeen hundred and eighty seven.¹

[Signed]
Ant. Girardin.
Mark of

Mt. Saucier.
Mark of

Joseph Lapance.

Louis Chatel.
Labuxiere, Clerk.

J. B. H. LaCroix, Pres.

At a Court, June 1st, 1787.

MM. François Saucier, Antoine Girardin, Philippe Engel, Bte. Saucier, Charles DuCharme, Matthieu Saucier and Pierre Laperche have taken the oath of office as magistrates by the new election.

At the same Court.

Thomas Brady has taken a like oath of office as huissier of the Court.

At the same Court.

JEAN BTE. DUMAY, Plaintiff, VS. M. MYER MICHAELS, Defendant.

The plaintiff claims twenty jugs of oil which he has at the house of M. Michaels.

The defendant answers that the said Dumay owes him a sum of money, and that he offers to return his oil if he pays that which is owing to him on his note in money.

The Court decreed that M. Michaels shall keep the oil which shall be deducted from that which is due him by the plaintiff at the rate of five livres the jug, which is the current price, reserving the right to the said Dumay to return the amount in money to the defendant, and condemned Dumay to pay the costs.

At the same Court.

On a petition drawn up by M. Pierre Laperche to obtain an attachment on two horses, which he said belong to the named Chatelrau, at present in possession of M. Mailhet at Cahokia,
lerau Entre les mains du se⁴ mailhet aux Cahôs. Et sur le sermant dud⁵ mailhet Et du S⁴ Champlin que les chevaux n'apartenoit pas aud⁶ chatelerau Nous avons levé la saisie sauf aud⁷ se⁸ p⁹ laperche a Se pourvoir sur les autres Biens dud⁶ Chatelerau.

La Cour est ajanjée au 1er juillet prochain.

f saucier.

a une Cour tenue Extraordinairement le treize juillet mil Sept Cent quatre vingt Sept.

M⁸ francois Saucier President Charles ducharme
Atoine [sic] Girardin Mathieu Saucier
B⁴ Saucier pierre Laperche
Philipe angel

Entre Le S⁴ LOUIS LORIMIER demandeur contre Le S⁴ JEAN DUMOULIN defendeur

Veu la requete presentee a la Cour par le S⁴ Louis Lorimier tendante a vu des domageinent pour les saisies qui ont Eté faites a Ste⁴ genevieve et aux Cahos par m⁵ hugues yourd et celle faite aux Cahos par m⁵ dumoulin chargé de la procuration dud⁴ S⁴ hyourd.

ouy le le S⁴ dumoulin qui a dit que le S⁴ Lorimier Etoit Encore Redeuable a la societe Et qu'il Seroit a meme de se faire alouer les des domageinent, qu'il conviendroit que pour luy il netoit point chargé des affaires ny de la saisie qui avoit Eté faite a Ste⁴ genevieve avant sa procuration.

Sur quoy la Cour a renvoyé les parties a Se pourvoir devant des arbitres qu'il voudront Choisir soit Sur lun ou lautre Rive pour raison des demandes contenues En ladite Requete p⁹ le tout etre Examined par les arbitres decider ce qu'il aviseron Bon Etre ainsy que p⁹ les frais et depens de justice delerber aux Cahos led⁵ jour Et an.

[Signed]
B Saucier a⁴ Girardin
DuCharme pierre Lapeche
Mt. Saucier f. saucier.

Phillipe Engel
Labuxiere grefier.

¹ Louis Lorimier was born in Canada in 1740, lived sometime on the Miami, Ohio, and founded the post at Cape Girardeau, Missouri, in 1794. He was appointed commandant of
and on the oath of the said Mallhet and M. Champlin that the horses do not belong to the said Chatelrau, we have raised the attachment, reserving the right to the said M. Pierre Laperche to sue on the other goods of the said Chatelrau.

The Court adjourned to the first of July next.

At a Court meeting in special session, July 13, 1787.

MM. President François Saucier    Charles DuCharme
Antoine Girardin                Matthieu Saucier
Bte. Saucier                   Pierre Laperche
Philippe Engel

M. LOUIS LORIMIER, Plaintiff, vs. M. JEAN DUMOULIN, Defendant.

In view of the petition presented to the Court by M. Louis Lorimier, demanding damages for the seizures which have been made at Ste. Genevieve and at Cahokia by M. Hugh Heward and for that made at Cahokia by M. Dumoulin intrusted with the power of attorney from the said M. Heward.

Heard M. Dumoulin who said that M. Lorimier was still in debt to the partnership and that the latter should be able to have the damages allowed, which he would agree to. As for himself he was not intrusted with the business nor with the attachment, which had been made at Ste. Genevieve before his attorneyship.

Whereupon the Court dismissed the parties to sue before arbitators, whom they shall choose from either side of the river, in regard to the prayers contained in the said petition so that all be examined by the arbitators that they may decide what they consider just as well as the costs and charges. Decreed at Cahokia the said day and year.

(Signed)

B. Saucier.               Philippe Engel.
DuCharme.                 At. Girardin.
F. Saucier.               Labuxiere, Clerk.

the post by the Spanish government. He was a fur-trader, and gained great influence over the Indians. He died June 26, 1812.—Roxier, Early Settlement of the Mississippi Valley, 170 et seq.
a une Cour du deux juillet mil sept cent quatre vingt sept.

Mr fr saucier presidant philipe angel
ant girardin pere Laperche
charles ducharme

ROBERT CAHORN demandeur contre FR GRAMONT defendeur

Le demandeur demande contre le defendeur le payement de
son billet Echus montant a la somme de trois cent huit livres en
argent payable En pelterie synifiee sur led billet suivant les prix
y porté.

Le defendeur a dit qu'il devoit quelque Chose Et qu'il
avoit un compte a produire qu'il n'avoit pas de quoy payer
actuellement qu'il offroit son Cheval. Et qu'il repeitoit contre le
Sr cahorn neuf piastres pour le loyer dun Cheval et une piastre
pere le loyer dune journee de son sauvage le tout formant Cin-
quante livres.

sur quoy la Cour a condamné led gramont a payer son
Billet suivant son contenû Et ce sans delais a la deduction
des Cinquante livres qu'il repete a quoy led Gramont sera Con-
traint Et condamné aux frais Et depens donné En Cour lesdt jour Et an.

a la meme Cour.

LE Sx WALE demandeur contre PHILIP GEVAIS defendeur

le demandeur demande contre le defendeur le payement de Son
billet Echû montant a la somme de Cent quinze livres en argent
ou pelterie.

Le defendeur a dit qu'il reconnoit led billet mais qu'il
ne pouvoit le payer actuellement Et qu'il n'avoit pas de quoy.

La Cour a condamné led philipe gervais a payer le montant de
Son Billet Et aux frais et depens donné En Cour lesdt jour
Et an.

a la meme Cour.

'LE Sx WALE demandeur contre ANTOINE LAMARCHE
defendeur

Le demandeur demande le payement de Son Billet de Soixante
quatre livres le defendeur a offert de le payer sous ce mois icy
At a Court, July 2, 1787.

M.M. Fr. Saucier, President.  Philippe Engel.
Charles DuCharme.

ROBERT CAHORN, Plaintiff, vs. FR. GRANDMONT, Defendant.

The plaintiff brings suit against the defendant for the payment of his note, which has fallen due, amounting to the sum of three hundred and eight livres in money payable in peltries as declared on the said note, according to the prices stated thereon.

The defendant said that he owed the plaintiff something and that he had an account to produce; that he didn’t have the means to pay at present; that he offered his horse; and that he claims from M. Cahorn nine piastres for the hire of a horse and a piastre for a day’s wage of his savage, the whole amounting to fifty livres.

Whereupon the Court condemned the said Grandmont to pay his note according to its content, after deducting the fifty livres which he claims, and this without delay, to which the said Grandmont shall be constrained and condemned to pay cost and charges. Given in Court the said day and year.

At the same Court.

M. WALE, Plaintiff, vs. PHILIPPE GERVAISS, Defendant.

The plaintiff brings suit against the defendant for the payment of his note, already matured, amounting to the sum of one hundred and fifteen livres in money or peltries.

The defendant said that he acknowledged the said note, but that he could not pay it now, and that he didn’t have the means.

The Court condemned the said Philippe Gervais to pay the amount of his note with costs and charges. Given in Court the said day and year.

At the same Court.

M. WALE, Plaintiff, vs. ANTOINE LAMARCHE, Defendant.

The plaintiff demands the payment of his note for sixty-four livres. The defendant offered to pay it during this month be-
dicy a la Cour prochaine, la Cour a acordé ce delais du Con-
sentement des parties donné lesd' jour et an.
La Cour est adjournée au 1er aoust 1787.

fr. saucier. pres'd.

a une Cour du 1er aoust mil sept cent quatre vingt Sept.

Mme fr. Saucier présidant père Laperche
antoine girardin Philipe angel
charle ducharme Mathieu Saucier
Entre lafemme ROCHE demanderesse contre LOUIS LAMBERT
defendeur

La demanderesse reclame Son fils quelle a mis Ches le de-
defendeur jusqu'a l'age de 18 ans aleguand que son fils Est Extropié
dun Coup de hache quil est mal pensê Et negligê Et que les poux
et vermine le mange demandant que le defenseur luy remette son
fils.

Le defenseur a desnie le tout et a dit que led' Enfant Etoit
Bien signe Et quil En avoit tous les Soins possible.

La Cour renvoy laffaire devant M' girardin p' examiner sur les lieux la Verité des faits Et decider ce que de
Raison.

La Cour est ajournée au 1er 7bre 1787.

fr. saucier.

a une Cour du 1er Septembre mil sept cent quatre vingt
Sept.

M' fr saucier Bte Saucier
ant' girardin Math. saucier
philipe angel père Laperche

Francois Gerosme demandeur Contre JOSEPH BIGUTIER dit
GROSLE defends.

Le demandeur repete la Somme de Cent livres quil dit etre
dub a sa femme restant de celle de deux Cent livres quil luy
devoit. Le defenseur a repondu quil avoit payé par un compte
quil a produit Excedant ladite somme de Cent livres. dont
ledit Compte examiné de la veu du demandeur il revien Cinq
livres au defenseur p' sa femme tous comptes deduit. la
Cour a condamné le demandeur a payer au defenseur Cinq
tween now and the next Court. The Court granted this delay with the consent of the parties. Given the said day.

The Court adjourned to August 1, 1787.

At a Court, August 1, 1787.
MM. Fr. Saucier, President. Pierre Laperche.
Antoine Girardin. Philippe Engel.
Charles DuCharme. Matthieu Saucier.
The woman Roche, Plaintiff, vs. Louis Lambert, Defendant.
The plaintiff claims her son, whom she placed in the house of the defendant until he should be 18 years old, pleading that her son is malnourished by a stroke of an axe, that he is badly fed and is neglected, and that lice and vermin are eating him; and she demands that the defendant should restore her son to her.
The plaintiff denied all and said the said child was well fed and that he had all possible care.
The Court referred the cause to M. Girardin to examine on the spot the truth of the facts and to decide what is just.
The Court adjourned to Sept. 1, 1787.
Fr. Saucier.

At a Court, September 1, 1787.
François Gerosme, Plaintiff, vs. Joseph Biguter, called Groslé, Defendant.
The plaintiff demands the sum of one hundred livres which he says is due his wife being the balance of two hundred livres which the defendant owed her. The defendant answered that he had paid, according to an account which he exhibited, more than the said sum of a hundred livres, by which said account, examined with the acknowledgement of the plaintiff, there should be five livres returned to him by the wife of the plaintiff, after all accounts are deducted.
livres. Et aux frais et dépens liquidez a vingt livres se qui sera exécuté.

frais

p' 1 ordre a Biguier .................. 5 lb

1 ordre a antaya ....................... 5

2 huissier qui a porte les 2 ordres ... 10

p' la sentence ........................ 5

25 lb

a la même cour.

Le St Clamorgan demandeur Contre Le Nomme Duchesnay
defendeur

Le demandeur demande au defendeur le payement dun
Billet de la Somme de Cent Soixante Cinq livres en peltérie a
luy transporté par louis Chateleraud. ledit billet Exibt à la
cour echeus, ouy le defendeur qui a dit qu'il avoit deja offert
de payer mais que lon navoit pas puy lui produire son billet ale-
quant quil Etoit perdu Et qu'il avoit deja donné un acompte au
St Labadie sur une Copie dudt billet par ordre de Mr Crouzat
Commandant de St Louis. sur quoy la cour a Condamné le
defendeur a payer au demandeur le montant de Son Billet sauf
Son remboursement Sur le St Labadie qui Sera fait au St Clam-
organ En acompte sur ledt Billet. donné aux Cahos ledt jour
1er 7bre 1787.

La Cour est adjournée au 1er 8bre 1787.

fr. saucier Presdt.

a une Cour du premier octobre mil Sept cent quatre vingt Sept.

Mme francois Saucier presidant. Philipe angel

ant le girardin Charles Ducharme

Bte Saucier pte Laperche

Math. Saucier magistrats

Jean Bte Morel demandeur contre Ignace Chatigny defendeur

Le demandeur a produit un compte a la charge du defendeur
montant a la somme de dixhuit Cent Cinquante huit livres dix
sols En argent.
The Court condemned the plaintiff to pay five livres to the defendant and costs and charges which are set at twenty [twenty-five?] livres, for which there will be execution.

Costs.

To 1 order to Biguier .................. 5 lb
1 order to Antaya ..................... 5
To huissier who carried the orders ... 10
To the judgment ...................... 5

25 lb

At the same Court.

M. Clamorgan, Plaintiff, vs. the named Duchesnau, Defendant.

The plaintiff demands of the defendant payment of a note for the sum of one hundred and sixty-five livres in pelttries assigned to him by Louis Chatelau. The said note, already due, was exhibited to the Court. Heard the defendant who said that he had already offered to pay; but that they had not been able to produce his note, alleging that it was lost; and that he had already paid an installment to M. Labadie on a copy of the said note by order of M. Cruzat, commandant at St. Louis. Whereupon the Court condemned the defendant to pay to the plaintiff the amount of his note, saving his reimbursement by M. Labadie, which shall be paid to M. Clamorgan as an installment on the said note. Given at Cahokia the said day, September 1, 1787.

The Court adjourned to October 1, 1787.

Fr. Saucier. Pres.

At a Court, October 1, 1787.

MM. Francois Saucier, President. Philippe Engel
Ant. Girardin Charles DuCharme
Bte. Saucier Pierre Laperche
Matt. Saucier Magistrates

Jean Bte. Morel, Plaintiff, vs. Ignace Chatigny, Defendant.

The plaintiff exhibited an account charged to the defendant amounting to the sum of eighteen hundred and fifty-eight livres ten sols in money.
Le défendeur ayant contesté plusieurs articles relatifs au commerce qu'ils ont fait à Kumberla Et dans leur voyage que la Cour na pas Eclairier et quelle ne Croit pas pouvoir décider plaine-
ment. Elle Renvoy les deux parties à Se Nommer chacun un arbitre pour décider de leur contestations dépens reservez jusques a la sentence arbitrale qui sera homologué par la Cour.

La Cour est ajournée au 2. 9bre 1787.

fr. saucier Presidt.

a une Cour du 2. 9bre 1787.

Mme frs Saucier presidant philipe angel
antoine girardin mathieu Saucier

a la dite cour a Été homologué Et Ratifier la Nomination Et Election dune Cour a la belle fontaine Et officier de milice comprenant les habitants recident [?] De la Riviere de Laiqle. En se Conformant a la décision de la Cour. du 1er octobre dernier.

a la meme Cour.

Nicolas Schemitz a fait Sermant doifice de juge a paix p* le grand Kuisseau.

a la meme Cour William Biggs a fait Sermant doifice p* juge a paix a la Belle fontaine.

a la meme Cour.

Je St Arondel demandeur Contre JOSEPH VAUDRY son Engagé

Le demandeur a presente une requête portant que le défendeur son Engagé cherche a le quitter qu'il requiere que led* vaudry luy payé quatre cent quarante quatre livres qu'il luy doit Et de luy fournir un homme capable de le remplacer. ou qu'il Continue son voyage Sous une Caution suffisante Sur quoy led* vaudry a repondu qu'il Etoit trop mecontent de la société mais qu'il ne se plaignoit pas du st* arondel Et qu'il ne vouloit plus rester sur quoy la cour a Condamné led* vaudry a payer la somme ici dessus p*

1 See Introduction, p. cclix.
2 William Arundel was an Irish merchant from Canada. He resided at Peoria for a time, then moved to Cahokia and later to Kaskaskia, where he died in 1816. — Reynolds, Pioneer History, 102.
The defendant having disputed several articles relative to the business which they had made in Cumberland and on their journey, which the Court was not able to clear up and which it believes itself unable to decide completely, the Court dismissed the two parties to name each an arbitrator in order to decide their disputes, costs being reserved until the verdict of the arbitrators, which will be confirmed by the Court.

The Court adjourned to November 2, 1787.

Fr. Saucier Pres.

At a Court, November 2, 1787.

MM. Fr. Saucier, President Philippe Engel.
Antoine Girardin. Matthieu Saucier.

At the said Court was confirmed and ratified the nomination and election of a court at Bellefontaine and an officer of militia which includes the inhabitants residing on the Eagle River, in conformity with the decision of the Court of the 1st of October last.

At the same court.

Nicolas Smith made oath of office as justice of peace for the Grand Ruisseau.

At the same Court William Biggs took the oath of office as justice of the peace at Bellefontaine.¹

At the same Court.

M. ARUNDEL,² Plaintiff, VS, JOSEPH VAUDRY, his employé.

The plaintiff presented a petition, which declares that the defendant, his engagé, is seeking to leave him and he prays that the said Vaudry pay him four hundred and forty-four livres which he owes and furnish the plaintiff a man capable of replacing him, or that he continue his journey under sufficient bond. Whereupon the said Vaudry answered that he was too discontented with the company; but that he did not complain of M. Arundel; and that he did not wish to remain longer. Whereupon the Court condemned the said Vaudry to pay the above sum for his account and to furnish a man in his place to the said M. Arundel, and ordered that he be held in prison until he
has found sufficient surety therefor; and we condemn him to pay the costs and charges.

The Court adjourned to the 1st of December next.

Fr. Saucier

November 12, 1787.

At a special session of the Court.

MM. Fr. Saucier, President. Bte. Saucier.
Philippe Engel. and Pierre Laperche.

M. JEAN BTE. LACROIX, attorney of PIERRE LAFLEUR and of THOMAS BRADY, Huissier, plaintiff,

vs.

the ESTATE of the deceased AUGUSTIN DUBUQUE.

Heard the said M. Jean Bte. Lacroix, for the said Lafleur, who concludes that the estate of the deceased Augustin Dubuque should pay him for the damages which Dubuque caused by a barrel of powder which blew up his house, for the loss of his personal property, and for the dressing of the wounds by the surgeon not only his own but those of his wife who was dangerously injured, and for the rent of his house and for other damages, from which he suffers. After all was examined and the Court had complete knowledge of the house, which was blown up, from the testimony of witnesses, the Court decreed and does decree that the estate of the said M. Dubuque shall pay by preference its cost price, sixteen hundred livres in money; that there shall be made a sworn statement by the said Lafleur of the goods and chattels, which he lost, and an appraisal of those which are broken in his house, which was blown up, by two arbitrators named by the Court, all of which is to be paid by the said estate; that there shall be paid the bill of the surgeon as well for his as for his wife’s care until their perfect cure; that there shall be allowed him for his day’s wages, for the loss of his time since his house was blown up, the sum of three hundred livres, and for all rent of houses and other claims the sum of one hundred and fifty livres, in full satisfaction for all damages up to the present time. The said house
moi du présent des dommagez la dite maison sautee avec
tous Ses matereaux Et terain Et tout ce qui y est attaché a la reserve
des Clostures que lafleur En levera, Resteront p't le compte de la
succession dud's dubeque Et quand au Regard de thom Bredy
la Cour lui aolue sur la dite succession dix livres par jour pendant
deux mois a compter du jour que la maison a Sauté Et le paye-
ment des hardes qu'il avoit sur le Corp lors qu'il a saute au dire
dexpert Et En outre les frais du chirugien pensement traite-
tment Et medicament p't tous des domagements Condamné la Suces-
Eton tous les frais de present extraordinaire ce qui sera Exe-
cuté Et permis aux dits demandeurs de prendre En acompte ou
p't tout sil le jugent a propos des effets a lencan de la su-
cession lors que la vente sen sera au plus ofrant et dernier
Encherisseur donné En Cour led't jour 12,9bre 1787.

[Signed] a't Girardin           pierre Laperche
         Phillipe Engel           mth Saucier
         B Saucier                f. saucier
         Labuxiere grelier

a une Cour du 1er decembre 1787.

M'^e fs. Saucier presidant
ant girardin          Math. Saucier
         Philipe angel        p'te Laperche
         B'te saucier

M'^e ant'e Reilhe sest presente a la Cour comme fonde de pro-
curation du s't pierre Gamelin Creancier de defunt augustin
dubeque Comme dernier Equipeur Suivant les pieces qu'il a
produit a la dite Cour. Et Sa requete du 9,9bre dernier apointée
par M'^e saucier presidant.

La Cour ayant muremmt Examine Elle a recue le s't Reilhe en
sa dite qualité au Nombre des Creanciers de Canada. Et a decide
Et decide que toutes les dettes crees aux cahos Et sur cette partie.

1 The settlement of the estate of Augustin Dubuque occupies the attention of the Court for many sessions. See pp. 313, 323, 375, 378, 393, 490, 513. Dubuque was a trader from Canada and was probably from the same family as Julien Dubuque, the first settler in what is now Dubuque, Iowa.—Tassé, Les Canadiens de l'Empire, i. 230. From the records of the various cases against his estate, it appears that Augustin Dubuque died on November 9, 1787, from the effects of an explosion of a leg of gunpowder. His wife, Archange Pratte, was living in Canada at the time of the accident, and in later cases her rights in the estate were carefully safeguarded by the Court.
which was blown up with all its materials and land and all that which is attached to it, with the exception of the fences which Lafleur shall clear away, shall stand to the account of the estate of the said M. Dubuque. And as regards Tom Brady the Court allows him from the said estate ten liéres a day for two months counting from the day that the house was blown up and the payment of the clothing which he had on his body, when he was blown up, on an appraisal by experts and furthermore the cost of the surgeon for bandages, treatment and medicine, in full satisfaction. The Court condemned the estate to pay all the costs of the present special session, for which there will be execution. And permission is given to the said plaintiffs to take as installments or for the whole amount, if they judge it expedient, goods at the auction of the estate, when sale shall be made thereof to the highest bidder. Given in Court the said day, November 12, 1787.¹

B. Saucier. F. Saucier.

Labuxiere, Clerk.

At a Court, December 1, 1787.

MM. Fr. Saucier, President.
Bte. Saucier.

M. Ant. Reilhe presented himself in Court as attorney of M. Pierre Gamelin, creditor of the deceased Augustin Dubuque and last furnisher of supplies, according to documents which he exhibited to the said Court and his petition of the 9th of November last, referred by M. Saucier, President.²

The Court, after careful examination, received M. Reilhe in his said title among the number of creditors from Canada. And it decided and does decide that all debts made at Cahokia and on this side, which the Court has ordered to be paid and those which it may order paid in the future, which shall appear legitimate,

²Among western traders the last furnisher of supplies was a preferred creditor. Pierre Gamelin was a prominent citizen of Vincennes and played a very important part in the history of that village during this period.—Dunn, Indiana, passim.
que la Cour a ordonné être payées et celle quelle ordonne par la suite qui luy paraîtront légitimes seront payées provisoirement, privilégiérement Et spécialement tant frais que autres de recouvrement du chargé de ladite succession. Et que comme lençan des meubles Et Effets de ladite succession a été fait au terme du mois de avril 1789, lors que ledi recouvrement sera fait les Créanciers de Canada mislimakisac Et autres hor de notre district Nommseront Entrez un sénat a qui il sera remis le Relequat restant de ladite succession. toutes fois les debtes contractés En notre district liquidées lesquels Sarrangeront Entrez pour leurs affaires concernant le Reliqua de ladite succession. Et qu'il sera donné avis a la dame veuve dubuque par le S. Labuxiere chargé de ladite succession a la dame veuve dubuque d'avoir ses droits quelle a a prendre si toute fois Elle en a pour être privilégiérement a Elle délivre sur le restant de ladite succession si toutes fois Elle ne les a pas Recu En Canada. Et proprement tenu toute la Sucession restera En l'Etat quelle est a la gestion du S. Labuxiere Et qui agira selon qu'il luy sera ordonné par la Cour. Et que comme il se presente plusieurs Créanciers qui pretendent avoir tous droits de privilège. la Cour a par jugé a propos de prendre Connoissance Et Sarrangeront Entrez après. quelle aura Recu des nouvelles de madame dubuque pour recouvrer Elle ou la Sucession dudi défunt ainsi qu'il sarrangera Et ne sera tenu ledi S. Labuxiere de Linsolvabilité de de debteurs. ny de leur départ Furtiv En faisant par luy ce qu'il pourra pour l'intéret de ladite succession Et quant aux Billets inventaires il tachera de luy assurer le payement par ceux qui les doivent pour être payez au terme de Lencan atendu qu'il ny a pas dargent sur la place. Et que l'on ne peu recevoir de denarrés.

fait et donné En cour ledi jour 1er décembre mil sept cent quatre vingt sept.

Signed]

[Signature]

a¹ girardin
B. Saucier
Phillipe Engel
La Cour est adjournée a 1er janvier 1787 [sic]

fr. saucier.
shall be paid provisionally, by preference and specially, as well as the costs incurred and the other costs of recovery, by the trustee of the said estate: and that, since the auction of goods and chattels of the said estate has been set for the term of the month of April, 1789, at which the recovery shall be made, the creditors from Canada and Michilllimackinac and others outside of our district shall name among them a syndic, to whom there shall be remitted the balance which remains from the said estate — however after the debts contracted in our district have been paid — which creditors shall make arrangements among themselves for their business concerning the balance of the said estate; and that notice shall be given Madame Dubuque, widow, by M. Labuxiere, trustee of the said estate, to send whatever just claims she has to make, provided she has any to be paid to her by preference from the balance of the said estate, and provided she did not receive payment in Canada. And up to the said time all the estate shall remain in the state it is under the administration of M. Labuxiere and he shall act according as he shall be ordered by the Court. And as there have presented themselves several creditors, all of whom pretend to have privileged rights, the Court has not judged it expedient to take notice of them and they shall make arrangements among themselves, after the Court shall have received news from Madame Dubuque, for all recourse against her or the estate of the deceased even as they shall determine. Nor shall the said M. Labuxiere be held for the insolvency of the debtors nor for their secret departure, while doing what he can for the interest of the said estate; and as to the inventoried notes he shall endeavor to assure the payment thereof by those who owe them and they are to be paid at the time of the auction, seeing that there is no money in the market and one cannot receive payment in kind.

Made and given in Court the said day, December 1, 1787.

[Signed]
Philippe Engel.     Fr. Saucier.
The Court adjourned to January 1, 1788.    Fr. Saucier.
a la meme Cour.
donne un ordre a la demande de la dame janot lapensée qui
ordonne a joseph Lapensée de veiller a la conservation des Biens
de Ses Enfans En qualité de Subrogé tuteur Et ce quil ne soit Rien
dissipée a peine dEn repondre En son Nom ledt ordre a luy
signiffie par ladite dame janot la pensée ce dit jour.

a.t Girardin.

a une Cour du deux janvier mil sept cent quatre vingt huit.
Les Sre antoine girardin presidant    Charles ducharme
Philepe angel                        pierre Laperche
a ladite cour assemblée le Sr francois Lapensée a Eté recû
magistra au lieu et place du Sr francois Saucier absent et prête le
Sermant doffice En consequence.

a la meme Cour.
francois Lonval fils a presente une requeute pour de demander
des domagers contre la Sucession de defunt augustin dit
buque disant avoir été Blesse lorsque la maison de lafelur a Sautet
par les poudre dudt dubuque.
La cour la debouté de sa demande comme accident impêvû.
La Cour est ajournée au ler fevrier.

a.t girardin pres.

a une Cour du premier fevrier mil sept cent quatre vingt huit.
Ms antoine girardin presidant    Math. Saucier
Bte Saucier                        Pre LaPerche
Philepe angel                      fr. Lapensée
Charle ducharme

Entre le Sr WILIAM ARONDEL marchand voyageur demandeur
Contre LEON LEPAGE defendeur.
Le demandeur requiere que le defendeur lui payê Son billet
Echû de la somme de deux cent vingt une livres dix huit sols avec
Linteret et frais.
Le defendeur a repondû N'avoir de quoy payer pour le
present.
Sur quoy la Cour a condamné ledt Leon Lepage a payer le
demandeur dicy a Son depart ou de luy donner des assurances
At the same Court.

Issued on the prayer of Madame Janot Lapancé a mandate which orders Joseph Lapancé, in his office of surrogate guardian, to look to the preservation of the property of her children, and to see to it that there be nothing wasted on pain of answering for it in his own name. The said mandate was served on him by the said Madame Janot Lapancé this day.

Ant. Girardin.

At a Court, January 2, 1788.

MM. Antoine Girardin, President. Charles DuCharme
Philippe Engel Pierre Laperche

At the said Court M. François Lapancé has been received as magistrate in place of M. François Saucier absent, and has taken oath of office in consequence.

At the same Court.

François Lonval jr. presented a petition, demanding damages from the estate of the late Augustin Dubuque, claiming to have been wounded when the house of Lafleur was blown up by M. Dubuque's powder.

The Court denied his prayer since the accident was unforeseen.

The Court adjourned to February 1,

Ant. Girardin Pres.

At a Court, February 1, 1788.

Philippe Engel. Fr. Lapancé.
Charles DuCharme.

Mr. William Arundel, traveling trader, Plaintiff, vs. Leon LePage, Defendant.

The plaintiff demands that the defendant pay him his note, which is due, for the sum of two hundred and twenty-one livres eighteen sols with interest and costs.

The defendant answered that he had not the means of paying at present.

Whereupon the Court condemned the said LePage to pay the plaintiff between now and the time of his departure or to
pour recevoir son payement audt temps faute de quoy la presente sentence sera mise a execution contre le defendeur.
la Cour la condamné aux depens.
La Cour est ajournée au 1er mars 1788.
a² Girardin.

a une Cour tenue extraordinairement le 21 fevrier 1788.

Mme antoine girardin President. Bte Saucier.
Philipe angel. p'te Laperche.
Mathieu Saucier. charle ducharme.

Entre JEAN BTE FELIX demandeur Contre FRANCOIS LAPENSEE defendeur

Le demandeur presente une requete contre Le Nommé René Bouvet exposant quil a fait Echange de Bien avec le Nomme René Bouvet party pour le canada pour recevoir Et se mettre en posession du bien que ledt philix luy a echangé le quel Bien ledt philix luy a a eux des nouvelles Certaines qu'il ait Eté remis audt René Bouvet par une lettre quil a recu de son tuteur qui luy marque daler recevoir son Bien ladite requete jointe cy contre. demandant que francois lapensée ay a vuiher ses mains entre les siennes des Billets obligations et autres Creances que ledt bouvet luy a laisse en depot pt luy être delivré En Echange du bien que ledt felix luy aeeéddé a soren en Canada puisqu'il est certain que ledt Bouvet a recu le Bien Echange.

Vu la Convention faite entre ledt Bouvet Et ledt felix au bas de leur contract dechange par lequel ledt Bouvet soblige decrire l'homme de 1787 de missilimakinac a francois lapensée sil a recu le Bien ou sil ne la pas recu ou sil y a aparance de Le recevoir ce que ledt Bouvet a manqué de faire jusqua present Et a seulement Erit une lettre a fr. lapensée de luy livrer quelque Billets Echus a Noel dernier. la Cour Etant dans lopinion que ledt bouvet a pris possession du Bien Echange par son silence de donner avis audt La pensée ce qui fait souffrir un retard et un tor Considerable audt felix. le tout consideré Ladite cour a con-
damné ledt francois Lapensée de vuiher Les mains de toutes les Creances deposées entre ses mains par ledt Bouvet entre celles
give him assurances of receiving his payment at the said time; in default of which the present judgment shall be put in execution against the defendant.

The Court condemned him to pay the charges.
The Court adjourned to March 1, 1788.

Ant. Girardin.

At a Court meeting in special session, February 21, 1788.
MM. Antoine Girardin, President. Bte. Saucier.
Matthieu Saucier. Charles DuCharme.

Jean Bte Felix, Plaintiff, vs. Francois Lapancé, Defendant.

The plaintiff presents a petition against the named René Bouvet, in which he shows that he made an exchange of property with the named René Bouvet, who has gone to Canada in order to receive and put himself into possession of the property which the said Felix exchanged with him; and the said Felix has had certain news that it had been delivered to the said René Bouvet from a letter which he has received from his guardian, who informs him that he is to go and receive his property; and he presents the said petition joined here opposite, in which he demands that François Lapancé should be obliged to deliver into his hands the notes, obligations and other claims, which the said Bouvet left with him on deposit to be delivered to the plaintiff in exchange for the property which the said Felix transferred to him at Sorel in Canada, since it is certain that the said Bouvet has received the property exchanged.

In view of the agreement made between the said Bouvet and the said Felix at the bottom of their contract of exchange according to which the said Bouvet pledged himself to write in the autumn of 1787 from Michillimackinac to François Lapancé, if he received the property or if he did not receive it or if there was likelihood of receiving it, a thing which the said Bouvet has failed to do up to the present—he has only written a letter to Fr. Lapancé asking the latter to deliver him some notes due last Christmas—the Court is of the opinion that the said Bouvet has taken possession of the property exchanged, judging from his neglect to give
notice to the said Lapancé, and that this causes the said Felix to suffer a delay and a considerable wrong; and after considering the whole case, the said Court condemned the said François Lapancé to deliver all assets deposited in his hands by the said Bouvet into the hands of the said Felix, of which he shall be well and lawfully discharged toward the said Bouvet and all others; and he shall retain in his hands only the amount of the sums which have been attached by order of this Court, due by the said Felix in order to account therefor to the judgment creditor; and he shall retain likewise the costs of seizures, which have been made, and of the petitions, which are to be paid with the present decree according to the account, which will be furnished him by the clerk, of which he shall render an account by subtracting from that which he ought to remit to the said Felix, for which there will be execution.

Given in Court the said day and year, February 21, 1788.

[Signed]

Ch. DuCharme. P. Laperche.

At a Court, March 1, 1788.

Philippe Engel. Fr. Lapancé.
Matthieu Saucier. Magistrates.

M. TOURNIER, trader from St. Louis, Plaintiff, vs. FRANÇOIS LAPANCÉ, Defendant.

The plaintiff demands the payment of a sum of two thousand three hundred and twelve livres sixteen sols six deniers for the residue of the merchandise which he furnished the defendant, the total amounting to eleven hundred and eighty-three piastres four escalins and he concludes that the said François Lapancé should be condemned to pay it within four days together with the costs and charges, inasmuch as he should have paid it in the month of September last, and for which the plaintiff has waited until today; and he says that he is now about to take his departure and is unable to wait longer.
p° Satisfaire En farine comme il sy Etoit obligé requerant qu'il luy soit accorde un plus long delais afin que les meuniers puissent luy faire sa farine, que la Surcharge de bled du public dans lesd° moulin est Cause qu'il na pû faire son payement jusqu'a ce jour.

La Cour ayant Examine les circonstances ou les moulin ne peuvent pas fournir au besoin du public elle accorde, quinze jours de delais au defendeur p° faire son parfait payement. passé Lequel temps la condamné a payer Sans autres delais la condamné aux depens Et la presente sera Exeute.

La Cour est adjournée au 1er avril 1788.

A° Girardin Psd

a une Cour du Cinq avril mil sept Cent quatre vingt huit.

M° antoine girardin Presdt° Math. saucier

Philippe angel fr. Lapensée

Charles ducharme

Le Sr Jean B° LaCroix sest présentë p° faire Rendre compte au set° aimé comte du bien de joseph Comte dont il est Curateur suivant la sentence Rendue par la deniere Cour. led° aimé comte ne paroissant pas ainsi qu'il luy a Eté Enjoint.

Elle requiere M° Barbeau lieutenant de comte demeurant a la prie du Rocher dordonner et faire partir led° aimé Compte d'icy au vingt du mois p° se rendre a cette Cour Et rendre comte des Biens dud° mineur donné par la Cour led° jour Et an.

a la meme Cour.

joseph Worley Et James Piggott ont représenté quils Etoient Caution pour james moore de la belle fontaine p° une somme de Cinq cent piastres p° deux Esclaves noir que led° more a acheté des mineurs de defunt jhon Ellison Et quils crient par le derrangement des affaires dud° more qu'il ne devienne insolvable requerant p° leur sureté a Etre decharge du Cautionment dautant qu'il y a un des negres de mort Entre les mains dud° more sur
The defendant answered that he had been unable to compel the millers to grind his wheat so as to satisfy this claim and that he had enough wheat to satisfy it in flour as he had pledged himself to do. He prays that there be accorded him a longer delay until the millers can make his flour and says that the extra amount of wheat belonging to the public in the said mills is the cause of his being unable to make his payment up to this day.

The Court, having examined the conditions and learning that the mills were not able to supply the need of the public, granted fifteen days delay to the defendant to make complete payment, after which time he is condemned to pay without other delay. Condemned him to pay costs. For this present there will be execution.

The Court adjourned to April 1, 1788.

Ant. Girardin, Pres.

At a Court, April 5, 1788.
Philippe Engel. Fr. Lapancé.
Charles DuCharme.

M. Jean Bte. LaCroix presented himself to compel M. Aimé Comte to render account of the property of Joseph Comte, of which he is guardian, according to the sentence passed by the last Court. The said Aimé Comte did not appear although he had been cited.

The Court requires M. Barbeau, county lieutenant, dwelling at Prairie du Rocher, to order and compel the said Aimé Comte to leave and come here on the twentieth of the month to submit himself to this Court and render account of the property of the said minor.

Given by the Court the said day and year.

At the same Court.

Joseph Worley and James Piggott set forth that they were bondsmen for James Moore of Bellefontaine for the sum of five hundred piastres for two black slaves which the said Moore bought of the minors of the late John Allison, and that they
À la Cour de Justice.

Ses Majestés des Trois Républiques.

Mr.bis Honoré Brassard
Maire de la ville

Estimée Lapensedé

Le Jour de l'Assain et la Cour, marquait de Canada Sost présente par

Le procureur de l'Est du tribun.

Le Cour dentre du douze mil sept cent quatre vingt sept.

La somme de Cinq mille livres tour de six sols six deniers.

La Cour a ordonné que led: demandeur sera recu Creanciers privilege après les dettes payées contracté aux ilinois dedomagements frais de justice et Droits de madame dubuq prelevez. Et la renvoyé jusqu'après le recouvrement donné par la Cour lesd: jour est au.

Ensuite la Note des Billet et obligation que led: st La Croix a présenté avec notre sentence au bas en original qui luy a Èté remise à la Cour du douze 9bre mil sept cent quatre vingt sept.

1 There is no record of such a decree except in this place.
feared on account of the disorder of the affairs of the said Moore less he should become insolvent; and they pray for their safety to be discharged from their surety inasmuch as one of the negroes has died on the hands of the said Moore. Whereupon the Court, after having deliberated, decrees that there shall be seized provisionally the remaining negro and a sufficient amount of the other property of the said Moore to replace the one who is dead, all provisionally; and that the said Moore shall appear before the Court on the first of May next to state his claims if he has any to plead in order that this affair may be settled by our said Court as may be fitting.

The Court adjourned to May 1, 1788.

Ant. Girardin, Pres.

At a Court, May 7, 1788.

MM. Antoine Girardin, President. Bte. Saucier.
Matth. Saucier. François Lapancé.
Philippe Engel. Councilors and Magistrates.

M. Isidore LaCroix, trader from Canada, presented himself by his petition of this day, which has been returned to him, in which he prays that, in virtue of the seizure, which he has made of the goods of M. Dubuque under date of November 8, 1787, and of the decree of the Court of November 12, seventeen hundred and eighty-seven rendered in consequence, which allows him the account and note due him as first execution creditor and which amounts to the sum of five thousand and thirty-nine livres six sols and six deniers, [execution be made]. The Court decreed and does decree that the said plaintiff shall be received as preferred creditor, after the payment of the debts contracted in the Illinois, the damages, costs of justice, and just claims of Madame Dubuque have been deducted; and dismissed him until after the collection. Given by the Court the said day and year.

There follows the memorandum of notes and obligations which the said M. Lacroix presented, with our decree written at the bottom of the original, which was returned to him at the Court of November 12, 1787.
La Cour aloue.

Doit m° augustin dubuque a joseph LaCroix et gigon.

par un billet .............................................. 4046.7.6
par un bon .................................................. 29.
par un billet par un bon ..................................... 156.

ma Commission des affaires que jay geré p° lui En

canada ............................................................ 175.3
9 [letters illegible], ½ gros tour fleury ....................... 280.16
payé au sergent m° Conet .................................... 12.

............................................................. 4699.6.6

Sauf Erreur et obmission le 14 aoust 1787 signé joseph La-
Croix p° gigon.

La Cour aloue le present compte Comme premier saisissant Et
après les Creances de des domagement payées Et accordées
cejourdhuy autant qu'il y aura des fonds aux Cahos de plus trois
Cent quarante livres p° un Compte de fourniture accepte par
deffunt dubuque donne aux Cahos le douze Novembre mil sept
cent quatre vingt Sept. signé Math. Saucier, pierre Laperche,
B° Saucier, Philippe Engel, antoine girardin, fr Saucier presi-
dant a luy remis ladite Sentence signée des dits magistrats cy
dessus.

a la meme Cour le S° Reilhe Sest presente avec Lecrit dont
copie suit et a luy remis l'original.

Je prie M° Labuxiere de m'expedier la Sentence de la Cour
qui accorde le des domagement aux incendiés.

Secondement la Sentence qui renvoy les Creanciers de mon-
tréal p° discuter leurs privileges. troisiemement le montant de la
vente. 4° le montant du bled, farine, mahis et lard. 5° le mon-
tant des billets obligation et comptes a S° Louis le 1er [?] avril 1788.
VEU par la Cour assemblee ce jourdhuy elle defend au S° Labux-
riere De rendre aucun Compte de ladite succession ny de delivrer
aucunnes pieces qua celuy qui sera Nommé sindic de ladite suc-
ession lors que les recouvrement seront fait Et que lon aura recû des
Nouvelles de madame dubuque. Excepte la copie de la sentence
qui renvoy les Creanciers de Canada Envers le sindic pour sar-
The Court allows:
M. Augustin Dubuque owes Joseph LaCroix and Gigon,
by a note ........................................ 4046. 7. 6.
by a bon ............................................. 29.
by a note and bon .................................. 156.
my commission for business which I managed
for him in Canada ............................... 175. 3
9 [letters illegible], ½ gros tour fleury ........ 280. 16.
paid to M. Conet sergeant ..................... 12.

4699. 6. 6.

Saving error and omission, August 14, 1787. Signed Joseph LaCroix for Gigon.
The Court allows the present account as of the first execution creditor and after the claims allowed to-day for damages are paid and in so far as there shall be funds at Cahokia above three hundred and forty livres for an account of supplies accepted by the deceased Dubuque. Given at Cahokia the 12th of November, 1787. Signed: Matt. Saucier, Pierre Laperche, Bte. Saucier, Philippe Engel, Antoine Girardin, Fr. Saucier, President. Returned to him the said decree signed by the magistrates aforesaid.

At the same Court M. Reihe presented himself with the writing, a copy of which follows, and the original was returned to him.

I pray M. Labuxiere to draw up for me the decree of the Court which allows damages to the sufferers from the fire.

Secondly the decree which dismisses the creditors from Montreal to determine their privileges. Thirdly the amount of the sale. 4th. The amount of wheat, flour, corn, and lard. 5th. The amount of the notes, obligations, and accounts at St. Louis, the first of April, 1788. This having been examined this day by the assembled Court, it forbids M. Labuxiere to render any account of the said estate or to deliver any documents except to the one who shall be named syndic of the said estate at the time the collections shall be made and after there has been received news
anger Entreux Et jusqu'a ce que la dame dubuque ait Envoyé
icy sa procuration fait Et delivre En Cour le 7. may 1788.
La Cour est adjournée au 1er juin 1788.
A^e Girardin

a une Cour de deux juin mil Sept cent quatre vingt huit.
Mtre antoine girardin Presidant Math. Saucier
Philipe angel ptre Laperche
Charle ducharme fr. Lapensée
Bte Saucier

Le S^r Worlay habitant de la belle fontaine Sest presente
declarant que contre les ordres de cette cour le S^r more de la belle
fontaine Sest refusé de luy donner caution a Satisfaction p^r sureté
des sommes qu'il doit aux mineurs Ellezon dont il est caution.
la Cour ordonne que le S^r more donnera Bonne Et solvable
caution aud^t Worlay qui assurera Solidement les sommes qu'il
doit aux dits mineurs Et ce dans tout le Courant de ce present
mois. Et a faute dy saitsfaire Nous Enjoignons a notre huissier
tom bredy de se transporter le deux ou trois de juillet prochain
pour proceder par voy de Saisies et execution sur les Biens dud^t s^r
more et effets a luy aparrentans lesquels Effets, negres, Bestiaux
il transferera aux Cahos p^r etre vendus judicierement a la porte de
l'Eglise au plus offrant Et dernier Encherisseur p^r largent En
provenant Etre pris Et prelevé la somme que led^t more doit aux
dits mineurs interest frais de justice Conts [sic] Et mise dexecution
ce qui sera Executé donné En Cour lesd^t jour Et an. Et En Cas de
resistance la Cour donnera tout main forte p^t lexecution de ses
ordres.

[Signed]
pierre Laperche francois Lapancé
B Saucier Mth Saucier
Phillipe Engel DuCharme

A^e Girardin psd.
from Madame Dubuque, except the copy of the decree which dismissed the Canadian creditors to a syndic to make arrangements among themselves, and until Madame Dubuque has sent here her power of attorney. Made and delivered in Court, May 7, 1788.

The Court adjourned to June 1, 1788. Ant. Girardin.

At a Court, June 2, 1788.

Charles DuCharme. Fr. Lapance.
Bte. Saucier.

M. Worley, inhabitant of Bellefontaine, presented himself and declares that, contrary to the orders of this Court, M. Moore of Bellefontaine has refused to give him satisfactory bond for surety for the sums which he owes the minors Allison, for which he is bondsman. The Court decrees that M. Moore shall find for the said Worley good and solvent bondsman, who shall substantially assure the sums, which he owes the said minors, and this within the course of this present month. And in default of giving satisfaction, we command our huissier, Tom Brady, to go thither on the second or third of next July and proceed to attach and place under execution the goods of the said M. Moore and the effects belonging to him; which effects, negroes and cattle he shall transport to Cahokia to be sold by judicial sale at the door of the church to the highest bidder; and from the money obtained there shall be taken and deducted the sum which the said Moore owes the said minors with the interest, the costs of justice and expenses of the execution, for which there will be execution. Given in Court the said day and year. And in case of resistance the Court will give all assistance to the execution of its orders.

[Signed]

B. Saucier. DuCharme.
François Lapance.
ET DE MC D'CHISHOLM DEMANDE CONTRE FRANCOIS CLARK
absent ne voulant paraître

Le demandeur nous a représenté l'ordre de Saisie et vente des biens de Clark, lequel se trouve en défaut de accomplir le paiement. En conséquence, la Cour ordonne au S' Schemitz juge à paix au grand Ruisseau de donner ses ordres pour faire payer sans aucun délai ledt Clark avec tous les frais et mises aux dedit Hugh Mc D'Chisholm et le juge. Contraire par toute rigueur de justice donné en Cour le 6° jour et an.

La Cour est adjournée au 1er juillet 1758.

A° Girardin.

A une Cour du premier jullet mile Sept cent quatre vingt huit.

M° Antoine Garardin Président p° Laperche
Mathieu Saucier Charle Ducharme
B° Saucier francois Lapensée

Magistrats

PIERRE BRISON demandeur CONTRE CHARLES GERMAIN
defenseur

Le demandeur demande au défenseur la somme de Soixante livres pour des madriers qu'il a fait et qu'il refuse de recevoir.

Le défenseur a répondu qu'il ne les luy a pas fait dans le temps qu'il les luy ait demandé et qu'il ne pouvait plus les prendre vu les grandes eaux qui l'empechoit de les charroyer qu'il en avait plus Besoin. Le demandeur a repliqué qu'il luy ait dit de venir les recevoir avant les grandes eaux. Ce que le défenseur a desnie. Le demandeur a offert preuve a linstant a fait paroître Michel Peltier son antaya lequel a pris serment sur les S° Evangiles de dire la vérité sur laffaire dont est question a dit qu'il a connaissance qu'il avait fait marché Ensemble pour Soixante livres et que Brisson luy devait faire des madriers q° cette somme q° sa Batterie qui est tout ce qu'il a dit savoir sur cette declaration. Sur cette déclaration Brisson a dit qu'il a avoit [sic] offert a germain de luy livrer Ces madriers ledt germain a dit de faire sermant de
At the same Court.

HUGH McD. CHISHOLM, Plaintiff, vs. FRANCIS CLARK, absent, refusing to appear.

The plaintiff sets forth to us that the goods of the said Clark, against which the writ for the seizure and sale of goods was decreed by the Court, are found to be insufficient to make complete payment. Consequently the Court orders M. Smith, justice of the peace at Grand Ruisseau, to make the said Clark pay without any delay, together with all the cost and wages for going and coming of the said Hugh McD. Chisholm, and to constrain him by all rigor of the law. Given in Court the said day and year.

The Court adjourned to July 1, 1788.

Ant. Girardin.

At a Court, July 1, 1788.

MM. Antoine Girardin, President. Pierre Laperche.
Matthieu Saucier. Charles DuCharme.
Bte. Saucier. François LaPancé.

Magistrats

PIERRE BRISON, Plaintiff, vs. CHARLES GERMAIN, Defendant.

The plaintiff demands of the defendant the sum of seventy livres for joists, which he made for him, and which the defendant refuses to accept.

The defendant replied that the plaintiff had not made them in the time that he had demanded them of him, and that he could no longer get them seeing that the high water prevented him carting them, and that he no longer had need of them. The plaintiff replied that he had told him to come and get them before the flood, a thing which the defendant denied. The plaintiff offered proof. He now summoned Michel Pelletier called Antaya, who took oath on the Holy Gospels to tell the truth in regard to the business in question, and he said he knew that they had made agreement together for sixty livres and that Brisson was to make joists for the plaintiff’s thrashing-floor for that sum, which is all that he said he knew. To this declaration Brisson said that he had offered Germain to deliver to him these joists. The said Germain told him to make oath on what he put forward, which the
ce qu'il avancoit, ce que ledt Brison a offert Et a fait a l'instant son sermant sur les st déc Evangiles.

sur quoy la Cour condamné le st germain a recevoir Et prendre les madriers qui seront recus par arbitres pour être Bons et recevables de trois pouces d'Epaisseur de neuf pied de long Bois de liards lesquels seront recus demain deux de ce mois Condampons germain aux frais et dépens.

à la même cour.

Le Sr Clamorgan demande Contre Charles Wood ameriquain habt du grand Ruisseau défendant

Le demandeur demande que la maison et bled froment En semencez sur la terre de jacob groot appt audt Wood et Saisis a la demande dudt st de Clamorgan par ordre de la Cour soient vendus jusques a la Concurrence de ce qui luy est dub interest et frais Et nomanement de la somme de quarte cent soixante dix livres dix sols suivant le billet dudt Wood que le demandeur a Exhibé a la Cour.

Le deffendeur a repondu qu'il ne soposoit pas a la dite vente et qu'il y Consentoit qu'il navoit pas autre moyen pour payer. Sur quoy la Cour ordonne que les Choses saisies seront vendues Sans delais a la demande du Saisissant par lhuissier credit pour le produit En provenant Etre delivré audt st Clamorgan jusqua la Concurrence de tout ce qui peut luy etre dub soit par billets ou obligations interest Et frais condamne ledt Wood aux frais Et depens tant de Saisie instence que autres a intervenir [?],qui seront avancés par Mr Clamorgan Et a luy Remboursez sur les Biens dudt Wood ce qui sera executé.

à la même cour.

Marc Schisolm demandeur Contre Francois Clark

deffendeur

Ledt Clark et ledt schisolom on présente une sentence Rendue par le st Schemitz juge a paix au grand Ruisseau tendante au payement dun alanbic. La Cour assemblé elle a homologué Et homologue la dite sentence Rendue par ledt st Schemitz le 18 davril dernier. ordonne ladite Cour que ladite sentence sortira son plain Et Entièr effet seulement pt la somme principale et pour
said Brisson offered to do. And now he made his oath on the Holy Gospels.

Whereupon the Court condemned M. Germain to receive and take the joists, which shall be accepted by arbitrators as good and acceptable, as of three inches in thickness and nine feet in length, and of poplar; and that they shall be received to-morrow the 2nd of this month. We condemn Germain to pay the costs and charges.

At the same Court


The plaintiff demands that the house and the wheat sowed on the land of Jacob Groot, belonging to the said Wood, and which has been attached on the demand of the said M. Clamorgan by order of the Court, be sold up to the equivalent of what the defendant owes him with interest and costs, that is the sum of four hundred and seventy livres ten sols according to the note of the said Wood which the plaintiff exhibited to the Court.

The plaintiff replied that he was not opposing the said sale and that he consented thereto and that he did not have other means of paying. Whereupon the Court decrees that the goods, which have been attached, shall be sold without delay by the huissier on the demand of the execution creditor; and that credit from the proceeds thereof shall be delivered to the said M. Clamorgan up to a sum equal to that which may be owing him either by notes or obligations with interest and costs. Condemned the said Wood to pay the costs and charges as well for the writ of execution as for the other intervening writs, and the costs shall be advanced by M. Clamorgan and reimbursed to him from the goods of the said Wood; for which there will be execution.

At the same Court.

Mark Chisholm, Plaintiff, vs Francis Clark, Defendant.

The said Clark and the said Chisholm presented a decree rendered by M. Smith, justice of the peace at Grand Ruisseau in regard to the payment for a still. The Court, having assembled, affirmed and does affirm the said decree rendered by the said M. Smith the 18th of April last. The said Court decrees that the
les frais fait par devant led^t s^r schemitz pour ladite sentence, a
debouté Et deboute led^t chisholm du Compte de frais qu'il fait
monter à Soixante piastres luy enjoint de recevoir son payement
des mains dud^t Clark ou des depositaires diceluy Condamnons
led^t Clark a payer dix livres pour les frais de la presente homo-
logation donné en Cour lesdt jour Et an. Et a deboute led^t
Chisholm de Son compte de frais pour Etre Exhorbitant Et sans
setre mis en regle pour justifier des dits frais Et payera led^t
Clark les frais de saisie ce qui sera executé.

La Cour est ajournée au 1^er aoust prochain.

mth Saucier psd.

a une Cour du 1^er aoust 1788.

Mathieu Saucier présidant  Charle ducharmee
Bte Saucier  fr. Lapensée
Pre Laperche  henry Biron

Magistrats

Entre ROBERT JONS demandeur Contre SAMUEL MORICE
defendeur

Le demandeur a dit que avant hier il a rencontré ches le
Nomme Thom Bredy le Nomme samuel Morice qui luy devoit,
auquel il a demandé son payement. que ledit morice Et led^t
jones Se Sont disputez Ensemble et dit plusieurs injures et
fait des menaces que led^t morice avoit un Baton avec lequel il
la frapé Et qu'il Sest revengé ayant pris led^t morice par les che-
veux, que ledit morice luy a pris le pouce avec les dants dont il
se trouve extropié qu'il demande contre ledit morice le des dom-
agement de la perte de Son temp'ne pouvant travailler de Son
metier de Chapellier.

Ledit morice a replique que setoit jones qui avoit commencé la
dispute Et qu'il lui avoit jeté une Roche de la grosseur de quatre
a Cinq livres, que sil En avoit Eté frapé il En auroit Eté tué. la
dite roche ayant frapé dans la porte ou potau de la maison ou
Elle a Encavé led^t poteau led^t morice Se Sauvait dans ladite mai-
son que sest En sortant de la maison qu'il se sont pris et que led^t
said decree shall have its full and entire effect only for the principal sum and for the costs made before the said M. Smith for the said decree. The Court denied and does deny the account of the said Chisholm's expenses, which he has made run up to sixty piastres, and enjoins him from receiving his pay from the hands of the said Clark or from his depositaries. We condemn the said Clark to pay ten livres for the costs of the present affirmance. Given in Court the said day and year. And the Court denied the account of costs of the said Chisholm as being exorbitant and as not being put in due form to justify said expenses; and the said Clark shall pay the costs of the seizure, for which there will be execution.

The Court adjourned to the 1st of August next.


At a Court August 1, 1788.

Matthieu Saucier, President.
Bte. Saucier. Fr. Lapancé.
Charles DuCharme. Magistrates.

ROBERT JONES, Plaintiff, vs SAMUEL MORRIS, Defendant.

The plaintiff said that day before yesterday he met at the house of the named Thomas Brady the named Samuel Morris, who was owing him and from whom he demanded his payment; that the said Morris and the said Jones quarreled, used abusive language and made threats; that the said Morris had a stick with which he struck the plaintiff and that he revenged himself by seizing the said Morris by the hair; that the said Morris bit his thumb with his teeth, from which he was maimed; that he demands from the said Morris damages for the loss of his time, since he could not work at his trade of hatter.

The said Morris replied that it was Jones who began the quarrel and that he had thrown at him a rock weighing four or five pounds; that if he had been struck with it, he would have been killed; that the said rock struck the door or the post of the house and made a deep dent in it and that the said Morris saved himself by going into the said house; that it was when he came out of the house that they caught hold of each other and
jones le tenant par les Cheveux et ne Voulant le lacher luy En
foonceant Son pouce dans la Bouche la douleur Lavoit force a le
mordre requérant frais et depens contre ledt jones.

parties ouies le tout examiné la Cour a renvoyé Les dites par-
tries hor de cour et de procés pê ladite affaire les condamne chacun
aux frais Et depens.

La Cour est ajournée au 1er 7bre 1788.

Mth. Saucier
a une Cour tenue Extraordinairement le 8 aoust 1788.

Mtr Matieu Saucier président fr. Lapensée
Bte Saucier henry Biron

Ladite cour a fait paroître devant Elle Le Nommé jean Bte
Colin demeurant Chés la dame Brisson soupçonné davoir parti-
tipé a lEnlevement des effets du Nommé Brisson Et sa femme,
ledt Colin detenu aux fer. lequel Etant En la presence de la
Cour Et après sermant par luy fait Sur les Saints Evangiles luy
avons demande sil a Connoissance de Lenlevement ou recele-
ment des Effets dudt brisson et sa femme et sil ny a pas parti-
cipe a repondu quil N'en a aucune Connoissance Et qu'il na
Enlevé ny aidé a Enlever aucuns Bestiaux ny effets, qu'il ignore
ceux qui En ont detourné qu'il declare Seulement que madame
Brisson luy a fait porter une scie de Long dans le jardin, laquelle
scie nous avons demandé ou Elle Etoit le jour de hier a lianvan-
taire personne ne la representant Nous lavons Envoyée Cher-
cher dans le jardin nous Etant apercû quelle y Etoit Cachée liée
avec une pelle a four pour etre Emportée; lequel nous declare
presentement que cest madame Brison qui luy a fait porter dans
le jardin; Et na voulu avouer aucune autre Chose sur toutes
les demandes que nous luy avons faites.

lui avons demandé quelle jour ou luy a dit de porter la sie
dans le jardin.

a dit que cest avant hier
luy avons demandé sil sait autres Chose.

a dit que Non.

1 In the morning of July 10, 1788, Alexis Brisson made a brutal attack on Thérèse, the
widow of John Henion, former trader of Cahokia. The immediate occasion of it was her
gossip about Brison's wife. Brison kicked the woman, hit her with a chair and then dragged
her to the wood-pile, where he was preparing to kill her, when he was prevented by J. Bre.
that Jones held him by the hair and would not release him and sunk his thumb in his mouth and the pain forced him to bite it; and he demands costs and charges from the said Jones.

Having heard the parties and examined all, the Court dismissed the said parties from court and suit in regard to the said affair; and condemned each to pay the costs and charges.

The Court adjourned to September 1, 1788.

Matt. Saucier.

At a Court meeting in special session, August 8, 1788.
M.M. Matthieu Saucier, President. Fr. Lapancé.

The said Court summoned before it the named Jean Bte. Colin, who dwells at the house of Madame Brisson, and who is suspected of having participated in the removal of the effects of the named Brisson and his wife.¹ The said Colin was held in irons. When he was in the presence of the Court and had made oath on the Holy Gospels, we asked him if he had knowledge of the removal or concealment of the effects of the said Brisson and his wife, and if he had not participated therein. He answered that he had no knowledge thereof and that he had not removed nor aided in the removal of any animals or effects; that he did not know who had taken them away; he declared only that Madame Brisson made him carry a whip-saw into the garden. Yesterday at the inventory we asked where this saw was and when nobody showed it to us, we sent to seek it in the garden, having noticed that it was hidden there bound up with a baker's shovel ready to be carried away. The witness now declared to us that it was Madame Brisson who made him carry it into the garden; and he did not wish to confess anything else to all the questions which we put to him.

We asked him what day they had told him to carry the saw into the garden.

He said it was day before yesterday.

We asked if he knew anything else.

He said, "No."

¹ LaCroix. Madame Brisson was present during the assault and urged her husband on. On July 31, the state's attorney, Labusière, charged Brisson with assassination, and the Court ordered Commandant Trottier to arrest Brisson, and in case of resistance to shoot him.—Chil. Hist. Soc. Cah., Rec.
lecture a luy faite de Sa deposition a dit Contenir verite y persiste et a signe avec nous. Et avant de Signer a declaré Et afirmé que francois Canadien avoit Emmené les Chevaux de Brisson et sa femme depuis la prairie du pont jusques au mississipy Les quels Chevaux avoit Eté conduit de la maison de la dame Brisson par ses Enfans jusqu'à la prie du pont et remis au dit fr. canadien qui les mené au mississipy pre traverser mardy dernier declare de plus qu'il a fait une Cache par ordre de la dame Brisson dans la grange La quelle il offre de montrer dans la terre qui est tout ce qu'il a dit savoir sous Son Sermant et a Signé Et promis que sil survient quelque Chose a sa Connoissance de la declarer.

[Signed]
Jan baptis colin marque
francois Lapance hBi
B Saucier d h enry Biron
Labuxiere grefier Mth. Saucier

a une cour du 9 aoust 1788.
tenue par les memes magistrats.
avons fait paroître francois Renoux accusé davor aidé a Enlever les Chevaux de Brisson Et sa femme lequel après sermant par luy fait de dire verité luy avons demandé Sil a aidé ou participe a LEnlevement des Chevaux de Brisson Et sa femme.

a dit avoir attrapé deux juments Et trois poulins par ordre de la femme de Brisson et qu'il les a conduits au mississipy ou la dame Brisson luy avoit dit de les mener et de les atacher avec deux autres chevaux que les Enfans de ladite femme ont mené avec luy.

interoge sil ne savoit pas que ces chevaux Etoient Sai-sis et la publication faite a la porte de lEglise dimanche dernier.

a repondu qu'il ne l'avoit pas sue.
interoge sil ne savoit pas que le Nommé Brisson Etoit fugitif et poursuivis.
The reading of his deposition was made to him and he said that it contained the truth and persisted therein and signed with us. And before signing he declared and affirmed that François Canadien had driven the horses belonging to Brisson and his wife from Prairie du Pont to the Mississippi, and that these horses were led from the house of Madame Brisson as far as Prairie du Pont by her children and delivered to the said Fr. Canadien, who led them to the Mississippi in order to cross last Wednesday. He declared further that he made by order of Madame Brisson a cache in the barn, which he offered to show. This is all which he said under oath that he knew and he has signed; and he promised, if anything came to his knowledge, to make it known.

[Signed]

Jean Baptiste Colin.  Mark of
François Lapancé.      h B i
B. Saucier.            Henry Biron
                      Labuxiere, Clerk.

At a Court, August 9, 1788, held by the same magistrates.

We have summoned François Renoux accused of having aided in the removal of the horses belonging to Brisson and his wife; and after he had taken oath to tell the truth, we asked him if he aided, or participated in, the removal of the horses belonging to Brisson and his wife.

He said that he caught two mares and three colts by order of Brisson's wife, and that he took them to the Mississippi, where Madame Brisson had told him to lead them and to tie them with two other horses, which the children of the said woman had lead with him.

Asked if he did not know that these horses were attached and that publication had been made at the door of the church last Sunday.

Answered that he did not know it.

Asked if he did not know that the named Brisson was a fugitive and was pursued.

Answered that he knew that they were pursuing him; but that
a repondu qu'il savoit que lon le poursuivoit mais qu'il
lavoit vû paroire Et disparaître plusieurs fois et qu'il Croyoit
que lon ne Le recherchioit plus, qu'il ne Croyoit pas faire mal
en menant les Chevaux qu'il Lavoit fait sans reflection. Et
qu'il sest mefie au mississipy que setoit p't les traverser sur lautre
Rive.

interoige sil a quelque Chose a declarer de plus. Et sil na
pas Connoissance de quelques Enlevement fait par quelqu'un des
Effets ou bestiaux de Brisson Et sa femme.

a repondu qu'il n'en a aucune Connoissance.

Lecture a luy faite de Sa declaration a dit quelle contient
verité qu'il y persiste sous le Sermant qu'il a fait Et a dit ne savoir
signer Et a fait Sa marque ordre Et avons Signé les dits jours
Et an.

[Signed]

francois Lapance  marque de
B Saucier  +
B Dubuque  fr. Renoux

Labuxiere  depositant

Mth. Saucier psd.

Du dix huit aout mil Sept Cent quatre vingt huit.

Messieurs Jean Bte Dubuque Philipe Engel et Louis Chatel
ont fait le serment d'office En qualité de Magistrats pour la
nouvelle Nomination En la Place des sieurs Mathieu Saucier Bte
saucier et fr. la pensee qui se sont demis de leur Charge les
dits Magistrats ayant Eté nommés par la n°11e Election. Sont
Comparus et apres avoir prête serment de fidelite, ainsi
que celui d'office ont pris leur Place et leurs qualités de Magis-
trats.

Je sousigné Pierre Billet avoit fait serment que Je me Com-
porterai Bien Et vraiment dans la Charge de Greffier qui m'a
Eté admise Ce Jour. selon ma Connois et Jugement. aux Cahos
le 17 aout 1788.

P Billet Greffier
he had seen him appear and disappear several times and that he believed that they were no longer searching for him; that he did not believe that he was doing wrong in leading the horses; that he had done it without reflection; that he suspected at the Mississippi that the purpose was to send them across to the other bank.

Asked if he had anything else to declare, and if he did not have knowledge of the removal of the effects or cattle belonging to Brisson and his wife by some one.

Answered that he had no knowledge thereof.

Reading was made of his deposition and he said that it contained the truth and he persisted therein under the oath which he made; and he said that he did not know how to sign and made his mark, and we have signed the said day and year.

[Signed]

François Lapancé. mark of
B. Saucier. +
B. Dubuque. Fr. Renoux, deponent.

August 18, 1788.

MM. Jean Bte. Dubuque, Philippe Engel and Louis Chatel have taken the oath of office as magistrates by the new election in place of MM. Matthieu Saucier, Bte. Saucier and Fr. Lapancé who have resigned from their office. The said magistrates, having been named by the new election, appeared and, after having taken oath of fidelity as well as that of office, have taken their place as magistrates.

I the undersigned Pierre Billet have taken oath that I will conduct myself well and faithfully in the office of clerk, to which I have been appointed this day, according to my knowledge and judgment. At Cahokia August 17, 1788.

P. Billet. Clerk.¹

¹ Why Billet was appointed clerk in place of Labuxiere is not known, but he did not serve long. On December 1, Labuxiere signed as deputy clerk and on February 2, 1789, as clerk, and from that date the handwriting proves that he served regularly.
At the same Court.

President Ant. Girardin        Ch. DuCharme.
Louis Chatel.                  Henri Biron.
P. Laperche.                   Magistrates

At the same court we referred a petition in favour of M. Cerré and allowed him the seizure of the goods of M. James Moore, until the Court shall give orders concerning it.

The Court adjourned to September 1.

Ant. Girardin, Pres.

At a Court, September 1, 1788.

MM. Ch. DuCharme, President. Henry Biron.
Philippe Engel.                Louis Chatel.
Magistrates.

P. BILLET, Plaintiff, vs. M. SMITH, Defendant.

The plaintiff declared that M. Smith owed him a pig of about one hundred pound weight and that when the time was passed for the payment and he had made several demands for it, the defendant had always refused with poor excuses. The defendant says that he had offered it several times to the plaintiff, but that he had refused it saying that it was not fat; and he says that he had a witness of the agreement between them, whom we have summoned, and who said that he owed the pig and ought to return one like it. The Court ordered the said Smith to deliver the pig to the said P. Billet within a fortnight. And we condemn the said Smith to pay the costs.

DuCharme, Pres.

At the same Court.

MM. MOREL and SANSEFAÇON, Plaintiffs vs. M. MATTHIEU, SAUCIER Defendant.

The plaintiffs set forth their complaints by a petition of the 17th of August last according to which they had been challenged by M. Matthieu Saucier for jury services and we ordered M. Matthieu Saucier to appear to-day before us to show his reasons for the insults made by him to the said MM. Morel and Sansfaçon. Whereat
Sieurs morel et Sans façon a quoi il a reconnu ses torts. et a dit qu'il ne l'avoir fait que par megard. et leur en a fait Ses Excuses en presence de nous aux Cahos le 1er 7bre 1788.

P Billet Greffier DuCharme pr

a une meme Cour.

Le Sieur William Biggs demandeur contre Samuel Morries
defendeur

le demandeur a dit que le Sieur Samuel Morries ayant demandé une Cour de Jurés pour la deffence de l'accusation faite Contre lui des Insultes faite sur la Cour des Jurés et que n'ayant point paru. Sur quoi le demandeur s'est présenté a nous a quoi nous avons renvoyé les Parties. et quils se choiseront deux hommes Chacun a leur Choix pour Jurer de Leur affaire devant Mr Smith. Juge a paix et Magistral du Grand ruisseau et Sen tenu a Ce que les dits Jurés en Jugeront Sans aucun rappel donné aux Cahos la Cour Presente le 1er Sept. 1788.

DuCharme psd.

a une meme Cour.

S'est Presenté Le Sieur James Watt demandeur Contre Le Sieur Jacob Groots defendeur

Le demandeur nous a présenté deux Billets Consenti a sa faveur par ledit groots montant a La somme de trois Cents quatre vingt quatre livres payable en Lard et farine au prix Courant. et nous a dit En avoir fait La demande dont il Ete pressé vu son depart. a quoi nous avons Condamné ledit groots a paier sous trois Semaines et les frais Ci Joint au Cahos le 1er 7bre 1788.

P Billet greffier DuCharme presd.

La Cour Est ajourné au 1er 8bre 1788.

DuCharme psd.

a une Cour du premier octobre 1788.

Messieurs Ch. Ducharme President Philipe Engel.
Bte Dubuque Henri Biron
P. La Perche Magistrats

M. FR. SAUCIER demande contre Michel Chartier Defendeur

Le Sieur saucier presente un compte a lui remis par M. Levi et approuvé par devenant devant [sic] M La Croix dont il lui
he acknowledged his wrong and said that he did it only through mistake and he made his apologies therefor to them in our presence.

At Cahokia, September 1, 1788.

P. Billet, Clerk.

DuCharme, Pres.

At the same Court.

M. William Biggs, Plaintiff, vs. Samuel Morris, Defendant.

The plaintiff said that M. Samuel Morris had demanded a jury trial to hear his defence to the accusation against him of having insulted the jury court and had not appeared; whereupon the plaintiff presented himself to us. Whereat we dismissed the parties and ordered them each to choose a man, to judge their affair before Mr. Smith, justice of the peace and magistrate of Grand Ruisseaux, and they shall be bound to this that the said jurors shall judge the cause without any appeal. Given at Cahokia in the present Court, September 1, 1788.

DuCharme, Pres.

At the same Court.

There presented himself M. James Watts, Plaintiff, vs. M. Jacob Groot, Defendant.

The plaintiff presented to us two notes drawn in his favour by the said Groot, amounting to the sum of three hundred and eighty-four livres payable in lard and flour at the current price; and he told us that he had made demand therefor and that he was in need of it on account of his departure. Whereat we condemn the said Groot to pay within three weeks with the costs here joined. At Cahokia, September 1, 1788.

P. Billet, Clerk.

The Court adjourned to October 1, 1788.

DuCharme, Pres.

At a Court, October 1, 1788.

MM. Ch. DuCharme, President. Philippe Engel
P. Laperche. Magistrates.

M. Fr. Saucier, Plaintiff, vs. Michel Chartier, Defendant.

M. Saucier presents an account, which had been given to him by M. Levy and approved before M. LaCroix, on which there is
due him a balance of two hundred and seventy-two livres; and after having made demand therefor, the defendant refused him saying that his account is not just and that he owes only seventy-two livres; and after verifying the account, which we believe to be just and hearing the poor arguments which M. Saucier told us that the defendant had pleaded to him, we order M. Chartier to pay the plaintiff or to find a bondsman who will render himself responsible for the said sum; and we condemn M. Saucier to pay the costs and to have himself reimbursed by the said Chartier.

DuCharme, Pres.

At the same Court.

MICHEL PICHET, Plaintiff, vs. LOUIS GAUD, Defendant.

The plaintiff said that the named Louis Gaud had taken and engaged the little Lapierre and had promised him a filly or a heifer for wages and that he refused to give it to him. The defendant said that he had tended him when sick and that his wages were not sufficient to pay for his sickness and the attendance which they had had for him. We have dismissed the parties to have the case decided by arbitrators.

DuCharme, Pres.

At the same Court.

HUGH CHISHOLM, Plaintiff, vs. BENJAMIN BYRAM, Defendant.

The plaintiff told us that there was due him one hundred minots of wheat for two milch cows, which he had sold the defendant. The defendant said that he had delivered twenty minots of it to him at the house of Thibault at Prairie du Rocher. The plaintiff said to him that it was spoiled and it was not salable.

We dismissed the parties to have the wheat inspected; and having confidence in the report, which will be made us, signed by M. Barbau, we condemn the said Byram to pay the excess there is above eighty minots within a week; and we condemn the said Byram to pay the costs.

DuCharme, Pres.

The Court adjourned to November 1, 1788.

P. Billet, Clerk.  
DuCharme, Pres.
a une Cour du trois novembre 1788.

Messieurs
Antoine girardin President Bte Dubuque
Ch Ducharme henri Biron
Philipe Engel Pierre La Perche
Louis Chatel Magistrats

a une meme Cour.

ANT ARMAND demandeur PIERRE RICHARD defendeur

le demandeur nous represente un Compte Contre le dit Richard de la somme de quatre vingt dix neuf livres En argent qu'il dit lui Etre due depuis Cinq ans. le dit Pierre Richard lui a dit qu'il Croioit l'avoir Paié par Ses travaux a quoi le demandeur na voulu acquiesser disant qu'il n'avait Eu que Soixante sept livres et qu'il lui avoit porté En Compte et apres avoir fait faire serment sur les sts Evangiles de la verité de son Compte nous avons Condamné le dit defendeur aux frais.

a une meme Cour.

le Sieur Wm ARRUNDEL Demand [sic] le Sr Jn Bte MOREL

Defendeur

le Demandeur nous a expose par une requête que le sieur Morel avoit pris a son insee une Voiture qu'il avoit a la Prairie du Chien et qu'il l'avoit pris Sous la Connoissance de Celui qui en Ete le depositaire en nous en aiant produit des Certificats et demander des dedomagements par sa Requête et ceci etant or de notre Connaiss-sance nous avons renvoiés les Parties par arbitres.

a t girardin

ajourné la Cour au premier decembre 1788.

a t Girardin p. s. d.

A une Cour du 1er Decembre 1788.

Messieurs
Girardin President P. La Perche
Ch Ducharme Bte Dubuque
Philipe Engel Louis Chatel
Henri Biron Magistrats

a une meme Cour le Sieur Gabriel Cerré nous presenter une requete que nous avons appointé a sa demande.
At a Court, November 3, 1788.

MM. Antoine Girardin, President. Bte. Dubuque.
Ch. DuCharme. Henry Biron.
Louis Chatel. Magistrates.

At the same Court.

ANT. HARMAND, Plaintiff, vs. PIERRE RICHARD, Defendant.

The plaintiff brings to us an account against the said Richard for the sum of ninety-nine livres in money, which he says was due five years ago. The said Pierre Richard told him that he believed that he had paid it by his labor; to which the plaintiff was not willing to agree, saying that he had had only sixty-seven livres and that he had credited it to his account; and after having made him take oath on the Holy Gospels of the truth of his account, we condemned the said defendant to pay the costs.

At the same Court.

M. WILLIAM ARUNDEL, Plaintiff, vs. JEAN BTE. MOREL, Defendant.

The plaintiff sets forth to us by a petition that M. Morel had taken without his knowledge a boat, which the plaintiff had at Prairie du Chien,¹ and that he had taken it without the knowledge of the one who was custodian of it; and the plaintiff brought to us certificates thereof and demanded damages by his petition; and since this is out of our jurisdiction, we dismissed the parties to plead before arbitrators.

Ant. Girardin.

The Court adjourned to December 1, 1788.

Ant. Girardin, Pres.

At a Court, December 1, 1788.

MM. Girardin, President. P. Laperche.
Philippe Engel. Louis Chatel.
Henry Biron. Magistrates.

At the same Court M. Gabriel Cerré presented to us a petition, which we have referred at his request.

¹ Prairie du Chien, in the present state of Wisconsin, was not included in the district of Cahokia or in the county of Illinois.
Vu par la Cour assemblée Ce Jour la Requete ci dessus Ensem-
ble le testament olographe de feu Gemes Moor. laditte Cour
ordonne quil sera fait Bon et fidele Inventaire de tous les Biens
Generalement quils quonques delaiser par ledit defunt James
Moor Juridiquement et avec les formalites requises a la deligence
des sieurs Cerré Bond et thomas Biggs. Executeurs testamentaire
pui Ce fait etre les dits trois executeurs testamentaires mis en Bonne
possession des dits Biens de ladite succession suivant laditte Inven-
taire faire les recherches des dits Biens tant meubles qu‘immeubles
en faire rendre Compte a laditte Veuve et par tous autres qui
pourroient les avoir en leur Possession et generalement faire tout ce
qui Est du devoir de leurs Charges pour la Conservations des
droits et Interets des personnes interessées en la suditte succession
et autres qui appartiendra afin que la suditte succession soient
mise et regle par le temps prescrit par les Loix donné En Cour le
trois novembre Mil Sept Cent quatre vingt huit et Signé a la Copie
delivré Ce Jour. antoine Girardin Bte dubuque Ch Ducharme
Philipe Engel. Pierre La Perche H. B. i. henri Biron une + pour
Louis Chatel et Signé.

La Buxiere Comis Grefier.

A une Cour du 1ᵉ Decembre 1788.

A Girardin President P. La Perche
Ch. Ducharme Henri Biron
Philibre Engel Louis Chatel
auguste Dubuque Magistrats

Par une Requete a nous presente ledit Jour Par hiacinthe Cecire
et aliant Vu Son Exposé nous avons Permis et Permettons audit
hiacinthe Cecire de faire une assemble de ses Parents et amis pour
deliberer sur son Emancipation le dit Jour et an que dessus.

P Billet Grefier.

a une meme Cour.

M. JEAN DUMOULIN demandeur PHILIPPE GERVAS Defendeur
le Demandeur nous a Produit une Compte dont la Balance est
de Soixante douze livres En argent, interêt Compris Jusqu‘a
ce jour. le defendent nous a dit que ledit Dumoulin avoit où un

¹A copy of this will is printed on page 515 of this volume.
COURT RECORD, DECEMBER, 1788

Seen by the assembled Court this day the above petition together with the holographic will of the late James Moore. The said Court decrees that there shall be made good and faithful inventory of the property, all and singular, left by the said deceased James Moore with legal and requisite formalities, at the suit of MM. Cerré, Bond and Thomas Biggs, testamentary executors of the will. For this purpose the three said executors are to be put in full possession of the said property of the said estate; and according to the said inventory they are to search out the said property, both personal and real; and to cause the said widow and all others who may have it in their possession to render account; and generally to do that which is within the duties of their office for the preservation of the rights and interests of the persons interested in the estate aforesaid and of others whom it will concern; in order that the estate aforesaid may be settled by the time prescribed by law. Given in Court the third of November 1788, and signed on the copy delivered this day. Antoine Girardin, Bte. Dubuque, Ch. DuCharme, Philippe Engel, Pierre Laperche, H. B. I. Henri Biron, a+for Louis Chatel, and signed Labuxiere, Deputy Clerk.

At a Court, December 1, 1788.
A. Girardin, President. P. Laperche.
Ch. DuCharme. Henry Biron.
Philippe Engel. Louis Chatel.
Auguste Dubuque. Magistrates.

By a petition presented to us this said day by Hyacinthe Cesirre; and after seeing his explanation we permitted and do permit the said Hyacinthe Cesirre to hold an assembly of his relatives and friends to deliberate on his livery. The said day and year as above.
P. Billet, Clerk.

At the same Court.
M. JEAN DUMOULIN, Plaintiff, vs. PHILIP GERVAIS, Defendant.
The plaintiff brought to us an account, the balance of which is for seventy-two livres in money including interest up to this day. The defendant told us that the said Dumoulin had had
Cochon de lait de lui a quoi il nous a dit qu’il l’avoit payé Comptant. Ce que le deffendeur a recusé et après avoir fait faire serment aud' Sr Dumoulin et avons Condamné led' Gervais a Paier le demandeur et les frais du Present.

P. Billet Greffier

a une meme Cour.

une Requete a nous présenté par Mr Dumoulin par lequel il nous represente que le st Isadore LaCroix aie a lui remettre le xcedent qu'il doit doit [sic] payer pour un sauvage app' a Mailher qu'il lui a Eté adjugé a quoi nous avons Conclu led' Jour et an que dessus.

P Billet Greffier.

A une Meme Cour.

PIERRE BILLET demandeur CLARK deffendeur

le demandeur nous a produit un Billet par lequel il nous représente qu'il lui est du deux Cents douze livres de Lard depuis le mois de Juillet Passé et Vu ses mauvaises Raisons nous l'avons Condamné a Paier sous huit Jours sans autre delais.

Ajourné La Cour au 2. Janvier 1789.

A' Girardin P. s. d.

A une Cour du 2 Janv' 1789.

Messieurs

Ant Girardin President Pierre LaPerche
Ch Ducharme Henri Biron
Bte Dubuque Philipe Engel
Louis Chatel Magistrats

a une Cour du 2 Janvier 1788 [sic].

sur la representation de Mr de St Pierre Curé de cette Paroisse Sur ce que quelques habitants domiciliés de ce Village avoient refusés a donner le Pain Beni Croiant que Ce n'étoit pas une obligation et nous en aient fait voir les preuves nous Enjoignons audits habitants a donner le Pain beni Chacun leur tour. et aux Jours d'obligation fautes de quoi il seront Condamné a paier dix livres a l'Eglise tel qu'il est present par les loix et Enjoignons aux Marguilliers de les Emploier a En faire faire un a leur defaut telle est notre
a suckling pig from him, for which the plaintiff told us that he had paid cash, which the defendant challenged. And after causing the said Dumoulin to take oath, we condemned the said Gervais to pay the plaintiff and the costs of the present suit.

P. Billet, Clerk.

At the same Court.

A petition presented to us by M. Dumoulin by which he shows us that M. Isidore LaCroix should be held to remit to him the balance which he ought to pay for a savage belonging to Mailher, which had been adjudged to him, to which we agree the said day and year as above.

P. Billet, Clerk.

At the same Court.

Pierre Billet, Plaintiff, vs. Clark, Defendant.

The plaintiff brought to us a note, by which he shows that there is owing to him two hundred and twelve pounds of lard since the month of last July. And considering his poor pleas we condemned the defendant to pay within a week without other delay.

The Court adjourned to January 2, 1789.

Ant. Girardin, Pres.

At a Court, January 2, 1789.

MM. Ant. Girardin, President.
Ch. DuCharme.
Bte. Dubuque.
Louis Chatel.

Pierre Laperche.
Henry Biron.
Philippe Engel.
Magistrates.

At a Court, January 2, 1789.

On the representation of M. de St. Pierre, curé of this parish, that several inhabitants domiciled in this village have refused to give the blessed bread, believing that it was not an obligation; and after he had shown us the evidence thereof, we commanded the said inhabitants to give the blessed bread, each in his turn and on the days of obligations; in default of which they shall be condemned to pay ten livres to the church, as is at present the law; and we command the wardens to use the money to have some bread made to make up the deficiency. Such is our opinion.
opinion donné aux Cahob la Cour seante le dit Jour et an que dessus.

ajourné la Cour au premier fevrier 1788 [sic]

P. Billet Greffier

A^1 Girardin p. s. d

A une Cour du 8 fevrier 1789.

Messieurs

A^1ne Girardin President

Pierre LaPerche

Ch Ducharme

Philipe Engel

Henri Biron

B^te Dubuque

Louis Chatel

Magistrats

Le St LABUXIERE charge de la sucession de RAPHAEL GAGNEZ

le demandeur Contre JOSEPH POUTART defendeu

Le demandeur demande au defendeur une somme de six cent soixante dix dix livres dix huit sols Cinq deniers tant en principal quinterest dont il y a deja Eu sentence de Condamnation par cette Cour.

Le defendeur a demandé delais p^e payer dans le Courant de ce mois.

La Cour accordé aud^e demandeur [sic] le Courant de ce mois Et la condamné a payer sans plus long terme son billet et interest montant a la somme ci dessus et aux frais Et depend montant a huit piastres de qui sera executé conduens au St LACHANSE

heritier due^e defendeu de prendre des mains du St LABUXIERE Le billet due^e poutart dont le St LABUXIERE sera Bien decharge ce qui sera executé

LABUXIERE

A^1 Girardin pd.

A la meme Cour.

LOUIS BURJERAN demandeur Contre JEAN B^E DURBOIS defendeu

Le demandeur demande au defendeur trois cent livres de

fatime y^ avoir pensé Et quyry la fille du Nommé sauery

Le defendeur a repandu quil n'avait point quyry la petite fille et qu'il avait été obligé de la mettre Entre les mains de la dame

Le directeur Jean Prevost à la Cour et Monseur le pére P.-M. Laignier, hauts depuis longtemps et aidé, qui a écrit l'autre consécration. La

Chartreuse, Saintes-Capitale. Nous avons dit que la chartreuse de Saint-Germain-des-Prés a été ouverte par la Chartreuse de Saint-Simon, de laquelle elle a été dépendante. La

Chartreuse de Saint-Germain-des-Prés a été attribuée à la Chartreuse de Saint-Simon, de laquelle elle a été dépendante. Sa vie était moins renommée en Chartreuse, où elle a été la dernière des Chartres. Pour mieux l收拾

savoir, nous avons été obligés de l'abandonner à la Chartreuse, mais la chose de plus prouve que la vie de la

Chartreuse
Given at Cahokia at the session of the Court the said day and year as above.

The Court adjourned to February 1, 1789.


At a Court, February 8, 1789.

Ch. DuCharme. Philippe Engel.
Louis Chatel. Magistrates.

M. Labuxiere intrusted with the estate of Raphael Gagné,

Plaintiff, vs. Joseph Poupar, Defendant.

The plaintiff demands of the defendant a sum of six hundred and seventy-eight livres eighteen sols five derniers as well for the principal as interest, for which there has been given judgment by this Court.

The defendant asked for delay to pay during the course of this month.

The Court granted to the plaintiff [defendant?] the course of this month and condemned him to pay without a longer delay his note and interest, amounting to the sum aforesaid with costs and charges which amount to eight piastres, for which there will be execution. We direct M. Lachanse, heir of the said Gagné, to take from M. Labuxiere the note of the said Poupar, of which M. Labuxiere shall be fully discharged, for which there will be execution.


At the same Court.

Louis Bergeron, Plaintiff, vs. Jean Bte. Dubois, Defendant.

The plaintiff demands of the defendant three hundred pounds of flour for having attended and cured the daughter of the named Vaudry.

The defendant replied that the plaintiff had not cured the little girl and that he had been obliged to put her in the hands of Madame Tom, who had cured her; and that it was not the said Bergeron, that on the contrary he had neglected her.
thome qui lavoit guerie Et que ce netoit point ledt Bergeron quau contraire il lavoit negligee.

Le tout consideré la Cour a debouté ledit Bergeron de Sa demande la Condamné aux frais et depens Et a a jugé les trois Cent livres de farine a la dame thom qui a guery la petite fille ce qui sera executé.

Aî Girardin p. s. d

a la meme cour.

donné une Saisie au sœur Sans facon contre Wiliam houre pt le payement de vingt huit piastres. la saisie adresser au sœur Chemitz juge du grand Ruisseau.

Aî Girardin psd.

La Cour est ajourné au premier de mars prochain ce 2 fev 1789.

Aî Girardin psd.

du [blank] fevrier delivré un ordre a la requisition de joseph La Chanse contre le Nommé gasien pt paroitre a la Cour du 2 mars.

du 27e fev un ordre dassignation a Mâ Wiliam aRundel contre francois Clark de la belle fontaine.

27e fevrier = un ordre dassignation pt Le Sô aRundel Contre james henderson du grand Ruisseau.

=un ordre pt joseph Lachanse Contre pierre martin.
=un ordre pour joseph Lachanse Contre Groslé pere et fils.
=un ordre pt Lachanse Contre janot Lapensée.
=un ordre pt samuel Morice Contre joseph Worley.
=un ordre pt Mâ Dumoulin Contre la femme Brisson.
=un ordre pt Mâ De Clamorgan Contre Lefevre forgeron.
=un ordre pt Mâ De Clamorgan Contre Paul Poupard.
=un ordre pt Mâ De Clamorgan Contre Izaac Chalfont.
=un ordre pt Mâ De Clamorgan Contre James piquet du grand Ruisseau.

=un ordre pt Mâ de Clamorgan Contre David Waddel.
=un ordre pt Mâ de Clamorgan Contre francois Clark.
=un ordre Contre Bond et Biggs comme Executeur testamentaire de moore delivré a Mâ Morgan.

*From now on the clerk used the book to keep a record of the writs issued. These were probably issued by the justice of the week*
All considered the Court denied the demands of the said Bergeron, condemned him to pay the costs and charges and adjudged the three hundred pounds of flour to Madame Tom who cured the little girl, for which there will be execution.

Ant. Girardin, Pres.

At the same Court.

Granted a writ of seizure to M. Sansfaçon against William Hure for the payment of twenty-eight piastres, the writ being addressed to M. Smith, justice of Grand Ruisseau.

Ant. Girardin, Pres.

The Court adjourned to the 1st of next March, this 2nd of February, 1789.

Ant. Girardin, Pres.

On the — of February a summons delivered on the requisition of Joseph Lachanse against the named Gassien that he appear at the Court, March 2.¹

On the 27th of February, a summons on complaint of M. William Arundel against Francis Clark of Bellefontaine.

27th of February, a summons on complaint of M. Arundel against James Henderson of Grand Ruisseau.

a summons on complaint of Joseph Lachanse against Pierre Martin.

a summons on complaint of Joseph Lachanse against Groslé father and son.

a summons on complaint of Lachanse against Janot Laparçé.

a summons on complaint of Samuel Morris against Joseph Worley.

a summons on complaint of M. Dumoulin against the woman Brisson.

a summons on complaint of M. Clamorgan against Lefèvre, blacksmith.

a summons on complaint of M. Clamorgan against Paul Poupar.

a summons on complaint of M. Clamorgan against Isaac Chalfont.
+ = un ordre pr. denis verneau Contre la femme Brisson le "biron a repondu de 101b a Compte sur les frais.
+ = un ordre pr. madame LaCroix contre Louis Groslé.

du 2. mars delivré une Saisie a matieu saucier contre joseph Cecire pr. saisir le bled Et farine qu'il a au moulin du Sr LeBrun
p. sureté de 800l de farine.

a une Cour du deux Mars mil Sept Cent quatre vingt neuf.
M. antoine girardin Presidant Henry Biron
Philipe angel Bte Dubuque
Charles ducharme Pierre Laperche
Cons. magistrats.

DENIS VERONNEAUX demandeur Contre LA FEMME BRISSON
deffenderesse

Le demandeur demande le payement de ses gages pendant une année tant pour faire marcher le moulin que ce qui en depend
Echue au prier de juillet 1788. Et en outre Le Batage de grange
montant pr. lannée a Six Cent Cinquante livres Et que pour Le
Batage de Bled M. Ceré doit luy enenter compte.

La dame Brisson convient des six cent livres pr. lannée elle a
produit un compte a la Charge dudt denis veronneau mont a la
somme du Cinq Cent dix neul livres Cinq sols. aprouvé par ledt
demandeur. reste la se de Cent trente livres Cinq sols sur laquelle
somme est deduit vingt sept livres pr. perte de bled par la faute dudt
veronneau Et Cinquante livres pr. un vand a vaner qu'il a laisse
perir Reste du par la dame Brisson audt demandeur Cinquante
trois livres cinq sols que la cour condamne la dame Brisson a
a summons on complaint of M. Clamorgan against James Piggott of Grand Ruisseau.

a summons on complaint of M. Clamorgan against David Waddel.

a summons on complaint of M. Clamorgan against Francis Clark.

a summons against Bond and Biggs as testamentary executors of the will of Moore delivered to M. Morgan.

a summons on complaint of Denis Veronneau against the woman Brisson. M. Biron has made himself responsible for ten livres on account for the costs.

a summons on complaint of Madame LaCroix against Louis Groslé

On the 2d of March, a writ of seizure delivered to Matthieu Saucier against Joseph Cesirre, to attach the wheat and flour which he has at M. Lebrun’s mill for surety for 800 lbs. of flour.

At a Court, March 2, 1789.

MM. Ant. Girardin, President. Henry Biron.
Councilors and Magistrates.

DENIS VERONNEAU, Plaintiff, vs. the woman BRISSON,
Defendant.

The plaintiff demands the payment of his wages for a year due the first of July, 1788, for running the mill and doing what is connected therewith; and furthermore for the barn-thrashing amounting for the year to six hundred and fifty livres and also for the wheat thrashing, for which M. Cerré should be accountable to him.

The woman Brisson acknowledged the six hundred livres a year. She exhibited an account against the said Denis Veronneau amounting to the sum of five hundred and nineteen livres five sols, which was approved by the said plaintiff. This leaves the sum of one hundred and thirty livres five sols, from which sum is deducted twenty-seven livres for the loss of wheat through the fault of the said Veronneau and fifty livres for a winnowing
payer au demandeur sous huit jours Condamne denis aux frais. ce qui sera Executé.

a la meme Cour.

Madt LACROIX demanderesse Contre Louis GROSLE defendant

La demanderesse a produit un billet Contre ledt Groslé de la somme de Cent Cinquante trois livres douze sols que le defendeur a Reconnu et a dit navoir de quoy payer actuellement Et qu'il avoit donné un acompte de six minot et deny de bled Et deux poules montant a quarante neuf livres que ladite dame a aussi Reconnu partant reste a payer Cent quatre livres douze sols que la Cour condamne ledt groslé a payer sous huit jour a peine de Saisie ce qui Sera executé Condamne ledt grosle a payer quinze livres du frais.

a la meme Cour.

Mf DUMOULIN demandeur Contre La dame BRISON defendresse.

Le demandeur repette par le Billet du stt Brisson Et desjardins solidaires la somme de trois Cent quarante quatre livres Et vingt livres douze sols d'interest En argent payable En daniès. et un Compte de Cinquante huit livres dix neuf sols p't marchandise toutes diminution faites sur ledt compte.

la defendresse a repondu quelle navoit pas connoissance de Lachat du Cheval mentionné audt billet Et quelle aprouve ledt compte seulement. sur quoy la Cour a decide que Mf Dumoulin attendra un mois p tr le retour dutt Brisson lequel mois passe sera libre de se pourvoir Sur les Biens les plus aparrants dutt brisson qu'il pourra decouvrir ou sur ceux dutt desjardins comme solidaire. Et quant au Compte la Cour condamne la dame brisson a le payer au stt dumoulin sans delais condamne Mf dumoulines a payer les frais. qui luy seront Rembourse a la decizion du billet ce qui sera Executé

a la meme Cour.

CHARLES GERMAIN demandeur Contre Mf DUMOULIN

Le demandeur demande la somme de Cent livres pour le payement de la prise et nouriture des Chevaux saisis Et vendus a
fan, which he allowed to be ruined. There remains due by the woman Brisson to the said plaintiff fifty-three livres five sols, which the Court condemns the woman Brisson to pay to the plaintiff within a week. Condemned Denis to pay the costs, for which there will be execution.

At the same Court.

MADAME LACROIX, Plaintiff, vs. LOUIS GROSÉ, Defendant.
The plaintiff produced a note against the said Grosé for the sum of one hundred and fifty-three livres twelve sols, which the defendant acknowledged; and he said that he did not have means to pay at present, and that he had paid an instalment of six minots and a half of wheat and two fowls amounting to forty-nine livres, which the said lady also acknowledged; therefore there remains a balance to be paid of one hundred and four livres twelve sols, which the Court condemns the said Grosé to pay within a week on pain of seizure; for which there will be execution. The said Grosé is to pay fifteen livres for costs.

At the same Court.

M. DUMOULIN, Plaintiff, vs. the woman BRISSON, Defendant.
The plaintiff claims on the note of MM. Brisson and Desjardins, jointly and severally liable, the sum of three hundred and forty-four livres and twenty livres twelve sols for interest in money, payable in kind, and an account for fifty-eight livres nineteen sols for merchandise, all rebates being made on the said account.

The defendant answered that she had no knowledge of the purchase of the horse mentioned in the said note, and that she approved the said account only. Whereupon the Court decided that M. Dumoulin shall wait a month for the return of the said Brisson, and when the month is passed, he shall be free to sue on the most tangible goods of the said Brisson, which he can find, or on those of the said Desjardins, who is equally liable. And as to the account the Court condemns the woman Brisson to pay it to M. Dumoulin without delay. Condemned M. Dumoulin to pay the costs, which shall be reimbursed to him at the time of
la requisition de Mâr dumoulin pître Creances a luiuy dues par le Nommé alary Ameriquain. Le Sr dumoulin a dit quil consentoit a payer suivant quil En sera ordonné par la Cour pître son remboursement Enver ledû alary.

sur quoy la Cour condamne ledû sîr dumoulin a payer les Cent livres audû Germain donî il luiy sera tenû Compte par ledû alary avec les autres frais de vente et de la presente sentence ce qui sera Executé.

a la meme Cour.

Le Sr Chansse demandeur Contre Janot la Pensee

Le demandeur demande que le defendeur luiy paye la somme de Cent dix huit livres En danrées quil doit a lEncan de defunt gagnez Echus depuis noel ou a Son defau que francois lapensee sa caution soit condamné de payer ledû janot lapensee ayant dit quil ne pouvoit payer et nayant pas de quoy satisfaire la Cour con-
damne francois Lapensee a payer sans delais la dite somme Entre les mains dudû laChansse sauf son recour sur son frere Et aux frais et depens.

a la meme Cour.

Le Sr La Chansse demandeur Contre Pierre Martin defendeur

Le demandeur demande au defendeur somme de cent Cin-
quante huit livres En danrées quil luiy doit pû lEncan de defunt Raphael Gagnez.

Le defendeur a dit N’avoir Rien pû payer presentement. et quil demandoit jusques a la fin de ce mois pû payer ladite somme Etant sur le point de vendre sa maison pour payer.

sur quoy voyant L’impossibilité ou le defendeur se trouve de payer actuellement la cour luiy accordé le Credy du cour de ce mois sans plus delais faute de quoy permis la vente de ces Biens. defend la cour au sîr LaChausse aucunne poursuite jusques audû tems Et cependant condamne ledû martin aux [frais] de Lordre et assignation de Ihuissier.

a la meme cour.

Samuel Morice demandeur Contre Joseph Worley ameri-
quain nayant voulu paroître apres assignation a luiy donné pû paroître a cette Cour.
the decision in regard to the note, for which there will be execu-
tion.

At the same Court.

CHARLES GERMAIN, Plaintiff, vs. M. DUMOULIN, Defendant.

The plaintiff demands the sum of one hundred livres as pay-
ment for the capture and keep of the horses seized and sold at
the requisition of M. Dumoulin for debts due him by the named
Alary, an American. M. Dumoulin said that he agreed to pay
according as the Court decreed for his reimbursement by the said
Alary.

Whereupon the Court condemned the said Dumoulin to pay
the hundred livres to the said Germain, for which, with the costs
of the sale and of the present judgment, the said Alary shall be
accountable to him.

At the same Court.

M. LACHANSE, Plaintiff, vs. JANOT LAPANCÉ, Defendant.

The plaintiff demands that the defendant pay him the sum
of one hundred and eighteen livres in kind, which he owes for
what he bought at the auction of the goods of the deceased
Gagné and which has been due since Christmas; or in case of
his failure to pay that François Lapancé, his bondsman, be con-
demned to pay. The said Janot Lapancé having said that he
could not pay, and since he does not have the means to satisfy
the claim, the Court condemns François Lapancé, reserving to
him recourse against his brother, to pay without delay the said
sum into the hands of the said Lachanse, and to pay the costs
and charges.

At the same Court.

M. LACHANSE, Plaintiff, vs. PIERRE MARTIN, Defendant.

The plaintiff demands of the defendant the sum of one hun-
dred and fifty-eight livres in kind, which he owes him for the
auction of the goods of the deceased Raphael Gagné.

The defendant said that he had nothing with which to pay
at present; and that he asked for delay till the end of this month
in order to pay the said sum, as he was on the point of selling
his house in order to pay.
Le défendeur se trouvant redevoir audit Samuel Morice vingt sept piastres en danrées suivant ses Billets tant pour argent reçu père led' Morice qu'il s'est obligé de remettre audit demandeur.

La cour condamne led' Worley à payer sans aucun délai les vingt sept piastres en danrées faute de quoy sera donné main forte père saisir et vendre ses Effets jusques à la Concurrence de ce qu'il doit et Condamne led' Worley en tous les frais et dépens ce qui sera exécuté adresse la présente sentence au Sr Schenitz père la faire exécuter sans retard.

frais 15 lib. délivré la copie.

à la même Cour.

M' de Clarmorgan demandeur Contre James Piggot ameriquain absent Nayant voulu paraître après avoir été assigné et appelé à haute voix.

Le demande [sic] a produit le Billet du défendeur par lequel led' piquet se trouve a devoir Cinquante un minot de Mahis Egrenné ainsi que Cent piastres portée En sa dite obligation faute devoir aComply Ses conventions Enver led' Clamorgan.

Led' Sr demandeur requiere que led' piquet soit condamné à lui payer ladite quantité de Mahis avec les Cent piastres vu le refus ded' piquet de paraître.

La Cour la condamné et condamne à payer sans délai au d' Sr de Clamorgan ladite quantité de Cinquante un minot de Mahis ainsi que les Cent piastres de des domagement porté En son obligation a deffaud par lui acomply Sa condition et le Condamne En outre a livrer le tout à Sr Louis Residance de M' Morgan pour Navoir pas fait sa livraison dans le temps qu'il est obligé ou led' Sr demandeur pouvoit la faire transporter sans frais et le Condamne En outre En tous les frais et dépens ce qui sera Exécuté.

à la même Cour.

A M' Nicolas Smith Juge de paix du G'd ruisseau.

Il vous est ordonné De prendre les Depositions De toutes les habitants de Votre district qui ont semé & recolté blés & mahis, De Doner Sur Sermant, aussi Juste qu'il est possible père la quantité
Whereupon the Court, seeing that the defendant finds it impossible to pay at present, granted him credit during this month without longer delay; in default of which the sale of his property is permitted. The Court forbids M. Lachanse to bring any suit until that time; and moreover condemns the said Martin to pay the costs of the hussier's order and summons.

At the same Court.

SAMUEL MORRIS, Plaintiff, vs. JOSEPH WORLEY, American, refusing to appear after being summoned to appear at this Court.

Since the defendant is found to owe to the said Samuel Morris twenty-seven piastres in kind according to his note as well as for money received for the said Morris, which he pledged himself to remit to the said plaintiff, the Court condemns the said Worley to pay without any delay the twenty-seven piastres, in default of which there shall be given power to seize and sell his effects up to the equivalent of what he owes; and the Court condemns the said Worley in all the costs and charges, for which there will be execution. The present judgment is addressed to M. Smith in order to have it executed without delay.

At the same Court.

M. CLAMORGAN, Plaintiff, vs. JAMES PIGGOTT, American, absent having refused to appear after having been summoned and called with a loud voice.

The plaintiff produced the note of the defendant according to which the said Piggott is found to owe fifty-one minots of shelled corn as well as one hundred piastres entered in his said obligation as penalty for not having fulfilled his agreements with the said Clamorgan.

The said plaintiff prays that the said Piggott be condemned to pay him the said quantity of corn with the hundred piastres in consideration of the refusal of the said Piggott to appear.

The Court condemned and does condemn him to pay without delay to the said M. Clamorgan the said quantity of fifty-one minots of corn as well as the hundred piastres damages entered in
qu'ils auront ceuilly pour payer la Vingt sixième partie a quiconque Sera autorisé par notre Cour Pour Recevoir Laditte dixme.  
Il sera accordé Jusqu'après La recolle a Ceux qui ne pourront absolument pas payer actuellement, Bien entendu que cecy n'est que pour ceux qui restent en Dedan De la ligne tirée par Mr Girardin notre arpenteur. 
Delivré un ordre a michel olf Et a george Biggs adressé au Sr Schemitz p^r faire paroître joseph Worley p^r repondre a leurs demandes Et obtenir le payement de ce qu'il leur doit Et faire droit a qui il appartiendra led^ jour Et an. 
Delivré un ordre au Sr Chemitz p^r faire payer joseph Worley vingt livres qu'il doit au Sr Labuxiere. 
Delivré un ordre verbal par la cour pour obliger le Sr Chemitz sur sa parole a livrer au Sr Labuxiere p^r le Sr Dubuq trois Cent livres de farine qu'il est Convenu devant la Cour redevoir p^r tous Compte. a la meme Cour. 
Mr^r ARonDel representant Le Sr Laforme demandeur Contre FRANCOIS CLARK absent aprés assignation recue a Comparoir ce jourd'hui. 
Le demandeur reclame un compte de des domagement a faute par led^ Clark de luy avoir payé suivant son billet quarante deux minots 3/ de bled, Echus depuis decembre dernier. la Cour Enule le Compte en des domagement Et condamne led^ Clark a payer sans delais les quarante deux minots Et demy de Bled faute de quoy permis de Saisir et vendre jusqua parfait payement interest et frais ce qui sera Executé. a la meme Cour.
Mr^r Clamorgan est intervenu sur la sentence cy dessus lequel a Exibe deux billets dus par le Nommé francois Clark Echus depuis lannée derniere montant a la quantité de onze Cent quarante livres de tabac lequel nous a requis Comme plus ancien Creanciers d'etre privilegie sur les Biens dud^ Clark p^r son paye-

1 Evidently an attempt to make the Americans pay church tithes. From Colonel Har-mer's statement, it is evident that the Americans were paying nothing for the support of the government or church in the year, 1787.— Smih, St. Claire Papers, II., 31.
2To what line this refers is not known.
his obligation as penalty for not having fulfilled its condition. And it
condemns him furthermore to deliver all at the St. Louis' resi-
dence of M. Morgan for not having made delivery thereof at the
time to which he pledged himself and where the said plaintiff
could have had it transported without expense; and condemns
him furthermore in all the costs and charges, for which there will
be execution.

At the same Court.

To M. Nicolas Smith, Justice of the Peace of Grand Ruisseau.

You are ordered to take the deposition of all the inhabitants
of your district who have sown and harvested wheat and corn,
and they are to make a statement on oath as justly as it is possible
in regard to the quantity that they have gathered, in order to pay
the twenty-sixth part to whomever authority shall be given by
our Court to receive the said tithe.

There shall be granted a delay until after harvest to those who
absolutely cannot pay at present, it being well understood that
this applies only to those who are within the line drawn by M.
Girardin, our surveyor.

An order delivered to Michel Olf and George Biggs, addressed
to M. Smith, to cause Joseph Worley to appear to answer their
prayers and to obtain the payment of that which he owes them
and to render justice to whom it shall belong, the said day and
year.

An order delivered to M. Smith to compel Joseph Worley to
pay twenty livres which he owes to M. Labuxiere.

A verbal order delivered by the Court to compel M. Smith on
his word to deliver to M. Labuxiere for M. Dubuque three hun-
dred pounds of flour, which it is agreed before the Court he owes
for his account in full.

At the same Court.

M. Arundel representing M. Laforme, Plaintiff, vs. Francis
Clark, absent after summons received to appear to-day.

The plaintiff claims an account, with damages as penalty,
from the said Clark for not having paid according to his note
for forty-two and a half minots of wheat, due since last December.
ment. si mieux la Cour Nadjuge Le marc La livre Entre ledt laforme Et ledt s* demandeur. sur quoy la Cour a suspendu toute saisie accordée audt s* Laforme ordonne que ledt laforme ne sera paye qua marc La livre avec Mr Clamorgan comme premier Creancier auquel marc la Lx il se Restraint condamne Clark aux frais et depens.

La Cour est adjournej au premier avril 1789.

A* Girardin psd.

a la requisition du Sr Wiliam aRundel comercceant de Canada a Eté Enregistre la Sentence arbitrale qui suit.

Nous Soussignés arbitres Nommés par ordre de la cour du district des cahos du premier de ce mois pour decidier lafaire Entre les Sr William aRundel demandeur Contre jean Bte Moret defendeur Concernant une pirogue que le Sr arundel dit que le Sr morel luy a Emmene de La prairie du chien Sans y être autorisé Et qu'il a Eté obligé de faire Son voyage icy avec Beaucoup de frais ne trouvan pas Sa voiture a la prairie du chien vû toutes les pieces produites a la cour par les deux parties Ensembles les Certificats des Sr* hamelin et Blondeau Non Sermentes qui declarent que le Sr morel a pris la voiture Sans leurs ordres ni permission.

Vu aussi les deux certificats Sermentés devant le Sr Ducharme un des juges de la cour donnez par pierre antaya Et joseph Leger dit parisien qui detruisent par leur Serment les deux precedants certificats. Nous sommes dopinion que le Sr Wiliam aRundel Soit debouté de sa demande Enver ledt morel tant du payement de la dite pirogue que de tous des domages Et quelle restera pour son compte Et risques Et cependant pour le tems et service que ledt morel a Eû de la pirogue nous estimons qu'il doit payer la moitié des frais du procés Et lautre moitié par le st a Rundel Sauf audt Sr a Rundel son recour contre le Sr amelin pour le payement de la pirogue, frais Et tous Et tous [sic] des domages sil la pretée au st morel de son Chef Sans lordre dudu Sr a Rundel aux Cahos le six decembre mil sept cent quatre vingt huit. Signé Saucier, Dumoulin Et Labuxiere arbitres Nommés.

*1 See note, p. 52.
The Court set aside the account for damages and condemns the said Clark to pay without delay the forty-two and a half minots of wheat; in default of which it is permitted to seize and sell sufficient for perfect payment with interest and costs, for which there will be execution.

At the same Court.

M. Clamorgan became a party to the above judgment, and he exhibited two notes due by the named Francis Clark, matured since last year, and which amount to the quantity of eleven hundred and forty pounds of tobacco; and he prayed us, as older creditor, to be given preference on the property of the said Clark for his payment; if the Court does not prefer to adjudge the mark in the pound between the said Laforme and the said plaintiff. Whereupon the Court stayed all seizure granted to the said M. Laforme and decrees that the said Laforme shall be paid only his percentage of the assets with M. Clamorgan as first creditor, to which percentage he is restricted. Condemned Clark to pay the costs and charges.

The Court adjourned to the 1st of April, 1789.

Ant. Girardin, Pres.

At the request of M. William Arundel, trader from Canada, there has been registered the verdict by arbitration which follows:

We, the undersigned arbitrators, named by order of the Court of the district of Cahokia on the first of this month to decide the cause between MM. William Arundel, plaintiff, vs. Jean Bte. Morel, defendant, concerning a pirogue, which M. Arundel said M. Morel had taken from him at Prairie du Chien without authority so that he had been obliged to make his journey here at great expense, because he did not find his boat at Prairie du Chien: considering all the documents exhibited to the Court by the two parties, together with the certificates of MM. Hamelin and Blon- deau, not made under oath, and which affirm that M. Morel took the boat without their order or permission; considering also the two certificates, sworn to before M. DuCharme, one of the justices of the Court, given by Pierre Antaya and Joseph
Vû la Sentence arbitrale de lautre part produite a la cour de ce jour, laquelle Sentence la cour a homologué et homologue par ces presentes Et ordonne quelle Sortira Son plain Et Entier Effet tant contre le s r à Rondel que contre le S r hamelin Sur Lequel le S r arondel aura Son recour pour le payement de sa pirogue Et frais ainsi qu'il est expliqué En ladite Sentence donné En Cour le deux mars mil sept Cent quatre vingt neuf. signé J. B. Dubuq. henry Biron. ducharme. p r Laperche. Philipe Engel. ant. Girardin.
A t Girardin

a une Cour du Six avril 1789.
Le S r jean B t e LaCroix Sest présenté pour faire delibe rer sur le prix des danrées p r le payement de ceux qui doivent a l'Eglise a Été delibe rer par la cour que la farine sera prise a vingt livres le Cent, Le bled froment Bien net et Bien Épuré a Six livres le minot.
Le mahis vané Et recevable Examt de moisisure et pouriture a quatre livres le minot.
Et le lard salé des hosse [sic] Bien conditioné a vingt sols le tout sur le pied de largent Et la cour condamne Les debiteurs a payer sans delais le montant de leurs dits Billets a quoy faire ils Seront contraint par Saisie Et vente de leurs Biens mandons a lhuissier de cette cour de mettre la presente sentence a execution nonobstant toute oposition. arrete lesd jour Et an.
Leger called Parisien, which certificates destroy by their oath the two preceding certificates; we are of the opinion that the demands of M. William Arundel against the said Morel as well for payment for the said pirogue as for damages be denied and that the pirogue remain at his risk and loss; and yet for the time and service which the said Morel has had of the said pirogue, we estimate that he ought to pay half of the costs of the suit and that the other half be paid by M. Arundel; reserving to the said M. Arundel his recourse against M. Hamelin for the payment of the pirogue with costs and all damages, if he lent it of his own accord without the order of the said M. Arundel. At Cahokia December 6, 1789. Signed, Saucier, Dumoulin and Labuxiere, arbitrators named.

Having seen the verdict by arbitration on the other side brought into Court this day, the Court affirmed and does affirm this verdict by these presents, and decrees that it shall have its full and entire effect as well against M. Arundel as against M. Hamelin against whom M. Arundel shall have his recourse for the payment of his pirogue and costs, as is set forth in the said verdict. Given in Court March 2, 1789. Signed, J. B. Dubuque, Henry Biron DuCharme, Pierre Laperche, Philippe Engel, Ant. Girardin.

Ant. Girardin.

At a Court April 6, 1789.

M. Jean Bte. LaCroix presented himself in order to have a decision given on the price of commodities paid by those who owe the church. The Court determined that flour shall be taken at twenty livres the hundred; wheat clean and well winnowed at six livres the minot.

Corn winnowed and acceptable, free from mold and brown rust, at four livres the minot.

And bacon cured des hosse [?] in good condition at twenty sols, all on the basis of money. And the Court condemned the debtors to pay without delay the amount of their said notes, to do which they shall be constrained by seizure and sale of their property. We condemn the huissier of this Court to put the present decree in execution, notwithstanding all opposition. Decreed the said day and year.
a une Cour du Six avril 1789.

Mr Jacques De Clamorgan Sest presente pr Et au Nom du s r jean Bte Pratte chargé de la procuration de dame archange Prate veuve de defunt le s r augustin Dubuque deceedé aux Cahos aux Illinois le 8 o bre 1787. ledt S r de Clamorgan demandeur En reclamation des douaires Et preciput accordé a ladite dame veuve par son contrat de mariage passe En Entr'Ele [sic] Et ledt defunt au moyen de la renonciation quelle a faite a la Communauté dentr elle Et ledt defunt. Vu par la cour le Susdit contract de mariage En datte du dix sept octobre mil sept cent soixante dix huit passe devant Mr fauber N r de La province de quebec par lequel il est Constitué pr douaire a ladite dame veuve La Somme de Cinq mille livres de douaire prefix et 3 ans retour et pr preciput la somme de quinze cent livres formant En total la somme de six mille Cinq cent livres, vu aussi une declaration En forme dinvantaire Estimatif des meubles Et effets qui se sont trouvez chés la dame dubuque En Canada fait par Mr le Guay Et papineau N re legalisé par Mr de Ronville juge a montreal, montant a la somme de douze Cent quatre vingt deux livres un sol qui sont a deduire sur ladite somme de six mille Cinq cent livres partant Reste pr les reprises de ladite dame veuve la somme de Cinq mille deux Cent dix sept livres dix neuf sols. Vu aussi la procuration de ladite dame adressée audt s r jean Bte Pratte pour recevoir Ses droits aux illinois En datte du Sept juin mil sept cent quatre vingt huit duement Legalisée En bonne form le tout Consideré et mereument Examiné La Cour a aloué et aloue a ladite dame veuve dubuque ladite somme de six mille Cinq cent livres pr son douaire Et preciput sur laquelle somme il sera deduit celle de douze cent quatre vingt deux livres un sols quelle a retenu par ses mains Suivant letat Estimatif cy dessus mentionné Et En consequance luy sera payé la s r de Cinq mille deux cent dix sept livres dix neuf sols pr tous droits quelle a a Esperer sur ladite succession dudt defunt son mary aux illinois que le s r Labuxiere Chargé du recouvrement luy comptera aussitost qu'il aura recouvre des fonds suffisament pr Remplir ladite ladite [sic] somme Et dont il luy sera

1 For other references to this same case see pp. 309–313, 315, 323–327, 385–381, 393, 420, 513.
COURT RECORD, APRIL, 1789

At a Court April 6, 1789.

M. Jacques Clamorgan presented himself for and in the name of M. Jean Bte. Pratte intrusted with the power of attorney of Madame Archange Pratte, widow of the deceased M. Augustin Dubuque, who died at Cahokia in the Illinois November 8, 1787, and brought suit for dower rights and jointure, which were accorded to the said widow by her contract of marriage, passed between her and the said deceased, on the plea of the renunciation which she has made of the community of goods between her and the said deceased.¹

The Court having seen the contract of marriage aforesaid under date of October 17, 1778, passed before M. Faucher, notary of the province of Quebec, by which there is settled on the said widow for dower the sum of five thousand livres of fixed dower and three years reversion and for jointure the sum of fifteen hundred livres; and having seen also an affidavit in the form of an appraised inventory of furniture and effects, which are at the house of Madame Dubuque in Canada, made by M. Le Guay and Papineau, notaries, and legalized by M. de Rouville, justice at Montreal, and amounting to the sum of twelve hundred and eighty-two livres one sol, which are to be deducted from the said sum of six thousand five hundred livres; therefore there remains for the recovery by the said widow the sum of five thousand two hundred and seventeen livres nineteen sols; having seen also the power of attorney of the said lady, sent to the said M. Jean Bte. Pratte empowering him to receive her just dues in the Illinois, dated June 7, 1788, duly legalized in good form: all having been considered and carefully examined, the Court allowed and does allow the said Madame Dubuque, widow, the said sum of six thousand five hundred livres for her dower and jointure, from which sum there shall be deducted the sum of twelve hundred and eighty-two livres one sol, which she has retained in her hands according to the statement of the appraisement mentioned above; and consequently there shall be paid to her the sum of five thousand two hundred and seventeen livres nineteen sols to satisfy all her just claims which she has a right to expect from the said
...
estate of the said deceased, her husband, at the Illinois, which sum M. Labuxiere, intrusted with the recovery, will pay to her as soon as he shall have collected funds sufficient to make up the said sum, and there shall be rendered an accounting thereof to him on the receipt, written on the bottom of the power of attorney aforesaid, which he will obtain from the said M. Jean Bte. Pratte, for which there will be execution notwithstanding all opposition and by preference to all other creditors. Made and given by the Court the said day and year.

    hBi Bte. Dubuque.
    DuCharme. His
    Philippe Engel. Louis + Chatal
                  mark

At the same Court.

M. Reilhe presented a petition against Isidore LaCroix intrusted with the cause of Gigon against the estate of Dubuque. By the reference of the Court it was decreed that it shall be stayed till the arrival of the said M. LaCroix.

The Court adjourned to the first of May next.

Ant. Girardin.

At a Court, May 1, 1789.

François Chevalier, Plaintiff, vs. Louis Ciquar and Denis Lavertu, Defendants.

The plaintiff claims fifteen livres for the additional rent of a canoe, which he rented the defendant for a month, which rent has been paid; but since the defendant kept the canoe a longer time, the plaintiff claims the said sum of fifteen livres for the rent during a part of the winter.

The defendant replied that he believed that he had paid him enough and that he did not think he was in debt to him.

The plaintiff offers his oath that the fifteen livres are due him and this was accepted by the defendant.

Whereupon the Court caused François Chevalier to take oath and condemned the defendant to pay him the said sum of fifteen
livres Et condamne les défendeur aux frais que nous avons liquidez
a dix livres qui sont dus au greffier a deffaud par lhuissier d'avoir
delivré Lordre lesquels frais seront avancés par le Sr Chevalier
sauf son Remboursement Enver le défendeur ce qui sera Executé.
Bte Dubuque

. du Six May mil Sept cent quatre vingt neuf a une Cour Ex-
traordinaire tenue a la demande de francois huberdeau.

Ledt Sr HUBERDEAU demandeur Contre la SUCCESSION de deffunt
AUGUSTIN DUBUQUE En privilege de Sa Creance sur laquelle Est
intervenû Mt Reilhe chargé de la procuration de Mr Gamelin
Et Mr Izadore LaCroix oposant audt privilege d'autre part. def-
fendeur Mt De Rocheblave aussi oposant audt privilege.

Sur les representation que francois huberdeau a fait a la Cour
qu'il est party de Canada pour venir recevoir Les droits qui luy
Revenoit dans la succession de feu Jean Bte huberdeau Son frere
decedé aux ilinois, Sur lesquels droits deffunt le Sr augustin du-
buque a recû de Simon huberdeau Son frere la quantité de deux
cent piastres gourdes pour luy faire toucher En Canada suivant
lobligation dudt deffunt dubuque cautionnée par le Sr Joseph
Marie Papin passeé devant Mr Cruzat commandant de la partie
espagnole a St Louis, sur laquelle somme luy a Eté offerte par
madame dubuque En Canada huit cent cinquant deux livres aux
Conditions qu'il donneroit une quittance generale pour tous Ses
droits dans la Sucession dudt deffunt jean Bte huberdeau son frere
ce qu'il a refusé Et a En consequance pris le party de venir luy
meme a la poursuite de Ses droits contre son frere simon huberdeau,
Et En meme tems reclamer sur la sucession de deffunt dubuque les
deux cent piastres gourdes qu'il devoit luy faire toucher En
Canada En vertu de Sa Susdite obligation En datte du 23 may
1786 avec les frais et depens qu'il est obligé de faire conclud a ce
que ladite somme de deux cent piastres luy soit payée par ladite
Sucession Et tous Ses frais et depens.

ou Mr Reilhe, Izadore laCroix Representant Mte Pre Gamelin

\footnote{This is the son of Philippe de Rocheblave, the former acting governor of Illinois, not the
governor himself, as is proved by his signature, which is totally different from that of the elder
Rocheblave.}
livres and condemns the defendant to pay the costs, which we have set at ten livres, which are due to the clerk because of the failure of the huissier to deliver the summons, which costs shall be advanced by M. Chevalier, reserving his reimbursement from the defendant, for which there will be execution.

Bte. Dubuque.

The 6th of May, 1789, at a special session of the Court held on the petition of François Huberdeau.

The said M. Huberdeau, Plaintiff, claiming as preferred creditor, vs. the estate of the deceased Augustin Dubuque in which suit there intervened M. Reilhe, intrusted with the power of attorney by M. Gamelin, and M. Isidore LaCroix, both opposing the said privilege, and of the other part M. de Rocheblave, defendant, also opposing the said privilege.

François Huberdeau sets forth to the Court that he left Canada to come to receive the just dues, which accrued to him from the estate of the late Jean Bte. Huberdeau, his brother, deceased in the Illinois; of which dues the deceased M. Augustin Dubuque received from Simon Huberdeau, his brother, the sum of two hundred piastres gourdes, in order that he might remit them to him in Canada, according to the obligation of the said deceased Dubuque which was guaranteed by Joseph Marie Pepin and drawn before M. Cruzat, commandant of the Spanish side at St. Louis; of which sum there had been offered him in payment by Madame Dubuque in Canada eight hundred and fifty-two livres on condition that he should give a receipt in full for all his just dues in the estate of the said Jean Bte. Huberdeau, his brother, which he refused; and consequently he resolved to come himself to sue for his rights against his brother, Simon Huberdeau, and at the same time to claim from the estate of the deceased Dubuque the two hundred piastres Gourdes which he [Dubuque] ought to have remitted to him in Canada in virtue of the obligation aforesaid under date of May 23, 1786, together with the costs and charges, which he has been obliged to make; and he concludes that the same sum of three hundred piastres should be paid him by the said estate with all costs and charges.
Heard MM. Reilhe, Isidore LaCroix, representing MM. Pierre Gamelin and Gigon, and M. de Rocheblave acting in his own name, who prayed and set forth that the said François Huberdeau could not be received as preferred creditor in the Illinois to receive there the two hundred piastrs demanded by him: firstly, because he had refused them in Canada; secondly, because M. Dubuque had become bankrupt and that consequently his claim ought not to be regarded as preferred and that he ought to be referred to the syndic who shall be named by the creditors in virtue of the decree of the Court of December 1, 1788; and they therefore pray for the dismissal of the said Huberdeau, and that the pretended privilege demanded by him be denied.

After the parties were heard in their prayers, replications, answers, requisitions and conclusions, the Court, after having maturely examined and deliberated on the said cause, received and does receive the said François Huberdeau in the number of preferred creditors of the estate of the deceased Augustin Dubuque for the two hundred piastrs gourdes, which the said deceased should have sent him in Canada, without any condition or renunciation of his other rights which hindered him from receiving the said sum in Canada from the hands of Madame Dubuque; and the Court decrees that there shall be named three merchants to make the evaluation of the piastrs in Canada and of the difference in Illinois in order that the excess be paid to him with the capital of two hundred piastrs in Spanish treasury-notes and peltries, as the trustee of the estate may receive them; and as to the account of costs and charges which the said François Huberdeau brought into Court this day, the said Court decrees likewise that it shall be determined by the same arbitrators; it condemns the estate of Dubuque to pay the costs of the present special session according to the account which shall be produced and verified by one of the magistrates of this Court, in order that the said sums joined and evaluated be paid by preference by M. Labuxiere, trustee of the said estate, before any payment of money to other creditors.

This debt we accord the right of preference, since it was
et Gigon Et Mr de Rocheblave agissant En Son Nom Lesquels ont demandé Et represente que ledt francois huberdelau ne pouvoit Etre recû Creancier privilegie aux ilinois $p$ y recevoir les deux cent piastres par luy demandé $r$ parcequ'il Les avoit refusées en Canada 2$^o$ En ce que le Sr Dubuque avoit fait une faillite Et que En conseuquence sa Creance ne devoit pas Etre regardée Comme privilège Et qu'il devoit etre Renvoyé au Sindic qui sera nommé par les Creanciers En vertu de la sentence de la Cour durt$^e$ decembre 1788. Requerant a ce Effet le Renvoy dudt huberdeau Et qu'il soit debouté de Son pretendû privilège par luy demandé.

Parties ouies En leurs demandes Repliques, responses Requisitions Et Conclusions. la Cour apres avoir murement examiné Et delibér Sur ladite affaire, Elle a recû Et reçoit ledt francois huberdeau au nombres des Creanciers privilegie sur la Sucession de dejunt Augustin dubuque pour les deux cent piastres gourdes que ledt dejunt lui devoit faire toucher En Canada Sans aucune Condition ny renonciation a Ses autres droits ce qui la Empêché de recevoir la dite somme En Canada des mains de madame dubuque. ordonne ladite Cour qu'il Sera Nommé trois Negociants pour faire le valuation des piastres En Canada Et de la difference des ilinois pour le Surplus luy etre payé avec le Capital des deux cent piastres En Bon de la Caisse espagnole Et pelterie tel que le Charge de la sucession pourra les recevoir Et quand au compte du frais et depens que ledt francois huberdeau a produit a la Cour ce jour. ordonne pareillement ladite Cour qu'il sera taxé par les meme arbitres. condamne la sucession dubuque aux frais de lextraord$^e$ de la presente Cour suivant le Compte qui en sera produit Et vareté par un des magistra de cette dite Cour pour les dites sommes jointes Et evaluées Etre payée privilegiere par le Sr Labuxiere chargé de ladite sucession ayant toute delivraison de deniers aux autres Creanciers.

Laquelle Creance nous accordons privilegiere comme ayant Eté formée aux ilinois Et En conseuquence y Etre liquidées. dont ledt Sr Labuxiere Sera Bien et valablement dechargé En

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1 The correct date is December 1, 1787. See supra, p. 311.
Heard MM. Reilhe, Isidore LaCroix, representing MM. Pierre Gamelin and Gigon, and M. de Rocheblave acting in his own name, who prayed and set forth that the said François Huberdeau could not be received as preferred creditor in the Illinois to receive there the two hundred piastres demanded by him: firstly, because he had refused them in Canada; secondly, because M. Dubuque had become bankrupt and that consequently his claim ought not to be regarded as preferred and that he ought to be referred to the syndic who shall be named by the creditors in virtue of the decree of the Court of December 1, 1788; and they therefore pray for the dismissal of the said Huberdeau, and that the pretended privilege demanded by him be denied.

After the parties were heard in their prayers, replications, answers, requisitions and conclusions, the Court, after having maturely examined and deliberated on the said cause, received and does receive the said François Huberdeau in the number of preferred creditors of the estate of the deceased Augustin Dubuque for the two hundred piastres gourdes, which the said deceased should have sent him in Canada, without any condition or renunciation of his other rights which hindered him from receiving the said sum in Canada from the hands of Madame Dubuque; and the Court decrees that there shall be named three merchants to make the evaluation of the piastres in Canada and of the difference in Illinois in order that the excess be paid to him with the capital of two hundred piastres in Spanish treasury-notes and peltries, as the trustee of the estate may receive them; and as to the account of costs and charges which the said François Huberdeau brought into Court this day, the said Court decrees likewise that it shall be determined by the same arbitrators; it condemns the estate of Dubuque to pay the costs of the present special session according to the account which shall be produced and verified by one of the magistrates of this Court, in order that the said sums joined and evaluated be paid by preference by M. Labuxiere, trustee of the said estate, before any payment of money to other creditors.

This debt we accord the right of preference, since it was
Rapportant l'obligation dudit s't Dubuque quittance par ledt français Huberdeau avec le Compte produit dudit Huberdeau et frais de justice fait et délibéré en Cour par M's antoine Girardin Président, Charles duCharme, Philippe Engel, Henry Biron, Pierre Laperche, Jean B't Dubuque, Et Louis Chatel Magistrats pour Etre Exécuté Nonobstant toute oposition lesdt jour et an.

[Signed]
B Dubuque
Henry hBI Biron
Louis + Chatel
Philippe Engel
Pierre Laperche
Ch DuCharme
A't Girardin.

a la meme Cour.

M's Reilhe representant M's Gamelin Contre M's Izadore LaCroix representant M's Gigon.

M's Reilhe en sa dite qualité a prouvé que ledt s't Izadore laCroix ne pouvait être recu Créanciers privilegie sur les Bens de defunt Augustin Dubuque 1s. En ce que la Saisie provisoire qu'il a obtenu du vivant du s't Dubuque Est illegale et que ledt defunt Dubuque Est mort dans l'instant de la saisie Netant dailler que provisoire Et que la Cour na point fait droit sous la huitaine porté par les ordres de La validité de ladite Saisie 2s. que la sentence que ledt s't Izidore LaCroix a obtenu de la Cour le 7 may 1788 Est obreptive Et subractive La Cour N'ayant pas suffisamment été informée de la legitimté des Creances du s't gigon representé par le s't isidore LaCroix. Concluant a ce que ledt s't LaCroix soit Renvoyé par sa pretendue Creance au syndic des autres Créanciers après qu'il aura Recu le reliquat de ladite succession le s't Gigon netant que commis du s't Gamelin Et non Equipeur dudit defunt Dubuque comme lavance le s't LaCroix.

1 The explanation of this declaration seems to be the following: Izadore La Croix obtained on November 8, 1787, from the justice of the week a writ of seizure against Augustin Dubuque; but the latter died on the day the writ was served. This writ should have been confirmed by the full Court within the week, but this was not done, although some kind of a decree was rendered November 12, 1787, and recorded later. On account of the death of Dubuque, it was disclosed that he was a bankrupt, and his creditors attempted to obtain the rights of preferred creditors; but the Court protected first the rights of those who had been wounded and whose property had been damaged by the explosion of gunpowder, for which Dubuque was responsible, and also the rights of the widow and the creditors living in Illinois. After all these had been paid the creditors from Canada and elsewhere were to divide proportionally the balance of the estate. Izadore La Croix, however, expected that he would be numbered among the preferred creditors because of his earlier attachment, and on May 7, 1788, he did obtain a confirmation of his claim, which now the Court after further investigation disallowed. See pp. 323-327.
incurred in the Illinois and consequently should be liquidated
there; and the said M. Labuxiere shall be well and legally dis-
charged thereof when he shows the obligation of the said M. Du-
buque receipted by the said François Huberdeau with the account
produced by the said Huberdeau and the costs of justice.
Made and decreed in Court by MM. Antoine Girardin, President,
Charles DuCharme, Philippe Engel, Henry Biron, Pierre Laperche,
Jean Bte. Dubuque and Louis Chatel, magistrates, to be put
in execution notwithstanding all opposition, the said day and
year.

[Signed]
B. Dubuque.
Philippe Engel.
Pierre Laperche.

Henry hBi Biron
Ch. DuCharme.

Louis + Chatel.
Ant. Girardin.

At the same Court.
M. Reilhe representing M. Gamelin vs. M. Isidore LaCroix
representing M. Gigon

M. Reilhe in his said capacity proved that the said M. Isidore
LaCroix could not be received as preferred creditor of the prop-
erty of the deceased Augustin Dubuque: 1st, because the pro-
visional seizure, which he obtained during the life of M. Dubuque
is illegal and because the said deceased Dubuque died at the
moment of the seizure, which was moreover only provisional,
and because the Court did not decree within the week, fixed by
its orders, concerning the validity of the said seizure; 2nd,
because the decree which the said M. Isidore LaCroix obtained
from the Court, May 7, 1788, is obreptitious and surreptitious,
since the Court was not sufficiently informed of the legitimacy
of the claims of M. Gigon, represented by M. Isidore LaCroix;
and he concludes that the said M. LaCroix should be referred
for his pretended claims to the syndic of the other creditors after
the latter shall have received the balance of the said estate, the
said Gigon being only the deputy of M. Gamelin and not the
furnisher of the said deceased Dubuque as M. LaCroix ad-
ances.¹
ouy led\textsuperscript{t} s\textsuperscript{t} LaCroix qui a persiste dans son privilege a luy accordé par ladite sentence du 7 may 1788 p\textsuperscript{t} toute deffences.

La Cour après avoir murement delibéré a mis \textit{Et met ladite sentence du 7 may 1788 au Neant comme ayant \textit{Eté rendue en absense dud\textsuperscript{t} s\textsuperscript{t} Reilhe obreptivement et subrebtivement nayant pas \textit{Eté suffisament informée Et Renvoy led\textsuperscript{t} s\textsuperscript{t} izidore LaCroix p\textsuperscript{t} toute sa Creances avec les autres Creanciers a Se pourvoir ver le sindic qui sera nommé p\textsuperscript{t} En Etre delibéré ainsy qu'il aviseron ce qui sera executé lesdt\textsuperscript{t} jour et an.

\textit{[Signed]}

DuCharme  
B\textsuperscript{t}e Dubuque  
Pierre Laperche  
Labuxiere  
Phillipe Engel  
hBi  
Louis + Chatel  
A\textsuperscript{t} Girardin.

Du 18 may 1789 a Sept heures du matin.

delivré une Saisie a Louis Coste pour saisir \textit{Et arreter une paire de Bœuf que pierre Billet a remis} \textit{Entre les Mains du Nommé gassien p\textsuperscript{t} etre vendus dimanche prochain a deffaud de payement ladite saisie signé dubuque magistra.}

Le meme jour a Neuf heures du matin.

delivré une saisie a françois lapensée pour saisir les memes Bœuf avec deffences aud\textsuperscript{t} gassien de Sen \textit{Dessaisir a peine dEn repondre que la Cour Nen ay ordonné.}

du 19 may delivré une Saisie provisoire a françois saucier pour saisir entre les mains de pierre durbois deux Bariques de tafia appartenant a michel peltier dit antaya.

du 20 may 1789 delivré un ordre dassignation a \textit{jean farelle p\textsuperscript{t} faire paroitre paul poupart a la Cour du 1er juin.}

du 2 juin delivrè un ordre a p\textsuperscript{t}e martin Contre p\textsuperscript{t}e Billet p\textsuperscript{t} paroitre a la cour de cejourdhuy.
Heard the said M. LaCroix who persisted in his privilege accorded him by the said decree of May 7, 1788, in spite of all arguments.

The Court, after having maturely deliberated, annulled and does annul the said decree of May 7, 1788, as having been rendered in the absence of the said M. Reilhe obreptitiously and surreptitiously and since the Court was not sufficiently informed, and it dismisses the said Isidore LaCroix to plead with the other creditors for all his claims before the syndic who shall be named that there may be decision thereon as they shall advise; and there will be execution the said day and year.

[Signed] Philippe Engel.
DuCharme. hBi
Bte. Dubuque.
Pierre Laperche. Louis + Chatel.
Labuxiere. Ant. girardin.

May 18, 1789, at 7 A. M.

Issued a writ of seizure to Louis Costé to seize and secure a pair of oxen, which Pierre Billet delivered into the hands of the named Gassien, to be sold Sunday next in default of payment.

The said seizure signed Dubuque, Magistrate.

The same day at 9 A. M.

Issued a writ of seizure to François Lapancé to seize the same oxen with warning to the said Gassien not to give them up until the Court has decreed concerning them, on pain of being held responsible therefor.

May, 19, issued a writ of provisional seizure to François Saucier to seize two casks of tafia belonging to Michel Pelletier called Antaya, now in the possession of Pierre Dubois.

May 20, 1789, issued a summons on complaint of Jean Farelle to cause Paul Poupar to appear at the Court of June 1.

June 2, issued a summons on complaint of Pierre Martin against Pierre Billet that he appear at the Court of to-day.
A la Cour de la ville de Blois.

Michael, procureur du Président
Laurens, maître
Pierre de la Tour
Jean de Duboix

Le procureur demande que le sieur Pierre Billet ay a la Cour remere une lettre avec son beau que le sieur Billet ay fait depuis longtemps a quoy le sieur a repondu que le sieur Martin ay ait fait saisir un Cheval que le sieur Martin ait cesse.

Le sieur Martin a replique que le Cheval nayoit jamais part et que le Cheval nayoit pas. Enfinant que le sieur Martin ayoit saisie sans le voir ni nayroit avoir dit Etant Ecart dans les Bois que le sieur Cheval ay point part depuis ce temps qu'il ne peut pas representer le Cheval donnant que le sieur Thom Huisser ne la point esquire.

Le sieur considère parties ouies, la Cour a décidé que si le Cheval a retrouve par les recherches quen serait Pierre Martin il est mené par le sieur Pierre Billet. Et que cependant il demeura sur les rières du sieur Billet. Laquelle Recherche sera faite a la diligence du sieur Pierre Martin. Et condamne le sieur Pierre Billet après la remise du sieur Cheval, de livrer sans délai la vache et le vau autre Martin depend compte. Entrez qui seront payé si le compte que produira le greffier ce qui sera executé Et condamne le sieur Billet a payer la prise du Cheval.

A la même cour.

Lettre de Jean Dumoulin contre Thom Breidy

Thom Breidy a produit un compte a la Charge du sieur Dumoulin montant a quatre vingt dix sept livres.

Le sieur Dumoulin a dit nayoir point Est assigné qu'il ait un compte a produire au sieur Breidy qu'il demandoit a Etre renvoyé a la Cour prochaine. Le tout Examiné la Cour a Renvoyé les deux parties. A Se pourvoir par devant trois arbitres qu'il nommèrent laute de quoy En sera nommé par la Cour p't leur rapport être rapporté a ladite cour y Etre homologué depens reservez jusques aud' temps.

A la même Cour Est comparu Pardevant nous Magistra Sou-
At a Court, June 2, 1789.

MM. Antoine Girardin, President.  Henry Biron.

PIERRE MARTIN, Plaintiff, vs. PIERRE BILLET, Defendant.

The plaintiff prays that the said Pierre Billet be held to deliver to him a cow with her calf, which he has owed him for a long time; to which the said Billet answered that M. Martin had obtained a seizure on a horse, which was lost.

To which the said Martin replied that the horse had never appeared and that the horse was not alive; that the huissier had put it under seizure without seeing it or knowing if it was alive, since it was running in the woods; that the said horse has not appeared since then; that he could not be responsible for the horse in as much as M. Tom, huissier, did not sequester it.

All considered and after the parties were heard, the Court decided that, if the horse is found through the searches, which Pierre Martin shall make for it, it shall be restored by him to Pierre Billet; that, however, it shall be at the risk of the said Billet; that the search shall be made at the suit of the said Pierre Martin; and the Court condemns the said Pierre Billet, after the delivery of the said horse, to deliver without delay the cow and the calf to the said Martin; and condemns both to pay the costs, which shall be paid according to the account, which the clerk will produce, for which there will be execution; and condemns M. Billet to pay for the capture of the horse.

At the same Court.

M. JEAN DUMOULIN vs. TOM BRADY

Tom Brady brought in an account charged to M. Dumoulin, amounting to ninety-seven livres.

M. Dumoulin said that he had not been notified and that he had an account against the said Tom Brady to produce; and he demanded that the case be dismissed to the next Court. All examined, the Court dismissed the two parties to plead before three arbitrators, whom they shall name, in default of which some shall be named by the Court, and that their report be returned to the
signé M. Daniel McI. Duff habitant demeurant aux Caskakias Lequel nous a requis de recevoir Sa déclaration sur un vol avec fracture qu'il y a été fait En Sa maison ault village de kaskakias.

Et après que led. Daniel michel Duff a En fait serment devant nous Sur les Saints Evangiles de faire Sa déclaration sincere Et veritable.

a déclaré que le douze du mois de May dernier dans la nuit ne pouvant dire au juste heure que à la pointe du jour il Sest aperçu que le Contreven dune fenêtre de Sa maison avoit été force Et que l'ont avoit arraché Le gond dEn bas ce qui avoit été fait avec force dans la nuit précédente, Et que dans l'insant il Sest aperçu que Sa negresse Et Son Enfant manquait avec plusieurs Effets Et meubles de Sa maison. que le lendemain il a été informed par des personnes que la negresse et Son enfant etoito En la posession de Mr de Clamorgan Negociant de St. Louis Et que l'ont lavoit vu Sur le fleuve avec ladite negresse lenfant Et deux negres qu'il a voit faire saisir a Ste genevieve qu'il remontoit pr. Revenir a St. Louis qu'il a aparence que le sr. Clamorgan a fait de nuit chés lui lelevement de ladite negresse que quelques jours auparavant le déclarant SEtant trouvé a St. Louis fut voir Mr. Clamorgan pr. le payer ou prendre des arangement qu'il y avoit offert des esclaves pr. lui en procure[r]? la vente. que Mr. Clamorgan Les avoit proposé a Mr. dubreuil et qu'aprés Sêtre parlé luy déclarant est convenu avec Mr. dobreuil du prix de dix huit Cent piastres pr. deux negres, deux negresse, Et deux Enfans. dont Mr. dubreuil devoit remetre neuf cent piastre a Mr. Clamorgan En bon de la Caisse ou pellerie En acompte de ce quil luy devoit et quil toucheroit lui déclarant les autres neuf Cent piastres En espèces sonnantes des mains de Mr. dubreuil ce qui fut signé par un accord Entre Mr. dubreuil, Mr. Clamorgan, Mr. george morgan Et le déclarant, qui s'obligéoit de livrer les dits Esclaves a Ste. genevieve chés Mr. valée ce quil a Effectué a la reserve dune negresse qui etoit acoucher Et qu'il etoit convenu d'envoyer après son relaslement après que lesd. negres ont été traversés a Ste genevieve, led. sr. Clamorgan au lieu de

1 This declaration was made by a Kaskakian in the court of Cahokia, because there was no court in his own village. See Introduction, p. 1st.
said Court to be there affirmed, costs being reserved until the said time.

At the same Court there appeared before us, the undersigned magistrates, M. Daniel McElduff, inhabitant of Kaskaskia, who has requested us to receive his declaration in regard to a theft and house-breaking, which was made at his house in the said village of Kaskaskia.

And after the said Daniel McElduff made oath before us on the Holy Gospels to make his declaration sincere and truthful, he declared that on the twelfth of the month of May last—he is not able to tell the exact hour but it was at the break of day—he perceived that the shutter of a window of his house had been forced and that some one had torn away the hinge from the bottom of it, and that it had been done with force in the preceding night, and in a moment he noticed that his negress and her child were missing with several effects and pieces of furniture; that the next day he was informed by some persons that the negress and her child were in the possession of M. Clamorgan, merchant of St. Louis, and that he had been seen on the river with the said negress and child and two negroes whom he had had seized at Ste. Genevieve, and that he was ascending the river to return to St. Louis; and that it would appear that M. Clamorgan made the abduction of the said negress at night from his house; that some days before, the deponent, being at St. Louis, went to see M. Clamorgan in order to pay him or to make arrangements; that he had offered him slaves to make a sale thereof for him; and that M. Clamorgan had offered them to M. Dubreuil and that after having spoken to him himself, the deponent agreed with M. Dubreuil, for the price of eighteen hundred piastres, to sell him two negroes, two negresses and two children; of this sum M. Dubreuil was to remit nine hundred piastres to M. Clamorgan in treasury notes or peltries as instalment on that which he, the deponent, owed, and that he would receive the other nine hundred piastres in hard cash from the hands of M. Dubreuil. This was signed by agreement between M. Dubreuil, M. Clamorgan, M. George Morgan, and the deponent who pledged himself to deliver the
tenir sa Convention a Surpris une saisie de M^e Peyrét Commandant a St Louis p^e semparer des dits Esclaves. a qui le St^e Francois valé a Eût ordre de M^e peyroux de les remettre et les a traduit a St Louis ou ils sont En sa possession Et a remis a M^e Dubreuill la Convention quils avoient signé Entreux et que quelque jours après il est descendu avec deux negres p^e faire la fraction Et lenvement de la negresse qui avoit resté. ainsy qu'il le deposé En tete de la presente declaration.

que comme une pareille tromperie ne peut etre regardée que Comme un vol manifeste Et Enlevement nocturne fait avec fraction, et une supercherie manifeste le declarant a requis acte contre ledt St^e Clamorgan p^e Le poursuivre Criminellement ou il pourroit etre trouve requerant a cette fin qu'il luy soit delivré contre ledt de Clamorgan une prise de Corps pour etre pris et arreté sur cette Rive sil peut y Etre découvert declarant que sa presente deposition Est sincere Et Veritable sous le serment qu'il a fait.

[Signed]

Ducharme  Daniel McElduff
pierre la perche  B^e Dubuque
Phillipe Engel  A^e Girardin.

Et Ledit jour En vertu de la declaration ci dessus faite par le St^e daniel mich^l Doff Et de Sa requisition au bas dicelle. il es enjoint et ordonné aux bailly, ou huissier de cette dependances ou autres qu'il partielendra sur cette Rive ameriquaine de Saisir Et arreter Le Corp et personne du St^e de Clamorgan par tout ou il pourra être trouvé sur cette terre et dependance ameriquaine pour etre detenu prisonnier dans les prison de cette cour ou autres ou il pourra être pris jusques a son Entiere justification et qu'il en soit par justice ordonné donné par la Cour lesd^t jour Et an.

A^e Girardin.

1 At the end of the volume containing the settlement of the Charlestown estate.—Cah. Rec., in Belleville, Ill., there has been bound the following letter addressed to Antoine Girardin: 

"Sir: When I was last at St. Louis, I settled all matters in Difference between me and Mr. James Clamorgan, for which reason and in pursuance of our Settlement I beg that the process issued out of your Court at my Instance, may, (if you & the Court should think proper) be stopped & that no further Proceedings may be made therein.

On my Return from St. Louis to this Place I called at your House with the Intention of giving you the same advice but as I was not fortunate enough to find you at Home I take this opportunity to inform you of it. I am Sir your most obedient & very obliged humble servant, Danl McElduff. Kaskaskia 9th July 1789."
said slaves at Ste. Genevieve at the house of M. Vallé; and this he had done, with the exception of a negress who was in child bed and whom he had agreed to send after her recovery. After the said nègroses were sent across to Ste. Genevieve, the said M. Clamorgan, instead of keeping his agreement, obtained by deceit a writ of seizure from M. Peyrez, commandant at St. Louis, to obtain possession of the said slaves and M. Fr. Vallé received an order from M. Peyrez to deliver them to him; and he took them to St. Louis where they are in his possession; and he delivered to M. Dubreuil the covenant which they had signed together; and that some days after, he came down with two negroes to make the house-breaking and abduction of the negress who remained behind, even as the deponent has deposed in the beginning of the present declaration.

That, since such a deception could only be regarded as a manifest theft and nocturnal abduction with house-breaking and manifest fraud, the deponent prayed for a writ against the said M. Clamorgan to prosecute him by criminal action, where he may be found; praying to this end that there be delivered to him a capias for his apprehension and arrest on this bank, if he can be discovered here; and he declares under the oath which he has made that his present deposition is sincere and true.

[Signed]


And the same day in virtue of the declaration hereabove made by M. Daniel McElduff and of his requisition there below, commands and orders are given to the bailiff or huissier of this dependency, or others whom it shall concern on this American bank, to apprehend and arrest the body and person of M. Clamorgan wherever he can be found in this land and American dependency that he may be detained a prisoner in the prison of this Court, or of others where he may be apprehended, until his entire vindication and a decree thereof by justice has been made. Given by the Court the said day and year.¹

Ant. Girardin.
19th CENTURY HISTORICAL COLLECTIONS

A même jour,

Délivré une saisie à David Waddel pour saisie conservatoirement et provisoirement les biens mobiliers et immobiliers de Thomas Clark tant à la belle famille grand Raisse. Sa dite saisie portant prise de ce tout entre les mains de Thomas Clark pour la somme de six cent vingt-six livres et six péniers. Elles depuis le ler. août 1788 à demaner par la diligence de payer signée les dits ordres dasmaine Girardin président.

Du même jour, délivré une ordre d‘assignation à Isidore Savoy dit Cadiey, contre MM. de Se Pierre Martin, pl. paroiss., à la même cour.

Délivré un avis mentionnant que les demandes furent acquises.
COURT RECORD, JUNE, 1789

At the same Court.

Issued a writ of seizure to M. Pierre LaCoste against Chateleereau, provisional and privileged, with injunction to M. Mailhet to have it executed for the sum of twelve hundred and forty livres four sols in peltries.

The Court adjourned to the first of next July.

Ant. Girardin.

June 10 [?], issued a writ of seizure against Pierre Billet at the requisition of Pierre Lafleur to attach an ox or a yoke of young oxen which he exchanged with Pierre Martin.

June 18, issued a summons to François Harnoux to compel the estate of Moore to pay 13 minots of wheat for the costs of the harvest, addressed to MM. Biggs and Bond, testamentary executors.

June 30, issued a writ of seizure to Bte. Mercier into the hands of Bte. Alarie on Charles Becquet to seize nine piastres which the said Alarie owes Becquet.

June 23, 1789, issued a writ of seizure to David Waddel to seize by way of preservation and privilege the personal goods and effects belonging to Francis Clark in Bellefontaine, Grand Ruisseau and other places of this district. The said writ of seizure contains a capias against the said Francis Clark for the sum of six hundred and twenty-eight livres in piastres, due since October 1, 1788; given for default of payment by him and the said writ is signed by Antoine Girardin, President.

June 30, issued a summons on complaint of Isidore Savoy called Cadien against M. de St. Pierre curé that he appear at the Court July 1.

Same day, issued a summons to Gabriel Baron against Pierre Martin that he appear at the same Court.
Le lieu dit "le Bocce" est en partie la Cour intérieure et en partie la Cour extérieure. La Cour intérieure est comprise dans les terres qui sont réservées par les habitants de cette commune. La Cour extérieure est la terre qui n'est pas réservée. Expressément, il est précisé que la Cour est la partie "internet" de Bocce.

Le 21-07-1973, la Cour a été vendue à une personne qui n'est pas membre de la famille Bourges. Elle a acheté cette Cour sur le fond et les parties de fond qui lui appartiennent.

M. le curé de Saint-Pierre a présenté une requête en date de 1974 pour reclamer des madriers appartenant à

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*A lexical error* - M. de St. Pierre was in the room waiting for his suit to be called.
COURT RECORD, JULY, 1789

At a Court, July 1, 1789.

MM. Ant. Girardin, President. Bte. Dubuque
Philippe Engel. Louis Chatel.
Charles DuCharme. Henry Biron.
Pierre Laperche.

M. CHARLES CADRON, Plaintiff, v.s. MATURIN BOUVET, Defendant.

M. Charles Cadron claims a bell from M. Bouvet which he said he had reserved by verbal agreement and included with the other pieces of furniture which he had reserved by his contract of sale entered into with the said M. Bouvet, and he declared that he had reserved the bell expressly by verbal agreement with the said M. Bouvet.

Heard the said M. Bouvet who said that M. Cadron had sold him the bell and that it was part of the grounds, as it was nailed and attached to two posts set in the earth and planks were nailed above the posts, and that it made part of the land as being attached to and planted therein.

The said M. St. Pierre [M. Cadron?] replied that although the bell was not expressly reserved in the contract, that he reserved it three times by verbal agreement with the said M. Bouvet.

This the said M. Bouvet denied and maintained that the said M. Cadron had sold it to him, which has been equally denied by the said M. Cadron, who maintained that the bell belonged to him.

In consideration of the prayers, replies and answers of the parties and after having maturely considered that the bell, since it was attached to posts set in the ground and covered with planks, made part of the grounds and is appurtenant to it and consequently could not be taken away without breaking, and that besides there was no specific agreement in writing which proves that the said M. Cadron reserved it particularly, the said Court adjudges the bell to the grounds as making part thereof and condemns M. Cadron to pay the costs of the judgment.

M. St. Pierre, curé of this parish, presented a petition under date of to-day, in which he claims some joists belonging to the church of Cahokia, which are in the house belonging to Pierre
Le 5 juillet délivré une saisie et arrêt à François Chevalier.

Contre Antoine Isambert jusqu'à ce qu'il se soit arrangé entre eux.
Martin, that was sold by decree at the door of the church, after being seized by virtue of the mortgage which the deceased Dubuque had on the said house; concerning which joists the church wardens made their affidavit at the second crying of the auction, and the said house was adjudged at the third crying to M. Dumoulin for two hundred and five livres. The said Court assembled decrees concerning the said petition that the joists shall be paid for at the rate of three livres the piece by whomsoever it shall concern in accordance with the appraisement which has herebefore been made of them; and that, if there should not be found in the house the quantity that Martin borrowed, what is lacking shall be paid for out of the price of the auction sale of the house.

Isidore Savoy called Cadien vs. M. St. Pierre, curé.

The plaintiff claims four minots of peas which M. St. Pierre seized and which he allowed to rot in the place where they were seized. The said peas at the rate of 10 livres the minot amount to 40 livres and the said seizure was made for 14 livres, which the said Savoy offers to deduct from the 40 livres. Heard M. St. Pierre, represented by Philippe Engel, who said that the said plaintiff had not made arrangements before his departure for the Little Bluffs. Parties heard, the Court condemned M. St. Pierre to pay to the said Savoy, the plaintiff, the sum of twenty-six livres for the excess of the loss of the peas and to pay the costs, set at 15 livres.

Ant. Girardin.

M. Labuxiere set forth that he had made all diligence possible in the collection of the debts due the estate of the deceased Dubuque and had even made his protest at the door of the church, of which the Court has knowledge. Consequently there shall be allowed him for all his labor of collecting the notes, both for those on which nothing has been paid and for those which he has collected, ten percent, after he has made a simple summons to pay through the huissier.

July 5, issued a writ of seizure and arrest to François Chevalier against Antoine Lamarche to be in force until arrangements are made between them.
A une Cour tenue Extraordinairement le 14 juillet 1789
tenue par
Mme ant. girardin presidant Louis chatel
Jean Bte dubuque Henry Biron
Charle ducharme Pierre Laperche
Philipe angel
Entre IZIDORE SAVOYE et CATHERINE PENCRAHSE sa femme
plignant demandeurs Contre JEAN Bte LABECASSE acuse
detenu aux fers au devant de prison deffendeur

Ladite Catherine pencrasse accuse ledit jean Bte Labecasse
davoir ete ches Elle luy demander si elle vouloit venir avec Sa
femme pte Ramasser des mures Et quelle luy avoit Repondu que
ouy, qu'il lavoit prise En croup deriere luy et qu'il avoit passe le
pont de la prairie du pont et avoit suivy le vieux Chemain des
closetures et quetant dans le Chemain ledit la Becasse avoit fourchue
un petit sautier dans le Bois, quelle luy avoit dit ou me mene tu
ce nest pas la le Chemain qu'il luy avoit dit lors Etant avance
 dans le Bois descend, il faut que je jouisse de toy. qualors Elle
avoir dit que cela ne seroit pas Et quelle ny Consenteroit pas.
quetant descendue de Cheval ledt La Bacasse lavoit prise et la
voit jetee par terre malgre les Cris quelle jetoit Et malgre toute sa
resistance et qu'il en avoit joui Et lavoit viollee nayant pas ase
de force pte soposer a son Entreprise Et qu'il luy avoit meme meur-
tri un Sain ou elle avoit deja mal qu'il lui avoit Ensuite demande
si elle vouloit qu'il la ramene au village, quelle ne sy etoit pas
opose parce quelle se trouvoit dans le bois et qu'il lavoit Ramenee
jusques au pont ou elle avoit descendu de deriere luy et qu'il la
voit quittee a cet Endroit dans un Etat de la plus grande affliction.

Oui aussi ledt Labecasse qui est convenu avoir Eté Chercher
ladite catherine pencrosse cheselle pte aller aux mures et qu'il convient
luy avoir fait la proposition En Chemain mais qu'il lavoit point
touchée ni forcée Et qu'il convient avoir tor de luy avoir fait cette
proposition qu'il etoit pris de Boisson Et que ladite pencerasse
nacuse pas la verite lors quelle dit qu'il la forcée, que voyant
quelle ne vouloit pas consentir il lavoit Ramene au pont ou il
At a Court meeting in special session, July 14, 1789, held by MM. Ant. Girardin, President. Louis Chatel.
Philippe Engel.

Isidore Savoy and Catherine Pencrasse, on complaint of his wife, Plaintiffs, vs. Jean Bte. Labecasse accused and held in irons for lack of prison, defendant.

The said Catherine Pencrasse accuses the said Jean Bte. Labecasse of coming to her house to ask her if she wished to come with his wife to gather mulberries and that she had answered, "yes;" and that he had taken her behind him on the croup and that he had passed the bridge of the Prairie du Pont and had followed the old road of the enclosures, and that being in the road the said Labecasse had turned off on a little path in the woods; and that she had said to him: "Where are you taking me? This is not the road;" that he had said, after having advanced into the woods: "Get down! I must enjoy you;" that, when she had said that this should not be and that she would not consent thereto, he, having dismounted, had taken her and thrown her on the ground in spite of the cries which she uttered and in spite of all her resistance, and that he had enjoyed her and had violated her, since she did not have enough strength to oppose his undertaking; and that he had even bruised one of her breasts which was already sore; that he had afterwards asked if she wished him to take her to the village and that she had made no opposition because she was in the woods; and that he had brought her back to the bridge, where she had dismounted from behind him; and that he had left her in that place in a condition of greatest affliction.

Heard also the said Labecasse who acknowledges that he had sought out the said Catherine Pencrasse at her house to go for mulberries; and he acknowledges that he had made the proposal to her on the road, but he says he did not lay his hands on her or force her; and he acknowledges that he was in the wrong in having made the proposal to her and that he had been drinking;
lavoir quittée. qui est tout ce qu'ils ont dit pour leurs demandes et defences.

Le tout examiné Et considéré la Cour ayant En connaissance que ladite catherine pencrasse setoit deja exposée il y a deux ans a Etre forcée par ledit Labecasse par le recit qui en a Eté fait au presidant de la cour Et Setant de Nouveau exposée volontairement aux Entreprises du Labecasse p° avoir accepté la partie de mures qu'il luy a proposé Et ayant dans le Bois remonté deriere led° labecasse p° sen revenir au village après le pretendu viol quelle dit avoir Eté commis En sa personne. ce qui paroit a la Cour quelle na pas Evité ny Eloigné le danger dont Elle se plait au Contraire quelle y a donné occasion. La Cour par Deliberation a mis les parties hor de Cour Et de proces a ce sujet Et leur impose silence pour le pretendu viol, defend aud° Labecasse d’atenter a lavenir sur la Chasteté de ladite pencrasse et le Condamne a rester deux fois vingt quatre heures au fers a la garde du bailly de La Cour ou il Sera noury au pain et a leau a commencer de ce jour heure presente Enjoint au bailly dy tenir la main Et que la presente punitien soit observé Et ce a cause de latentat que led° Labecasse a formé contre la vertu de ladite pencrasse. Condamne ladite Cour les parties En Chacun la moitité des frais de Lextraordinaire ce qui sera Executé.

[Signed]

DuCharme
sa
Louis + Chatel
marque
Labuxiere greffier

Philippe Engel
B° Dubuque
hBi
pierre Laperche
A° Girardin.

Sur les representations faite a la Cour par M° francois trotier commandant de ce poste des propos inconcerdés tenus publique
ment par M° francois saucier dans la Boisson, ou il a manqué a plusieurs personnes En leur offrant les armes avec des termes improsses et refusant dobejir a la garde qui avoir ordre de Lar
reter et avoir Causé du scandale la Cour ordonne que led° saucier tiendra prison vingt quatre heures Et le Condamme en
and he says that the said Pencrasse does not speak the truth, when she says that he forced her; that when he saw that she was unwilling to consent, he had brought her back to the bridge where he had left her. This is all that they have said in regard to their prayers and defences.

All examined and considered the Court knowing, from a recital which has been made to the president of the Court that the said Catherine Pencrasse has once before, two years ago, exposed herself to being forced by the said Labecasse and that she again voluntarily exposed herself to the undertaking of the said Labecasse by having accepted the invitation to go berrying, which he proposed to her, and that in the woods she remounted behind the said Labecasse to return to the village after the pretended violation, which she says had been committed on her person, is of the opinion that she has not avoided nor kept out of the way of the danger of which she complains, but that on the contrary she gave occasion to it. The Court by decree non-suits the parties and imposes silence in regard to the pretended violation, and forbids the said Labecasse to make an attempt on the chastity of the said Pencrasse in the future and sentences him to remain two times twenty-four hours in irons in the custody of the bailiff of the Court, where he shall be fed on bread and water commencing from this day, the present hour, and commands the bailiff to see to it that the present punishment be observed and this because of the attempt which the said Labecasse made on the virtue of the said Pencrasse. The said Court condemns each of the parties to pay half of the costs of the special session for which there will be execution.

[Signed]

DuCharme.       Bte. Dubuque
Philippe Engel.  hBi
    His
Louis + Chatel  Pierre Laperche.
    mark
Labuxiere, Clerk.

On the representation made to the Court by M. François Trottier, commandant of this post, of the thoughtless talk made
six piastres demande p't Leglise ce qui sera execute. le condamne aux frais

[Signed]
DuCharme
Philippe Engel
sa
Louis + Chatel
marque
Labuxiere N°

[signed]
Pierre Laperche
Bte Dubuque
hBi
A Girardin.

a une autre cour extraordinaire du meme jour.

Entre Louis Coste demandeur Contre Ignace Chatigny
deffendeur

Le demandeur se plain contre ledt Ignace Chatigny de ce qu'il luy a pris un Boeuf dans la Commune et qu'il la donne au s't bausoleil p't le tuer au moyen dun quartier qu'il s'est reservé luy disant qu'il lui abandonné comme layant gagné au jeu. que luy Coste a dit a Chatigny qu'il ne luy donneroit pas de Boeuf mais qu'il aloit le payer ce que ledt Chatigny avertit accepté, que malgré leur Convention ledt s't Chatigny lavoit fait prendre et lavoit fait tuer aujourd'hui Sans ordre ny Consentement duct demandeur au prejudice de leur Conventions.

ouï ledt Chatigny qui reconna qu'il Etoit Convenu avec ledt Coste de recevoir le billet dudt Coste En payement, mais qu'ayant tardé a luy remetre le Billet Et ayant refusé a francois lapensée de livrer le billet il avoit dit a Beausoleil de Sen aranger pourvu qu'il luy en donne un quartier.

Le demandeur a repliqué qu'il avoit gagné ce Boeuf audt Beausoleil, que ledt Beausoleil le luy ait livre. Et que le st Chatigny ne devoit pas en disposer ny Se payer par Ses mains. après Etre Convenu de Saranger Entreux Et de Recevoir le Billet du demandeur.

ledt Chatigny a demandé la deposition de francois lapensée qui a linstant est Conparu après sermant par luy fait de dire la verité a dit qu'ant [sic] present au jeu des parties. Et quapres que ledt Coste a En perdû le Boeuf qu'il a dit a Chatigny le Boeuf est a vous il vous appartient Et que le s' alary sy Etant trouvé luy dit
Facsimile of a Page from the Record of the Cahokia Court,
Joseph Labuxiere, Clerk.
publicly by M. François Saucier while under the influence of drink, wherein he insulted several persons by challenging them and using improper expressions, and of his refusal to obey the guard who had an order to arrest him and of having been the occasion of scandal; the Court decrees that the said M. Saucier shall be confined in prison for twenty-four hours and condemns him in six piastres fine to the church for which there will be execution. Condemned him to pay the costs.

[Signed]
His H B i
mark Labuxiere, Notary.

At another Court in special session of the same day.

LOUIS COSTE, Plaintiff, vs. IGNANCE CHATIGNY, Defendant.

The plaintiff brings complaint against the said Ignance Chatigny that he took an ox of his in the commons and gave it to M. Beausoleil to slaughter on condition of a quarter being reserved for himself, and he said to the plaintiff that he had lost it to him, since he (Chatigny) won it at play; that he, Coste, said to Chatigny that he would not give him any ox, but that he was going to pay him and this the said Chatigny had accepted; that in spite of their agreement the said M. Chatigny had had it taken and slaughtered to-day without order or consent of the said plaintiff and contrary to their agreement.

Heard the said Chatigny who acknowledged that he had agreed with the said Coste to receive the note of the said Coste in payment; but, since he had delayed remitting the note and had refused to deliver the note to François Lapancé, he had said to Beausoleil to make his arrangements about it, on condition that he gave him a quarter thereof.

The plaintiff replied that he had won this ox from the said Beausoleil and that the said Beausoleil had delivered it to him; and that M. Chatigny ought not to have disposed of it nor have paid himself by his own hands, after having agreed to make
a coste si vous ne jugez pas propo de venir le livrer je le Connois je vous le montreray.

Le 5e Bœuf est compare apres serment par luy fait de dire la verite, a dit qu'il avait offert de montrer le Bœuf a Chatigny parce qu'il le Connoissait. Mais que Coste N'avoir Rien rependu, qu'il avait Seullement dit Nous verrons.

parties cissues avec les temoins la Cour Condamne le 5e Chatigny a rendre en payer un pareil Bœuf aud'hui Louis Coste sans delais. Et Annule le jeu Entreux condamnons En outre led'hui Chatigny aux frais de l'extraordinaire ce qui sera executé les quels frais montant a deux cent trente cinq livres seront payez aud'hui Coste par led'hui Chatigny Sans delais.

[signed]

Philippe Engel DuCharme
Pierre Laperche hBi
sa
Bœuf Dubuque
Louis + Chatel A+ Girardin

marque

29 juillet La Cour est ajournée au 1er aoust 1789.

Delivré un ordre d'assignation a Francois Harnoux contre michel peltier dit antaya p't paroître a la Cour du 1er aoust prochain.

30 juillet delivré a Mr jean dumoulin une saisie provisoire et Conservatoire des sucres peltier, Creances et debtes que le 5e Jean Bœuf Dubuque a Entre Ses mains appartenants au Sr LaCoste actuellement a la riviere des ilinois avec defences de Sen decaiser qu'il nen soit par la Cour ordonné.

Jean Dumoulin.

7 aoust delivré un ordre a Mr aRondel Contre Louis Coste.

1. No reason known for the heavy costs.
arrangements with him and to receive the note from the plaintiff.

The said Chatigny demanded the deposition of François Lapance, who now appeared and after oath had been made by him to tell the truth, said that he was present at the game between the parties, and that, after the said Coste lost the ox, he said to Chatigny, “The ox is yours, it belongs to you,” and that M. Alarie who was present said to Coste: “If you do not judge it fitting to come to deliver it, I know it and will show it to you.”

M. Bte. Alarie appeared and after oath was made by him to tell the truth, said that he had offered to show the ox to Chatigny, because he knew it; but that Coste had answered nothing, that he had only said, “We will see.”

After the parties and the witnesses were heard, the Court condemns M. Chatigny to render, or pay for, a similar ox to the said Louis Coste without delay and annuls the play between them. We condemn furthermore the said Chatigny to pay the costs of the special session, for which there will be execution. These costs amount to two hundred and thirty five livres and shall be paid to the said Coste by the said Chatigny without delay.¹

[Signed]

Philippe Engel.  DuCharme.
Pierre Laperche.  hBi
His  Bte. Dubuque.
Louis + Chatel  Ant. Girardin.

mark

July 29, the Court adjourned to August 1, 1789.

Issued a summons to François Harnoux against Michel Pelletier called Antaya that he appear at the Court of the first of next August.

July 30, issued to M. Jean Dumoulin a provisional and conservative seizure of the sugar, effects, peltries, claims and debts, which M. Jean Bte. Dubuque has in his possession, belonging to M. LaCoste at present at the Illinois river, with prohibition to divest himself thereof except he be ordered thereto by the Court.

Jn. Dumoulin.

August 7.  Issued a summons to M. Arundel for Louis Coste.
a une Cour du 8 aoust 1789.

M' antoine girardin Philipe angel
Rt' dubuque Louis chatel
Charles ducharmé henry Biron

Lt St WILLIAM ARUNDEL demandeur Contre Louis Coste
defendeur

Le demandeur demande au defendeur la livraison de Six milliers de farine qu'il lui doit par Ses Billets Echus ne pouvant attendre plus long terme a cause de Son Voyage de mislimakimac
Et qu'il soit Condamné aux frais.

Qui le defendeur qui a reconnu Ses Billets Et devoir ladite quantite de farine et a dit pr' defences qu'il offroit de payer mais qu'il avait Besoin de quelques jours de delais pour pouvoir faire battre son Bled, le faire moudre et faire payer ceux qui lui doivent, qu'il requeroit un delais suffisant qua bout du terme que le st arondel pourroit lui accorder ainsi que la Cour il promettd de payer En Entier.

Vu par la Cour les Billets dudit Coste Echus. Et les recoltes
que lon vient de finir.

La Cour du consentement dudit st arondel a accordé audt
Coste le reste de ce present mois daoust pour payer les six milliers de farine audt st aRundel pr' tous delais, faute de quoy
Et leadt tems passé le condammons a payer Sans delais a quoy faire il sera Contraint par saisie Et vente de Ses Biens le Con-
dammons aux frais et depens.

Le St Grasriot Negociant de la Rive espagnole Est intervenu
pour la dame veuve Groot lequel a demandé qu'il soit surit
toutes poursuittes ny qu'il soit donné aucunes Saisies Et Rendu
aucunes sentences Contre la Succession dudit defunct grotto
Mary quelle n'ait pris Connoissances des Creances de ladite suc-
cession Et des Biens dicelle afin de pouvoir Se mettre En Etat de
payer un Charun Si la Succession Suffit.

Sur quoy la Cour a accordé au St' grasiot pr' ladite veuve dicy
au mois de Novembre prochain pr' tout delais pour prendre les
Connoissances Requises. Se reserverant ladite Cour le droit et
privilege darreter et Saisir Lesdits Biens qui sont sur Son district
At a Court, August 8, 1789.

MM. Antine Girardin. Philippe Engel.
Charles Ducharme Henry Biron.

M. William Arundel, Plaintiff, vs. Louis Coste, Defendant.

The plaintiff demands of the defendant the delivery of six thousand pounds of flour, which he owes him according to his matured notes, and for which the plaintiff cannot wait longer because of his journey to Michillimakinac; and prays that the defendant be condemned to the costs.

Heard the defendant who said that he acknowledged his notes and that he owed the said quantity of flour, and said for defence that he offered to pay, but that he needed some days delay in order to have his wheat thrashed and ground, and to make those pay who owed him, and that he prayed for a sufficient delay; that, at the end of the time which M. Arundel and the Court could grant him, he promised to pay in full.

The Court having seen the matured notes of the said Coste and the crops, the harvesting of which has just been finished, with the consent of the said M. Arundel, granted the said Coste the balance of this present month of August to pay the six thousand pounds of flour to the said M. Arundel and no longer; in default of which after the said time is passed, we condemn him to pay without delay, to do which he shall be constrained by seizure and sale of goods. We condemn him to pay the costs and charges.

M. Gratiot, merchant from the Spanish bank, intervened for Madame Groot, widow, and prayed that there be stayed all suits and that there should not be given any seizures nor rendered any judgments against the estate of the said deceased Groot, her husband, until she has informed herself of the assets of the said estate and of the goods thereof in order to be in a position to pay each creditor, if the estate sufficed.

Whereupon the Court granted M. Gratiot for the said widow from now to the month of November next and no longer in order to obtain the requisite knowledge; and the said Court reserves to itself the right and privilege to attach and seize the said goods
qui ne pourront être transféréz Sur lautre Rive sans quau préalable
Et avant toute Choses les Creanciers de ce District ne soient
Entier™ payez et Satisfait de ce qui pourra leur Être dub. Et
En Cas de refus de payement les™ Biens être vendus jusques à
parfaite liquidation Par deliberation.

A™ Girardin.

Sur les contestations Entre Pierre troge Et Jacques Piquet
pour une petite fille remise par la dame piquet a la dame troge.
Et que ladite femme piquet Reclame La Cour a décidé que la
dame troge Rendra lenfant a la femme piquet Sa mere, Sous les
conditions que piquet ou sa femme payeront a la dame troge sa
pensions Entretiens Soins et peines quelle a pris depuis quelle
la et du jour que ladite piquet la luy a remise sur le compte que
produira le s™ troge ou sa femme qui sera taxé par deux arbitres
qui nommeront un troisieme En Cas de Contestations Entreux,
Et le reliquat de compte payé comptant aud™ troge par led™ piquet
et sa femme avant d’Enlever L’enfant ordonnons aud™ piquet dy
satisfaire sans delais.

La Cour est adjournée au 1er de 7bre prochain.

A™ Girardin.

7 Aout delivré un ordre a francois Clark contre david Waddell
p™ paroitre a la cour du 1er 7bre avec defences de mettre la saisie
quil a obtenu contre led™ Clark a execution, non plus que de trans-
porter les Billets dud™ Clark a peine de nulite des transports.

10 aoust delivré un ordre a Benjamain B’ayram Contre david
Waddel p™ paroitre a la Cour prochain du 1er 7bre.

15 aoust Delivré un ordre de Saisie au S™ Bouvet Contre le
Nommé Buyat p™ saisir Entre Les mains de pieire troge le bled ou
autre Effets quil peut avoir Entre ses mains app™ aud™ Buyat p™
sureté de la somme de Cinquante sept livres quil doit aud™ S™ Bou-
vet. avec defences de Sen dessaisir a peine d’En repondre la dite
saisie donné par jean B™ dubuque magistra a bas du compte dud™
S™ Bouvet.

N Bouvet.

du 5 7bre delivré un ordre a Charles quil [sic] habitant de la
prairie du pont Contre Nicolas schenitz du grand Ruisseau p™
paroitre a la Cour de mardy prochain 8 de ce mois.
which are in this district, which goods may not be transferred to the other bank until first of all the creditors of this district be paid in full, and satisfaction made for that which may be due them; and in case of refusal of payment the said goods are to be sold up to perfect liquidation. By resolution.

Ant. Girardin.

In regard to the dispute between Pierre Troge and James Piggott over a little girl confided by Madame Piggott to Madame Troge and whom the said woman Piggott reclaims, the Court decided that Madame Troge shall return the child to the woman Piggott, her mother, under the condition that Piggott or his wife shall pay Madame Troge for the board, maintenance, care and trouble, which she has given, since she has had her and from the day that the said Piggott confided her to her care, according to the account, which the said Troge or his wife shall bring and which shall be estimated by two arbitrators who shall name a third in case of disagreement between them; and the balance of the account shall be paid in cash to the said Troge by the said Piggott and his wife before taking the child away. We command the said Piggott to satisfy it without delay.

The Court adjourned to the first of September next.

Ant. Girardin.

August 7. Issued a summons to Francis Clark against David Waddell that he appear at the Court of September 1st, with prohibition to put into execution the seizure, which he obtained against Clark, or to assign the notes of the said Clark on penalty of nullity of the assignments.

August 10. Issued a summons to Benjamin Byram against David Waddell that he appear at the next Court of September 1.

August 25. Issued a writ of seizure to M. Bouvet against the named Buyat, to attach the wheat or other effects, which Pierre Troge may have in his possession belonging to the said Buyat, for surety of the sum of fifty-seven livres, which he owes the said M. Bouvet, with prohibition to Troge to divest himself thereof on penalty of being held responsible for the said seizure of them. Given by Jean Bte. Dubuque, magistrate, below the account of the said M. Bouvet.

N. Bouvet.
du 7. 7ème orde a Mr. aRondel contre ant. harmand dit sans façon.

dud1 jour un orde a Mr. aRundel Contre j Bte Labecasse.
8 7ème un orde a frs monplesir Engagé disidore LaCroix contre joseph marie.

a une Cour du 8. 7ème 1789.

Mr. ante Girardin President  henry Biron
Bte DuBuque  Philipe angel
pre Laperche  Charle ducharme

8 7ème delivré un orde a Wiliam aRundel contre Louis Coste.
dud3 jour a la meme Cour.

Mr. Wiliam aRundel demandeur Contre Louis Coste defendeur

Sur la requete du s° aRundel demandant aud1 Coste la somme de onze Cent soixante dixhuit livres Six sols. vu les reponse
dud1 coste la Cour a ordonné que la saisie faite par le s° aRundel
sur Louis Gaud de Cent piastres Sera Bonne et valable a ordonné
aud1 Louis gaud de vuider ses mains En celle du s° aRundel, et
ordonne pr les six cent soixante dixhuit livres restant qu’il payera
contant ou tiendra prison jusqu’au ce qui ait donné Caution solvable.
condamne led1 Coste aux Depens Et frais.

dud1 jour: delivré un decret a thom Bredy Bailly pr a reter
Louis Coste et le tient a sa garde jusqu’au ce qu’il ait donné caution
au s° aRundel.

Solivan: Sur Lexposé de jean Solivan qu’il a preté Sa jument a
jean dempsey qui a Été tue par les sauvages. la Cour ordonne que

1 I find the name Charles Gill among the names of Americans in Illinois, and suggest it
as the name intended here.

2 The following costs of this case were recorded on a scrap of paper which has been bound
into the book near the end:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>frais contre-côte a la demande de Mr. aRundel</td>
<td>15</td>
</tr>
<tr>
<td>pr le pre ordre Et sentence Et copie</td>
<td>10</td>
</tr>
<tr>
<td>pr la requête du 7. 7ème</td>
<td>10</td>
</tr>
<tr>
<td>pr Saisir et verront sur louis gaud</td>
<td>5</td>
</tr>
<tr>
<td>pr l’ordre de ce jour pr faire vente Coste</td>
<td>5</td>
</tr>
<tr>
<td>pr la sentence sur la registre</td>
<td>5</td>
</tr>
<tr>
<td>pr le decret et enregistrement</td>
<td>5</td>
</tr>
<tr>
<td>pr le billet</td>
<td>5</td>
</tr>
</tbody>
</table>
September 5. Issued a summons to Charles Gill [?] inhabitant of Prairie du Pont against Nicolas Smith of Grand Ruisseau that he appear at the Court of Tuesday next, the 8th of this month.

September 7. One summons to M. Arundel against Ant. Harmand called Sansfacon. Same day. A summons to M. Arundel against J. Bte Labecasse.

September 8. A summons to Fr. Monplesir, engagé of Isidore LaCroix, against Joseph Marie.

At a Court, September 8, 1789.

MM. Ant. Girardin, President. Henry Biron.

September 8. Issued a summons to William Arundel against Louis Coste.

Same day at the same Court.

M. WILLIAM ARUNDEL, Plaintiff, vs. LOUIS COSTE, Defendant.

At the request of M. Arundel, who demands of the said Coste the sum of eleven hundred and seventy-eight livres six sols, and in view of the replies of the said Coste, the Court decreed that the seizure made by M. Arundel on Louis Gaud of one hundred piastres shall be good and valid; and it commanded Louis Gaud to deliver them into the hands of M. Arundel. And in regard to the six hundred and seventy-eight livres remaining the Court decreed that he (Coste) shall pay cash or be confined in prison until he has found solvent bondsman therefor. Condemned the said Coste to pay the costs and charges.  

Same day. Issued a decree to Tom Brady to arrest Louis Coste and hold him in custody until he has given surety to M. Arundel.

SULLIVAN. On the declaration of John Sullivan that he loaned to John Dempsey his mare, which had been killed by the savages, the Court decrees that the said Sullivan shall take Dempsey’s and that an appraisement shall be made to decide their relative values, and the difference is to be paid.

3 Dempsey was supposed to have been killed by the Indians, and he was actually scalped, but recovered from his wound.—Reynolds, Pioneer History, 143.
Le 18 de Septembre dernier, le demandeur Le Maréchal de CLAMORGAN, a produit un Compte à réclamer de Pierre LACoste, fournisseur de frais de peinture sur les écuries de Sa Majesté, pour les travaux exécutés par lui à cet effet. L’opération a été faite sur la base du contrat qui a été dressé, auquel on joint un extrait des effets qui y ont été indiqués. Le montant de ces effets, soit payé ou produit par l’effet des biens immobiliers de Sa Majesté, soit payé en argent. Le Compte a été produit par le demandeur, qui en joint une copie, au greffe de Saint-Louis, pour être inscrit et, en cas de contestation, être examiné par le juge de la Cour de Saint-Louis. Le montant du Compte est de 14 livres 13 sols 4 deniers, dont 5 livres 13 sols 4 deniers ont été payés en argent et 9 livres ont été produits par les biens de Sa Majesté. Le demandeur demande que le montant du Compte soit payé en argent, et que les biens de Sa Majesté soient vendus au profit du demandeur, ou que le Compte soit inscrit au greffe et examiné par le juge de la Cour de Saint-Louis.

Le demandeur, Pierre LACoste, défendeur

Le demandeur demande au défendeur le paiement de deux billets de 12 livres de la somme de quinze mille neuf cents quarante sept livres quatorze sols en argent et à son obligation. En datte du 30 aout 1787, passé au greffe de Saint-Louis par laquelle il apporte que ledit

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1 The words "Ledit Sr dumoulin Estant précistivant" were inserted in the margin. The asterisk, which marks the place for insertion, was placed after "Sr" and before "La Coste," below. Since the expression is without meaning in that place, I have inserted it here. In both cases the place of insertion falls at the beginning of the line in the manuscript, so that this mistake could easily have been made.
At the same Court.

M. DUMOULIN, Plaintiff, vs. PIERRE LACOSTE, Defendant.

M. Dumoulin brought an account due him by Pierre LaCoste for the sum of two thousand and eleven livres twelve sols six deniers according to his notes and accounts; which notes the said LaCoste recognized as true, and he brought an account, which he claims from M. Dumoulin. The Court decrees that the notes and accounts exhibited by M. Dumoulin, in which is included the costs of the effects which he sent to seek at the Illinois River, shall be paid by preference, since the said M. Dumoulin is first judgment creditor, out of the peltries, sugar and other effects brought down, with the costs of the present suit and of others which shall be made in the matter; and as to the account exhibited by M. LaCoste the Court decrees that the canoe mentioned therein shall be paid for by M. Dumoulin with the other articles, all on the report of arbitrators and appraisers. The Court decrees, furthermore, that the peltries brought down shall be delivered to M. Dumoulin on that which is due him; and if it is not sufficient, the sugar shall be sold to-morrow for cash to the highest bidder up to the equivalent of the said sum and costs; and if there is a surplus, it shall be deposited at this office to be remitted to his other creditors. And there has been deducted by these presents, after examination was made of the account exhibited by the said LaCoste, the sum of eighty-five livres, as the amount of the said account and the value of the canoe and medicine; therefore there is due to the said M. Dumoulin nineteen hundred and twenty-six livres twelve sols six deniers, which does not include the costs of justice.

At the same Court.

M. CLAMORGAN, Plaintiff, vs. PIERRE LACOSTE, Defendant.

The plaintiff demands of the defendant the payment of two notes, one for the sum of fifteen thousand nine hundred and forty-seven livres fourteen sols in money according to his obligation under date of November 30, 1787, drawn up at the record-office of St. Louis, from which it appears that the said LaCoste should pay at Michillimakinac for the release from M. Clarmorgan a sum of nine thousand livres in money; and since he has not satis-
LaCoste devrait payer à missili maxima à la décharge du 5e Clamorgan une somme de neuf mille livres en argent à quoy Nayan point satisfait la Cour Condamne ledit LaCoste à payer son obligation en Entier avec les intérêts et frais. Condamne pareillement ledit LaCoste à payer son autre Billet montant à la somme de Sept cent quatre vingt trois livres dix huit sols ainsi qu'il est porté au pied du Compte avec intérêts et frais. Le tout après que ledit LaCoste a Reconnu Ses dits Billets et Comptes. En conséquence permet au 5e Clamorgan de faire saisir par la suite les effets qu'il pourra trouver appartenir a ledit Coste à la reserve de ceux déjà saisis et sequestrés ce qui sera exécuté.

La Cour est adjournée au 1er 5bre 1789.

A M. Girardin.

du 8bre délivré un ordre pte fr trotier contre pte ladeur
- un ordre pte fr Saucier contre M che d'umoulin
- un ordre pte Coste contre sansfacon
- un ordre pte idem contre Louval
- un ordre pte id contre macarty
- un ordre pte id contre martín
- un ordre pte id contre janot lapensée
- un ordre pte id contre Cecire
- un ordre pte id contre antaya

à une Cour du 1er 8bre 1789.

M. Girardin Président
prie Laperche
charles Ducharme
henry Biron
jean B. dubuque

Magistra

Entre le 5e François Trotier demandeur Contre Pierre Lafleur défendeur

Le demandeur reclame contre le défendeur la somme de quarante sept livres quinze sols par son compte pte fournitures a lui faite le défendeur a reconnu son compte et a dit qu'il y etoit dub sept gardes qu'il avoit été employé par ordre de M. trotier pte laffaire de brisson demande que cette somme montante à 35lb luoy soit deduite sur son compte.

sur quoy la Cour condamne le défendeur à payer son compte à M. trotier sauf son recour pte ses gardes ainsi qu'il est decide par la sentence des jurés concernant laffaire de Brisson condamné
fied this, the Court condemns the said LaCoste to pay his obligation in full with interest and costs. The Court condemns the said LaCoste likewise to pay his other note amounting to the sum of seven hundred and eighty-three livres, eighteen sols, as is entered at the foot of an account, with interest and costs; all decreed after the said LaCoste recognized his said notes and accounts. Consequently the Court permits M. Clamorgan to have seized the effects, which he can find, belonging to the said Coste with the reservation of those already seized and sequestered, for which there will be execution.

The Court adjourned to October 1, 1789.  

Ant. Girardin.

September 30.

Issued a summons to Fr. Trottier against Pierre Lafleur.
A summons to Fr. Saucier against M. Dumoulin.
A summons to Coste against Sansfaçon.
A summons to the same against Lonval.
A summons to the same against Macarty.
A summons to the same against Martin.
A summons to the same against Janot Lapancé.
A summons to the same against Cesirre.
A summons to the same against Antaya.

At a Court, October 1, 1789.

MM. Girardin, President. Pierre Laperche.
Charles Ducarme. Henry Biron.
Jean Bte. Dubuque. Magistrates

M. François Trottier, Plaintiff, vs. Pierre Lafleur, Defendant.

The plaintiff brings a claim against the defendant for the sum of forty-seven livres fifteen sols by his account for supplies sold to him. The defendant recognized his account and said that there was due him pay for seven guards and that he had been employed by order of M. Trottier for the affair of Brisson and he demands that this sum amounting to 35 livres be deducted from his account.

Whereupon the Court condemns the defendant to pay his account to M. Trottier saving his recourse for his guards as it is decided by the verdict of the jurors concerning the affair of Brisson. Condemned Pierre Lafleur to pay the costs which are
pierre lafleur aux frais liquidez a trois piastres qui seront avancés par M'r trotier et a luy rembourses par la fleur.

La Cour est ajourné au 1er 9bre 1789.

A't Girardin.

LaChanse: du 6 8bre 1789, delivré au Sr LaChansse une saisie p'r une Vache Et Son vau sur pierre martin.

antaya: dud't jour delivré une saisie a antoine peltier dit antaya contre le nommé Wilson Entre les mains de Louis Coste p'r 20 minots de mahis que led't Wilson doit.

du 8 8bre delivré une Saisie avec ordre de vendre a deffaud par pierre troge de vuider ses mains Entre celles du Sr Bouvet de la farine ou bled quil a apartenant a antoine Buyat le 1er ordre de Saisie ayant Eté signifie par thom Bredy le 15 aoust p'r la se de 57. ajouter les frais de ladite saisie Et de present executoire fait 97lb laquelle Executoire a Eté delivrée audit Sr Bouvet.

N Bouvet.

Par Extraordinaire a la demande de Charle Germain.

aux temoins:

1 ordre a M'r trotier
1 ordre a ignace Grondine

1 ordre a francois Grondine
1 ordre a duchenaau
1 ordre a louis gaud
aux magistrats
1 ordre a M's girardin
1 idem a Mr Philipe angel
1 id. a Mr dubuque
1 id. a Mr ducharme
1 a Laperche
1 a Biron
1 a Chatel

Les ordres ci dessus nous ont Eté delivrés marq de Brady

Charles Germain

1 ordre a Louis p'r sequestre le Chelval in [sic]
COURT RECORD, OCTOBER, 1789

set at three piastres, which shall be advanced by M. Trottier and reimbursed to him by Lafleur.

The Court adjourned to November 1, 1789.  A. Girardin.

LACHANSE, ANTAYA

October 6, 1789. Issued to M. Lachanse a writ of seizure for a cow and its calf on Pierre Martin.

Same day. Issued a writ of seizure, to Antoine Pelletier called Antaya against the named Wilson, of 20 minots of corn in the hands of Louis Coste and which the said Wilson owes.

October 8. Issued a writ of seizure with order of sale because of the failure by Pierre Troge to deliver into the hands of M. Bouvet the flour or wheat, which he has, belonging to Antoine Buyat. The first writ of seizure was served by Tom Brady on August 15 for the sum of 57 livres; adding the costs of the present seizure and of the present execution it makes 97 livres, which execution was delivered to the said M. Bouvet.  N. Bouvet.

Specially at the prayer of Charles Germain.

To the witnesses.

1 summons to M. Trottier.
1 summons to Ignace Grondine.
1 summons to Francois Grondine.
1 summons to Duchenau.
1 summons to Louis Gaud.

To the magistrates.

1 summons to M. Girardin.
1 ditto to M. Philippe Engel.
1 ditto to M. Dubuque.
1 ditto to M. DuCharme.
1 to Laperche.
1 to Biron.
1 to Chatel.

The summons above named have been delivered to us.

Brady.  Mark of

Charles Germain.

1 order to Louis to sequester the horse.
A une cour tenue Extraordinairement
a la demande Et requisition de CHARLES GERMAIN Contre
LOUIS GAUD.

13 bré 1789.

M. antoine girardin President
charles ducharme
Philipe Engel
Bte Dubuque
Pierre Laperche
henri Biron
Louis Chatel
magistra

Le Sr germain a dit quil reclamoit contre Louis gaud Son
cheval que les sauvages lui avoient vole. Et quil avoit fait marché
avec led Louis gaud que sil luy ramenoit son Cheval quil lui
donneroit une vache Et son veau a Choisir sur les siennes, que
led Louis gaud avoit Emmené le Cheval mais quil ne vouloit pas
luy rendre a moins dune vache Et son veau Et de plus un taureau
de dix huit mois, quil offroit de remetatre ladite vache Et le vau.
mais quil netoit pas obligé suivant Ses conventions de donner le
tauraux de plus, que led Louis gau Etoit libre de lammener pour
le prix convenu ou de le laisser. Et conclu[d] aux frais de Lex-
traordre contre led Louis gaud.

Led Louis gaud a repondu quil netoit point convenu des
faits que led germain avance quil est vray quil est convenu avec
led germain quil ferait son possible p Emmener son Cheval
mais que sil luy Coutoit plus que la valeur de la vache Et le vau
quil luy payeroit les Surplus ce quil a Eté desavoué par led
Germain qui a soutenu quil netoit Convenu que de la vache et
le vau offrant de fournir Ses preuves a la Cour par temoins.
sur quoy led Germain a fait Comparoir le Francois trotier
commandant Lequel aprés que la cour la En sommé de dire
verité a dit que sEtant trouvé chés le Sr Louis gaud lors que ger-
main y Est Entré p reclamer son Cheval. quil a dit a Louis
gaud mon oncle comme voulez vous vous aranger je viens Checher
mon Cheval. votre vache Et le vau son dans ma Cour venez
les Choisir. que Louis gaud avoit repondu votre Cheval ma
Couté plus que cela je ne peut pas vous le donner p le vache
Et le vau si vous voulez me donner un taureau de dix huit mois de
surplus vous laurés. ou jen ay un de pareil age si vous le voulez
At a Court meeting in special session at the prayer of
CHARLES GERMAIN, vs. LOUIS GAUD.

October 13, 1789.

MM. Antoine Girardin, President. Pierre Laperche.
Charles DuCharme.
Philippe Engel.
Bte. Dubuque.

Henry Biron.
Louis Chatel.

Magistrates.

M. Germain said that he claimed from Louis Gaud his horse
which the savages had stolen from him; and that he had made
a bargain with the said Louis Gaud that if he brought his horse
back to him that he would give a cow and her calf to be chosen
among his stock; that the said Louis Gaud had brought away
the horse, but that he refused to deliver it to him except for a
cow and her calf and a bull of eighteen months to boot; that he
offered to give the said cow and her calf; but that he was not
obliged according to his agreement to give the bull to boot; that
the said Louis Gaud was free to bring it back for the price agreed
upon or to leave it; and he concludes that the costs of the
special session should be found against the said Louis Gaud.

The said Louis Gaud replied that there was no agreement in
regard to the facts which the said Germain advances; that it is
true that he agreed with the said Germain to do his best to bring
his horse away; but that if it cost him more than the value of the
cow and calf that he should pay him the extra cost, which has been
denied by the said Germain, who maintained that the agreement
was only for the cow and calf and he offers to furnish proofs
to the Court by witnesses. Whereupon the said Germain sum-
moned M. François Trottier, commandant, who, after the Court
summoned him to tell the truth thereof, said that he was present
at Louis Gaud’s when Germain entered there to reclaim his
horse; that he said to Louis Gaud: “Uncle! What are you
going to do about it? I have come to get my horse. Your cow
and calf are in my yard. Come and choose them;” that Louis
Gaud replied: “Your horse cost me more than that. I can’t
give it to you for the cow and calf. If you wish to give me a bull
of eighteen months to boot, you shall have it. Or I have one
Je ne serez point en je partiray le Cheval a quoy Germain Sauront que vous Contentez qu’il lui avoit repliqué je puis demander qui de vous donner une vache Et son veau je vous soyez prê de suis pas aucun de vous donner de surplus ou il faut laisser mon Cheval.

A lui venir francois Grondine lequel après sermant par lui fut de dire la vérité lui avons demandé si la Connaissance du marché de Charles germain et Louis gaud a dit qu’il avoit consenté Etant en pe avec ledl Louis gaud comme son Engagé ledl Louis gaud avoit Envoyé avec maïlet pour aCheter le Cheval qu’il Etait partu avec maïlet mais qu’Estant aux qu’Estant [sic] arrêté dans Cotes il Ser. Etoit Revenu que a son retour Louis gaud lui avoit dit pourquoi. Estu revenu tu aurait du y aller tu sera Cause que tu ne m’as pas le Cheval. je nauray pas une vache et son veau qui ma été promise p’s le Cheval qui est tout ce qu’il a dit savoir.

Avoit fait venir francois Grondine Lequel après sermant par lui fut de dire la vérité lui avons demandé si la Connaissance du marché fait Entre Charles Germain Et Louis gaud. a dit que quelque jours après que Louis Gaud Et germain Se Sont En arangé lui déposant a Etu trouver Louis gaud et lui a demandé si vouloit lui Emmener sa jument que les sauvages avoient vole que Louis prit lui a vouloit dit que si vouloit lui donner une vache Et son veau comme la dact germain qu’il lui Emmeneroit que la trouveroit qui lui déposant avoir Consenté de lui donner une vache Et son veau qu’on mite prête si Emmenoit sa jument. mais qu’il ne la vouloit pas Emmener. qu’est tout ce qu’il a dit savoir.

Avoit fait venir francois ducheneau lequel après sermant par lui fut de dire la vérité lui avons demande si la Connaissance du marché fut Louis gaud Et Charles germain a dit que Etant mis. Et a dit avec maïlet qu’il avoit deja acheté le Cheval dont et que de nuit Louis gaud ait demandé a maïlet ce qu’il avoit vu lors qui lui avoit rendu [qu il avoit donné deux baril d’au de vie a chevau de bont Et deux milles quilet] que lui dépoyons lui avoit répondit est Buin Chez que maïlet avec [sic] repliqué ce nest vu lors qui lui avoit donné Louis gaud a une vache et son veau pr évoy a Cherver les sauvages qui est tout ce qu’il a dit savoir.
of like age; if you wish it, I will give it to you and I will keep the horse;” that Germain had not wished to agree to this, and that he had answered: “I agreed with you to give you a cow and her calf. I offer it to you. I have not agreed to give you more and [if it cost more] you should have left my horse.”

Have summoned Ignace Grondine whom, after taking oath to tell the truth, we asked if he had knowledge of the bargain of Charles Germain and Louis Gaud; and he said that he had knowledge, since he was in Peoria with the said Louis Gaud as his engagé; and that the said Louis Gaud had sent him with Mailhet to buy the horse and that he had set out with Mailhet; but that having arrived at the Bluffs, he had returned; that on his return Louis Gaud had said to him: “Why have you come back? You should have gone there. You will be the cause that I do not have the horse and I shall not have the cow and her calf, which have been promised me for the horse.” This is all that he said he knew.

We have summoned François Grondine, whom, after oath was made by him to tell the truth, we have asked if he had knowledge of the bargain made between Charles Germain and Louis Gaud and he said that some days after Louis Gaud and Germain had made their bargain, he, the deponent, was at Louis Gaud’s and asked him, if he wished to bring back for him his mare which the savages had stolen, and that Louis Gaud had said to him that if he was willing to give him a cow and her calf as Germain was doing, that he would bring it back to him, if he found it; and that he, the deponent, had agreed to give him a cow and her calf or forty piastres, if he brought back his mare; but that he had not brought it back; which is all that he said he knew.

We summoned François Duchenuau, whom, after he had made oath to tell the truth, we asked if he had knowledge of the bargain made between Louis Gaud and Charles Germain, and he said that he was at Peoria and was walking with Mailhet who had already bought the horse in question for Louis Gaud, and he asked Mailhet what it had cost and that he had answered him: “I have given two barrels of brandy to be chosen among eight and
[Redacted]

Pierre Laperche

sa

Louis + Chatel

marque

A Girardin.


du du pour livrer au mene une saisie contre le meme pr le Bled qu'il a che la dame alary.
two swigs; that the deponent had answered, “It is very dear;” that Mailhet had answered: “It is not too dear, since Louis Gaud has a cow and her calf for getting the horse from the savages”; which is all that he said he knew.

We summoned Antoine Girardin, a boy and resident, whom, after he had made oath to tell the truth, we asked if he had knowledge of the bargain between Louis Gaud and Charles Germain and he said that he was present at Louis Gaud’s the day that Germain came there; that the said Germain said to Gaud: “Uncle, bring my horse back to me and I will give you a cow and her calf; that he, the deponent, was taking a swig and did not give attention to what they may have said further. Reading made to him of his affidavit and he has said that it contained the truth and that it is all that he knows.

After the parties were heard and in view of the depositions of the witnesses, the Court in assembly after mature examination, condemned Louis Gaud to deliver the horse to Charles Germain, and to receive the cow and the calf which the latter agreed to give him, according to the depositions of witnesses. We condemn furthermore the said Louis Gaud in all costs and charges of the special session, which shall be advanced by the said Germain and reimbursed to him by the said Louis Gaud, according to the account determined by the Court and which amount to the sum of four hundred and eighty-seven livres ten sols, for which there will be execution notwithstanding all opposition or appeal. At Cahokia the said day, October 13, 1789. Held specially.

[Signed]
hBi His.
Philippe Engel. Louis + Chatel.
DuCharme. mark.
Labuxiere, Clerk. A. Girardin.

October 26 [?]. Issued to Charles Germain against Charly Cadien a writ of seizure of a horse in the possession of M. Bergeron.

Same day. Issued to the same a writ of seizure, against the same, of the wheat which he has at Madame Alarie’s.
A une Cour du deux Novembre 1789.
M. Antoine Girardin Président Pierre Laperche
Jean Bte Dubuque Louis Chatel
Charles Ducharme Henry Biron
Philipe Angel Magistrats
a ladite Cour.

M. Laille demandeur Contre Louis Coste defendeur
Le demandeur repete contre le defendeur 1.16 lb 1.7 En argent
Et 2.3 lb 17. En farine que le defendeur Convient devoir sur quoy
le(sir) Cour le Condamné a payer sans delais Condamnons le s'laile
aux frais pr Navoir pas demande son payement laquelle sentence
sera executée sous vingt quatre heures.

a la meme cour.

FRANCOIS HUBERDEAU demandeur Contre PIERRE DURBOIS
defendeur
Le demandeur repete contre le defendeur un billet de Cent
Cinquante livres Echus.

le defendeur la reconnu veritable.

sur quoy la Cour condamne le defendeur a payer son Billet
savoir la farine a 30 lb le Cent Et le mahis a 5 lb le sac marchand.
le tout sans delais condamne dubardeau [sic] aux frais liquidez a
15. tant pr Huissier lordre au greffier que la presente sentence.

délivre un decret du prise de Corps a ladite Cour a demande
de M. de Chamorgan Contre francois Clark americain.

a la meme Cour.

La Cour est ajournée au 1er xbre 1789.

At Girardin.

Du 7 Août 1789.

délivre une saisie a M. Dumoulin chargé pr M. Labadie, une
Somme somme contre Jean Bte Lapierre fergeron et sa
soumme sur l'somme la which que lui dit Philipe servais con-
ron époux avec se remise sous l'hypothèque de leurs Biens en
jusque l'un de nos courtiers Mr qui est déposé au Notariat de
court le faire sous et a la somme on saisisse faire pr la
somme de 50. lb sous le Cour tout intérêt payable En mai
1789.

At Dumoulin.
COURT RECORD, NOVEMBER, 1789

At a Court, November 2, 1789.

MM. Antoine Girardin, President.
Charles DuCharme. Louis Chatel.
Philippe Engel. Henry Biron.

Magistrates.

At the said Court.

M. LAILLE, Plaintiff, vs. LOUIS COSTE, Defendant.

The plaintiff brings claim against the defendant for 116 livres 17 sols in money and 23 livres 17 sols in flour, which the defendant acknowledges that he owes. Whereupon the Court condemned him to pay without delay. We condemn M. Laillé to pay the costs for not having demanded his payment, which judgment shall be put in execution within twenty-four hours.

At the same Court.

FRANCOIS HUBERDEAU, Plaintiff, vs. PIERRE DUBOIS, Defendant.

The plaintiff brings claim against the defendant for a note of one hundred and fifty livres, which has fallen due.

The defendant acknowledges it as genuine.

Whereupon the Court condemns the defendant to pay his note, to wit: the flour at 30 livres the hundred and the corn at 5 livres the trading sack, and all without delay; and condemns Huberdeau to pay the costs, fixed at 15 livres as well for the huissier and the order to the clerk as for the present judgment.

Issued a writ of capias at the said Court on prayer of M. Clamorgan against Francis Clark, American.

At the same Court.

The Court adjourned to December 1, 1789.

Ant. Girardin.

November 10, 1789.

Issued to M. Dumoulin, trustee for M. Labadie, a writ of conservative seizure against Jean Bte. Lapierre, blacksmith, and his wife on the sum of 1166 livres, which Philip Gervais, jointly with his wife, owes Lapierre under mortgage of their goods according to their obligation, dated yesterday, deposited in the office of the notary of the
du 26 9 bre 1789
delivré une saisie à M. Antoine Thibault contre Jean Ba Lapière
pour saisir Conservatoire Entre les mains de Philippe Gervais
la somme de deux cent onze livres et 20 li. la saisie sur la
somme de neuf cent soixante et quelques livres que led. Gervais
doit aud. Lapière par son obligation au Notaire de ce poste
payable lui-même sous défense de son dessaisir qui
ne soit par la Cour ordonné ladite saisie delivrée à Thom Brady
huissier signé du ch. magistra

P. Tabeau

du 28. 9. 1789 délivré une Saisie privilegiée Et provisoire au s
Robidoux, sur les biens meubles, une maison Et quatre Che-
vaux appartenant à Louis Gaud jusqu'à ce que la Cour En ay or-
donné fauvée de la ét de se fait et peinture que led. Louis
Gaud doi avent Robidoux par marchandises de vaute.

J. Robidoux

9. 1789 délivré un ordre à Pierre Gassian p faire complaire
devant la Cour au 25 a. avante la Cour.
9. 1789 délivré un ordre à M. d'Hoizain contre Marie Pénitraise.
9. 1789 délivré un ordre à M. Fauraud contre Guichard Barten.
9. 1789 délivré un ordre à M. Harmand contre Is. Lapennée.
jurisdiction and payable on All Saints day, 1790; the said seizure was
made for the sum of 280 livres in buckskin, payable in May, 1790.

Jn. Dumoulin.

November 26, 1789.

Issued a writ of seizure to Antoine Thibault against Jean Bte.
Lapierre to seize conservatively from the hands of Philippe Gervais
the sum of two hundred and eleven livres, and 20 livres, for the
writ of seizure, from the sum of nine hundred and sixty and some
livres, which the said Gervais owes the said Lapierre by his
obligation at the office of the notary of this post payable in the
autumn of 1790, with prohibition to divest himself of whatever
there is thereof. Decreed by the Court, the said writ of seizure
was delivered to Tom Brady, huissier, and was signed by Du-
Charme, magistrate.

P. Tabeau.

November 28.

Issued a writ of privileged and provisional seizure to M.
Robidou on the personal property, a house and four horses be-
longing to Louis Gaud, until the Court has decreed thereon, to
be held for surety of the sum of 1464 livres in peltties, which the
said Louis Gaud owes the said Robidou for merchandise of trade.

Jh. Robidou.

November 30. Issued a summons to Pierre Gassien to cause
to appear before the Court of December 1st Antoine LaCource.

November 30. Issued a summons to M. Dumoulin against
Marin Pencrasse.

November 30. Issued a summons to M. Harmand against
Gabriel Baron.

November 30. Issued a summons to Motard against Fr.
Lapancé.

At a Court, December 1, 1789.

MM. Antoine Girardin, President. Pierre Laperche.
Philippe Engel. Louis Chatel.

M. DUMOULIN, Plaintiff vs. MARIN PENCRASE.

The plaintiff brings claim against the defendant for the sum
of ninety-seven livres twelve sols six deniers for 55 lbs. of sugar net
a 35° 6d la Lx avec les frais. le defendeur a reconu devoir la dite somme mais quil navoit pas de quoy payer pour le present.

Vu la reconnoissance dudt marin Pencrasse qui a reconu devoir ladite somme la Cour la Condamne a payer Sous quinze jours aux memes conditions de L'Encan Bled ou farin Et aux frais.

a la meme cour

Sur la requete expositive des S° Laille Et arundel marchand de ce poste que quelques marchands de St Louis fairoient des avances au s° Louis gaud. qui se trouve Extrememement En debte, les quels Enlevent le produit des avances qui a Ete faites audt Louis gaud par les marchands et autres particuliers de ce poste ce qui fait un tor Et une fraude notable a ceux qui avancé audt Louis gaud sur cette partie tant aux marchands qua dautres particuliers de ce dit poste, La Cour En vertu de la requete du s° Laille Et du s° arundel Et autres representant defend audt Louis gaud de faire aucun payement sur lautre Rive ny dy faire traverser aucunnes pelteries ou payement ny meme aucunes marchandises Effets de quelque nature quils soient declare En outre la saisie faite par le s° Robidoub de nule valeur Et comme non faite qu'il nait auparavant Entierement satisfait toutes les Creances Et debtes qu'il doit sur cette Rive a peine de Confiscation des dites pelteries ou payement qu'il pourroit Envoyer qui seront saisie pr° satisfaire aux Creances dicy ce qui sera Execute lesdt jour Et an.

a la meme Cour.

Pierre Gassien demandeur Contre Antoine LaCource defaillant Nayant voulu comparoir apres assignation a luy donnee le jour de hier.

Vu la demande dudt Gassien contre Ledt LaCource montant a la somme de trois cent dix livres. savoir 250° pr° une terre Et 60° pr° salaire douvrage. condammons ledt antoine LaCource a payer ledt Gassien sans delais et aux frais et depens.
at 35 sols 6 deniers the pound with costs. The defendant acknowledged that he owes the said sum, but says that he has no means to pay at present.

In view of the acknowledgment of the said Marin Pencrass, who has acknowledged that he owes the said sum, the Court condemned him to pay within the fortnight wheat or flour on the same conditions as given at the auction. Condemned him to pay the costs.

At the same Court.

On the explanatory petition of MM. Laille and Arundel, tradesmen of this post, that some tradesmen of St. Louis were making to M. Louis Gaud, who is greatly in debt, advances which are absorbing the proceeds of the advances which were made to the said Louis Gaud by traders and others individuals of this post, an act which is effecting a wrong and considerable fraud to those on this side, both tradesmen and other individuals of this post, who have made advances to the said Louis Gaud; the Court in virtue of the petition of M. Laille and M. Arundel and other representatives forbids the said Louis Gaud to make any payment on the other bank, to send across any peltries or payment or likewise any merchandise, effects of whatsoever nature; and it declares, furthermore, the seizure made by M. Roubidou of no value and as not made, until the said Gaud has first entirely satisfied all the claims and debts which he owes on this bank, on penalty of confiscation of the said peltries or payment that he may send and these shall be seized to satisfy the claims of this place, for which there will be execution the said day and year.

Ant. Girardin.

At the same Court.

Pierre Gassien plaintiff, vs. Antoine LaCource absent, having refused to appear after summons was served on him yesterday.

In view of the claim of the said Gassien against LaCource amounting to the sum of three hundred and ten livres, to wit 250 livres for a plantation and 60 livres for wages, we condemn the said LaCource to pay the said Gassien without delay with costs and charges.
a la meme Cour.

Le 5e MOTARD demandeur Contre FRANCOIS LAPENSEE defendeur

sur les contestations des comptes reciproques que les deux parties ont produit l'un contre l'autre. La Cour a renvoye les deux parties par devant Mr William aRundel Et Mr jean dumoulin Et Mr Laille pte arbitrer led comte Et Larreter auquel arrete de Compte les parties se soumetront ce qui sera execute.

La Cour est ajournee au 1er janvier 1789.

A" Girardin.

du 3 Xbre 1789.

Est comparu au greffe de cette justice Le St antoine Thabault Negociant de Cahos lequel a requis l'enregistrement de L'ordonnance cy apres.

Nous antoine girardin President Et magistra de la Cour du district des Cahos. Sur les representations a nous faites par le St antoine tabault Negociant de cette Rive et y ayant sermant de fidelite Etablissant Son domicile En la maison de Charles Lefevre habitant de ce poste, lequel En Sa dite qualite de Citoyen de cette dite Rive aurait apris que les Biens de Louis gaud traiteur de ce poste avoient Eté Saisis par le St Robidoub marchand de la Rive espagnole Sous pretexte de davances faites aud Louis gaud laquelle saisie a Eté par cette Cour Ennulee le premier de ce mois, afin que les vray Citoyen de cette Rive, reconnus pour tel ayant le privilege d'etre payez. Sur les Biens dud Louis gault preferablement a tous les autres Commerceants Etrangers qui sont aucun sermant de fidelite Sur cette Rive Et gouvernement americain.

EN CONSEQUANCE nous avons Permis Et Permetons aud St antoine thabault Negociant de cette Rive y ayant Serment de fidelite Et y ayant Etabli Son domicile de Saisir, arreter Et mettre Sous la main de la justice tous les Biens meubles Et immeubles dud Louis gault comme Son dernier Equipeur. Saisir, arreter Sequestrer luy Etablir garde et depotoir a toutes les pelleries quyses brales et autres effets que led Louis gault pourra faire Et le mettre aux de ces mains meme ceux qu'il trouvera avoir En
COURT RECORD, DECEMBER, 1789

At the same Court.

M. MOTARD, Plaintiff, vs. FRANÇOIS LAPANCÉ, Defendant.

On account of the disagreement of the reciprocal accounts which the two parties have brought against each other, the Court dismissed the two parties to arbitrate and settle the said account before M. William Arundel, M. Jean Dumoulin and M. Laillé to which settlement the parties shall submit; for which there will be execution.

The Court adjourned to January 1, 1789.

December 3, 1789.

There appeared at the record office of this Court M. Ant. Tabeau, merchant of Cahokia, who required the registration of the following decree.

We Antoine Girardin, president and magistrate of the Court of Cahokia, on the representation made to us by M. Antoine Tabeau, merchant of this bank, who has made oath of fidelity thereto and established his domicile in the house of Charles Lefèvre, resident of this post, and who, in his quality of citizen of this bank, has learned that the goods of Louis Gaud, trader of this post, had been seized by M. Robidou, merchant of the Spanish bank, under pretext of advances made to the said Louis Gaud, which seizure was annulled by this Court the first of this month, in order that the true citizens of this bank, and known as such, should have the privilege of being paid from the goods of the said Louis Gaud in preference of all other alien merchants who have taken no oath of fidelity on this bank and to the American government.

IN CONSEQUENCE we have permitted and do permit the said Antoine Tabeau, merchant of this bank who has taken oath of fidelity thereto and established his domicile thereon, to seize, distrain and place under the hand of justice all the goods, personal and real, of the said Louis Gaud, as last furnisher; to seize, distrain, sequester and establish a guardian therefor and a depositary for all peltries, tallow, oil and other effects which the said Louis Gaud may make and bring thereof to this place by his trades, and also those which he shall be found to have in his possession in his
sa possession dans Sa maison, Lesquelles pelteries Seront mises En deposit a la Garde Et ches le St isidore laCroix qui sen Chargera jusqu'a la Cour prochaine pour En Etre ordonne ce que de raison le tout pour Sureté des Sommes d'Equipement que led St Thabault a fait aud Louis gault En qualité de marchand citoyen de cette Rive Et comme dernier Equipeur Et encore pour sureté de Cent Soixante treize livres En argent ou pelterie que led Louis gault reste devoir Sur Son obligation de L'Encan de defunt augustin dubuque Echus depuis le quinze davril dernier suivant l'intervention du St Labuxiere Chargé de ladite succession Enjoint au bailly de cette Cour de proceder a ladite saisie aussitot la requisition dud St Thabault avec les formalités requises donnnns la presente Saisie Non sur les Chevaux qui serviront aud Louis gault pour plus grande facilité dans Son Commerce, mais sur tous autres articles Et effets cy devant detailles conditionelement que le st à Rundel et laillle seront present lors de la livraison des pelteries Et effets du st Louis gault au depositaire le st LaCroix Et en feront eux meme l'invantaire Et la presente sera Enregistree au greffe de ce poste pour y avoir Recour quand Besoin sera donné aux Cahos le 3 Xbre 1789. signé Thabault Saisissant Et ant St Girardin President. Et a l'instant L'original du present Enregistrement remis ez [sic] mains dud St Thabault iesd tour Et an.

Labuxiere greffier.

Je Soussigné a deffaud huissier comme ayant été Requis par luy en presence des temoins Soussignés signifié la presente sentence Et Saisie a la dame Louis gault En labscence de son mary En parlant a Sa person En son domicile led jour Et an que dessus signé Billet p' thom Brady huissier.

En consequence avons saisie et Saisisons une maison a vide maintenant ladite dame Et sa famille, une armoire a deux Battans, un miroir a cadre dor une paire de Boeuf une vache avec son veau, deux genisses de trois ans Cinq pourceaux, plusieurs meubles de menagers aux Cahos le 3 Xbre 1789 signé Billet p' thom Bredy. En outre plusieurs marchandises drats couvertes &c. que ladite dame a declaré avoir Recu de M' Thabault lors que son Epoux a
house; which peltries shall be deposited in the custody and at the
house of M. Isidore LaCroix, who shall be intrusted therewith
until the next Court, that there may be decreed concerning them,
for which this act is sufficient. This is done to assure the sums
for equipment which the said M. Tabeau has made to the said
Louis Gaud, in his title of citizen trader of this bank and last
furnisher, and also for surety for one hundred and seventy-three
livres in money or peltries which the said Louis Gaud still owes on
his note given for the goods bought at the auction of the deceased
Augustin Dubuque, matured since the fifteenth of April last,
according to the intervention of M. Labuxiere who is intrusted
with the said estate. And we have enjoined on the bailiff of this
Court to proceed to the said seizure as soon as he receives the
requisition with the necessary formalities from the said M. Ta-
beau. We do not give the present writ of seizure on the horses,
which will serve the said Louis Gaud to conduct his commerce
with greater facility, but on all other articles and effects here-
before mentioned in detail, under the condition that MM.
Arundel and Laillé shall be present at the time of the delivery of
the peltries and effects of M. Louis Gaud to the guardian, M.
LaCroix, and they shall themselves make an inventory thereof;
and the present shall be registered at the office of this post in
order to have recourse thereto, when there shall be need.
Given at Cahokia December 3, 1787. Signed Tabeau, execution
creditor, and Ant. Girardin, president. And now the original
of the present registry was delivered into the hands of the said M.
Tabeau the said day and year.

Labuxiere, Clerk.

I, the undersigned, in default of the huissier and as requested
by him, in the presence of the undersigned witnesses, have served
the present decree and writ of seizure on Madame Louis Gaud in
the absence of her husband and I have spoken to her in person
at her place of residence, the said day and year as above. Signed
Billet for Tom Brady, huissier.

In consequence we have seized and do seize a house vacated
now by the said lady and her family, a closet with two folding
pres son Equipement dans le 3. Xbre 1789 Billet p° thom Brady
P. Saucier Et Isadore Lacroix temoins

Nous Saisignes avons receuue la quantite de Cinq cent quarante trois livres Et demie des paus de Chevreuil livrées par M° Louis gaye à M° Isadore Lacroix, sur les quelles il se trouve Cinquante deux livres vusées Et une grande parties parmi les Bonnes trop mouillées pour ne pas souffrier une grande diminution, de plus nous avons compte Sept paus dours, quatre mauvais paus doussons signé isadore Lacroix, arundel, saucier.

Sur les quatre heures apres midy je me suis transporté En la maison du reside le Sr Lacroix et ay saisie au Nom de thom Brady huissier de ce district les pelteries mentionnées cy dessus Et ay saisie le tout dans la susdite maison sous les garanties du Sr antoine Thabault led' jour Et an que dessus En presence du Sr isidore la Croix qui a signé la present. signé isidore laCroix. Pré Billet p° thom Brady.

Et a instante moy greffer soussigné ay Remis l'original du present Enregistrement aud° Sr antoine Thabault lesd° jour Et an.

P Tabeau

Du 7 Xbre 1789

une saisie p° Le Sr Labuxiere contre motard

Nous antoine girardin President magistra &c. Nous saississons Et arretons Entre les mains de francois Lapensee la somme de 85° que led° motard doit au Sr Labuxiere st le Comte de frais a luy dub par led° motard Et par nous arreté luy faison defences de son desaisir enver qui que ce soit que le compte ne soit Entiere

ment payé par led° motard aud° Sr Labuxiere a peine d En repond En Son nom Et jusqu'a ce que la Cour En ay ordonné aux Cahos le 7 Xbre 1789. Signé ant° girardin President.

Récu la presente saisie francois Lapance

Du 28. Xbre delivré un ordre a la veuve henry Golding americaine contre josiah Ryan habitant americain demeurant a la Riviere de laigle pour comparaître a la cour du 2. janvier 1790 pour repondre a la demande de la dite veuve pour leulevement que led° Golding a fait de Ses effets Et Biens.
doors, a mirror with gilt frame, a yoke of oxen, a cow with her calf, two three year old heifers, five pigs, several pieces of furniture. At Cahokia December 3, 1789. Signed, Billet for Tom Brady. Furthermore some merchandise, cloth, coverings, etc, which the said lady declared she had received from M. Tabeau at the time that her husband took his equipment. Cahokia, December 3, 1789. Billet for Tom Brady, F. Saucier, and Isidore LaCroix, witnesses.

We, the undersigned, have received the quantity of five hundred and forty-three and a half pounds of deer-skins, delivered by M. Louis Gaud to M. Isidore LaCroix, among which there are found fifty-two pounds spoiled and a large part of the good, too moulded not to suffer a great decrease in value. Furthermore, we have account of seven bear-skins, four bad skins of bear’s cubs. Signed, Isidore LaCroix, Arundel, Saucier.

At four hours after noon I have gone to the house where M. LaCroix resides and seized in the name of Tom Brady, huissier of this district, the peltries mentioned above and have seized all in the house aforesaid under the guaranty of M. Antoine Tabeau, the said day and year as above, in the presence of M. Isidore LaCroix who has signed the present. Signed, Isidore LaCroix, Pierre Billet for Tom Brady.

And now I, the undersigned clerk, have returned the original of the present registry to the said M. Antoine Tabeau the said day and year.

P. Tabeau. Labuxiere, Clerk.

December 7, 1789.

A writ of seizure for M. LABUXIERE against MOTARD.

We, Antoine Girardin, president, magistrate etc. We seize and attach the sum of 85 livres, in the possession of François Lapance, which the said Motard owes M. Labuxiere according to the account of costs due to him by the said Motard and by us closed; and we forbid him to part therewith to any one whomever until the account be paid entirely by the said Motard to the said M. Labuxiere, on pain of being responsible therefor in his name, and until the Court has issued decree thereon.
In a certain way, I see the scene as
A man and a woman
Lost in thought,
Searching for meaning in life.

The man, with a beard,
Sits alone, deep in contemplation,
While the woman, with a gentle smile,
Looks at the horizon, lost in wonder.

The scene is set in a small room,
With the sound of a gentle river
In the background,
Adding a sense of tranquility.

The man, with a sudden realization,
Stands up,
Seizing the moment,
And the woman,
Smiles in understanding.

The scene is a reminder,
That in the midst of life,
There is always a moment
Of beauty and grace.

I see the man and the woman,
As a symbol of our journey,
Through the ups and downs,
Of life's complexities.

The scene is a testament,
That even in the darkest of times,
There is always hope,
And the promise of a brighter tomorrow.

I see the man and the woman,
As a reminder,
That we are not alone,
And that we are connected,
Through our experiences.

The scene is a call to action,
To embrace the present,
And to make the most
Of every moment.

I see the man and the woman,
As a beacon of light,
Guiding us through the darkness,
And leading us to the light.

The scene is a celebration,
Of the beauty of life,
And the power of love.

I see the man and the woman,
As a reminder,
That we are part of something
Greater than ourselves.

The scene is a reminder,
That we are not alone,
And that we are connected,
Through our experiences.

I see the man and the woman,
As a symbol of our journey,
Through the ups and downs,
Of life's complexities.

The scene is a testament,
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That even in the darkest of times,
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And that we are connected,
Through our experiences.

The scene is a call to action,
To embrace the present,
And to make the most
Of every moment.

I see the man and the woman,
As a beacon of light,
Guiding us through the darkness,
And leading us to the light.

The scene is a celebration,
Of the beauty of life,
And the power of love.

I see the man and the woman,
As a reminder,
That we are part of something
Greater than ourselves.
At Cahokia December 7, 1789. Signed, Ant. Girardin, President. Received the present writ of seizure, François Lapance.

December 28. Issued a summons on demand of the widow Henry'Golding, American, against Josiah Ryan, American inhabitant, dwelling at the Eagle River, to appear at the Court of January 2, 1790, to answer to the prayer of the said widow for the removal of her goods and chattels, which the said Golding has made.

December 30. Issued a summons on demand of Antoine Harmand called Sansfaçon against William Biggs, American, to appear at the Court of January 2, 1790.

January 2, 1790, at a Court held by
MM. Antoine Girardin. Philippe Engel.
Pierre Laperche.

The widow Henry Golding, Plaintiff, vs. Josiah Ryan, Defendant.

After having heard the parties in their prayers and answers the Court dismissed them to the judge of their district who will take cognizance thereof.

At the same Court.
Louis Gaud, Plaintiff, vs. M. Tabeau, represented by M. Pepin, Defendant.

The plaintiff prays in his petition, presented this day to the Court, that the seizure, made of his personal property, peltries, effects and real estate, be raised on account of the wrong, which it does him in his business and which hinders him from satisfying his creditors, and also on account of the failure of M. Tabeau to furnish him merchandise in accordance with his agreement; and he prays, furthermore, that M. Tabeau be condemned to pay him all damages from the said seizure, namely for wrong, delay, costs and charges.

Heard M. Pepin, attorney of the said M. Tabeau, who has required that the decision of the case be left to jurors; in which M. Laillé has intervened, who was opposed, as interested party,
Louis gault qui ont requis la decizion de ladite affaire par la Cour 
Et que la dite saisie Soit levée. Parties ouyes.

La Cour a levé Et leve toutes saisies faites et obtenues par le 
sr thabault sur les biens meubles Et immeubles pelteries Et autres 
Effets dud't Louis Gault, la met au Neant Et Remet led't Louis 
Gault possession de tous Ses Biens pelteries marchandises Et 
effets. a luy Enjoint de payer primitivement privilegiere Et 
par prefferance a ceux de la Rive espagnole tous les Creanciers de 
cette Rive qui seront privilegez audt S'r thabault Et Roubigoub qui 
aurent leur privilege quapres les dits Creanciers dicy payez, con-
danne la dite Cour le le sr thabault a Suporter toutes pertes depens 
domages qui pourroit etre survenus aux pelteries saisies mise En 
deposit chés le sr izidore laCroix, le condamne pareillement En 
tous les frais depens de ladite saisie et du proces. Et le S'r Robi-
doub aux frais de la Saisie par luy obtenue. la Cour ayant Eté 
informede que le sr thabault par la voye du S'r papin aovit Enlevé 
des huiles Et Graisses saisies malgré la defiances a luy faites 
dans les saisies pre[ce]dantes Et au mepris de latorité de la Cour 
Les avoir transportée sur la Rive Espagnole ce qui sera execute 

a't Girardin

Entre M'r DECLAMORGAN demandeur Contre LOUIS COSTE
et sa femme deffendeur non comparant apres assignation a eux 
donnée

Và le Billet dud't Coste et sa femme de 815 L de farine Echus 
la Cour Les condanne a payer Et aux frais Et aux frais [sic]

a't girardin

La cour est ajournee au pr'e fevrier 1790

a't Girardin

A une Cour du 1er Fevrier 1790.

M'r Antoine girardin Presidant Philine angel
Br'e dubuque Charle ducharme

Ne setant presenté aucunne cause nous avons adjoyme la 
cour au 1er de mars prochain

a't Girardin
to having the case decided by jurors, as was also the said Louis Gaud, and they have required the decision of the said case by the Court and prayed that the said seizure be raised. Parties heard.

The Court has raised and does raise all seizures made and obtained by M. Tabeau on the personal and real property, peltries and other effects of the said Louis Gaud and annuls them; and returns to the said Louis Gaud the possession of all his property, peltries, merchandise and effects; and has commanded him to pay first, and by privilege and preference to those of the Spanish bank, all the creditors of this bank who shall be privileged before the said MM. Tabeau and Robidou, who shall have their privileges only after the said creditors of this place are paid; and the said Court condemns M. Tabeau to bear all losses, expenses and damages which may have occurred to the peltries seized and deposited at the house of M. Isidore LaCroix; and condemns him likewise in all costs and charges of the said seizure and suit, and M. Robidou in the cost of the seizure obtained by him, the Court having been informed that M. Tabeau with the assistance of M. Pepin had carried off and transported to the Spanish bank some oil and grease, which was seized, in spite of the prohibition made to him in the preceding writ of seizure and in defiance of the authority of the Court; for which there will be execution.

Ant. Girardin.

M. Clamorgan, Plaintiff, vs. Louis Coste and his wife, defendant, not appearing after summons was served on them.

In view of the note of the said Coste and his wife for 815 pounds of flour, which has matured, the Court condemns them to pay it with the costs and charges.

Ant. Girardin.

The Court adjourned to February 1, 1790.

At a Court February 1, 1790.

MM. Antoine Girardin, President. Philippe Engel.

No cause having been presented, we adjourned the Court to the first of March next.

Ant. Girardin.
A une Cour Extraordinaire Du deux fevrier 1790
Mrs. Antoine Girardin Presidente
Philippe Angel
Bte. Dubuque
Charle Ducharme
Louis Chatel

La Cour siegante Contre le Sr. Jean Marie Papin citoyen
de la Rive espagnole detenu aux fers prisonnier a lagarde de thom
bredy Bailly de la cour.

Avons fait comparaître le Sr. Louis Lebrun habitant de ce
poste lequel après sermant par luy fait de dire la vérité Sur les
Saints Evangiles luy avons demande a quel dessein le Sr. Papin
avoit Été chés luy le dimanche trois de janvier dernier.

a repondu que le Sr. Papin avoit Été chés luy ledit jour vânt
la messe luy demander sil vouloit luy preter sa maison pour
faire une assemblée, quil avoit une requête a presenter aux habi-
tants, quil vouloit faire cette assemblée pour avoir une Cour de
juré pour apeller de la sentence de la cour Et voir Sil pouvoit se
relever de son affaire qui est tout ce quil a dit savoir lecture a luy
faite de Sa deposition a dit contenir vérité y a persisté a dit ne
savoir signer Et fait sa marque ordre.

marque + de
Louis Le Brun

Avons fait paroitre le Sr. Joseph Lapensée habitant de ce village
lequel après sermant par luy fait sur les Saints Evangiles de dire
vérité luy avons demande ce que le Sr. Papin luy a dit lors qu'il a
Été aujourd'hui p' Larreter

a dit qu'en le conduisant en prison le Sr. Papin luy ait dit
pourquo y ont ils Employé le peuple p' marer. Ils ont raison
par ce que si setoi des magistra je ne sait pas ce qu'il en nauroit
Été qui est tout ce qu'il a dit savoir lecture a luy faite de sa declara-
tion a dit contenir vérité y a persisté Et a declare ne savoir signer
a fait sa marque ordre

marque +

de Joseph Lapensée

1 The case is interesting, when it is remembered that the Spanish subjects were doing
their utmost to drive the French from the American Bottom. Although the case was appar-
ently based on a commercial transaction, this attempt to undermine the power of the Court
may be due to the same policy pursued by the Spanish at Kaskaskia. See Introduction, p. cxii.
At a special session of the Court, February 2, 1790.
MM. Antoine Girardin, President. Charles DuCharme.
Philippe Engel. Louis Chatel.
Bte. Dubuque.

The Court in session vs. M. Jean Marie Pepin, citizen of the Spanish bank, detained in irons as a prisoner in the custody of Tom Brady, bailiff of the Court.¹

We have summoned M. Louis Lebrun, inhabitant of this post, of whom, after oath was made by him on the Holy Gospels to tell the truth, we demanded for what purpose M. Pepin had been at his house Sunday the third of January last.

He answered that M. Pepin had been at his house the said day before mass to ask him if he would lend him his house for the purpose of holding an assembly; that he had a petition to present to the inhabitants and that he wished to have this assembly in order to have a court of jurors so that he could appeal from the sentence of the Court and see if he could not obtain relief in his affair; which is all that he said he knew. Reading was made to him of his deposition and he said that it contained the truth and persisted therein; and he said that he did not know how to sign and has made his mark.

Mark + of
Louis Lebrun Ant. Girardin.

We have summoned M. Joseph Lapancé, inhabitant of this village, of whom, after oath was made by him on the Holy Gospels to tell the truth, we demanded what M. Pepin said to him at the time he went to-day to arrest him.

He said that while conducting him to prison M. Pepin had said to him: “Why have they employed the people to arrest me? They are right, because if it had been magistrates, I do not know what would have happened;” which is all that he said that he knew. Reading was made to him of his deposition and he said that it contained the truth and persisted therein; and he said that he did not know how to sign and has made his mark.

Ant. Girardin Mark + of
of Joseph Lapancé.
Ladite cour a fait comparaître En la Chambre du greffe led* S\n
Papin, lui a Été demandé par Mr Le présidant girardin pour quoy il avoit reparé sur cette Rive Et En ce village le jour de hier au

mepris des defences au mepris des defences [sic] qui luy ont Été
cy devant faites sans en demander une permission au commandant
de ce poste ou a un magistra de la cour tel qu'il luy Été Enjoint
par notre decret du quatre janvier dernier Et pourquoi il ait

encore parû et reste deux jours la semaine passée dans ce village
contre led\1 decret.

a Été Longtemps Sans repondre Et après Lavoir sommé de

repondre a dit qu'il navoit Rien a dire que ce netoit pas icy ou il

repondroit.

Luy a Été demandé pourquoi il a dit aujourduy a ceux

qui ont Été pour Larreter quon se servoit du peuple p\r Larreter
que si savoit Été des magistra il ne se seroit pas laissé prendre si

facilement.

a dit qu'il navoit Rien de repondre.

La Cour ayant muremement delibéré Entrelle a declaré led\1 \st

Papin Perturbateur du repos public En ce vilage aeteint et convaincu
davior voulu Exiter une sedition contre la cour Et tenû dans ce dit
vilage des discours Contrelle tendant a menaces, mepris et aten-
tatoire a son autorité et autres propos injurieux pour reparation

de quoy ladite Cour le Condamne a tenir prison aux fers a la
garde du Bailly de deux miliciens Et dun officier de milice pen-
dant cinq jours au bout du quel tems sera mis dehor de la
prison et conduit par la garde au missisipy Enjoint a luy de

traverser sur la partie Espagnole et de ne jamais reparoirre
En ce village Et dependances de ce district sans une permis-
sion du Commandant de ce poste ou dun magistra a peine de
punition Corporelle le condamnons En outre En tous les frais
de leextraord\se que la cour a liquidez a la somme de quatre
cent quarante livres En argut suivant le compte arreté qu'il payera
Comptant avant de sortir de prison ce qui sera executé par

privilege Et nonobstant toute representations. donné Et deli-

\1 The decree is not in the Record.
The said Court summoned to the chamber of the clerk the said M. Pepin and asked him through M. the President Girardin, why he had reappeared on this bank and in this village yesterday in defiance of the prohibition which had been herebefore made him, without asking permission therefor from the commandant of this post or one of the magistrates of the Court, as he was commanded by our decree of the fourth of January last; and why he had again appeared and remained the past week in this village contrary to this decree.¹

He has been a long time without answering and, after having summoned him to answer, he has said that he had nothing to say, that it was not here where he would answer.

It was asked him why he said to-day to those who have been to arrest him that they made use of the people to arrest him, that, if it had been magistrates, he would not have permitted himself to be taken so easily.

He said that he had nothing to answer.

The Court having carefully deliberated declared the said M. Pepin a disturber of the public peace in this village, caught and convicted of having wished to excite a sedition against the Court; and he has held in this said village discourses against it, leading to menaces, defiance and outrage on its authority, and other injurious talk; for reparation of which the said Court condems him to be held in prison in irons under the custody of the bailiff, two militia-men and an officer of the militia for five days; at the end of which time he shall be placed outside of the prison and conducted by the guard to the Mississippi, and commanded to cross to the Spanish part and never to reappear in this village and the dependencies of this district, without a permission of the commandant of this post or of a magistrate, on pain of corporal punishment. We condemn him furthermore in all the costs of the special session, which the Court fixes at the sum of four hundred and forty liures in money according to the account drawn up, which he shall pay before leaving prison, for which there will be execution by privilege and notwithstanding all representations.
beré par la dite Cour ledt jour deux fevrier mil sept Cent quatre vingt dix.

[Signed]
DuCharme          Philipe Engel
Sa                Bte Dubuque
Louis + Chatel    a t Girardin
marque

a une Cour du 3. mars 1790.
Mme antoine girardin Presidant Bte dubuque
Philipe angel      Pr E Laperche
Charles ducharme   Louis Chatel

Mr aRundel Negociant a fait comparoître michel peltier pour luy payer la somme de quarante quatre livres En argent par son compte après luy avoir demandé.

Ledt michel Peltier a repliqué que Mr Rondel luy avoit dit qu'il ne le presseroit pas Et qu'il ne Croyoit pas qu'il le forceroit a le payer presentement qu'il Etoit surpris qu'il luy envoyoit une assignation qu'il sen Etoit Raporté a sa parole.

a quoy le Sr Rondel a repondu qu'il avoit Été chés luy demander son payement Et qu'il Etoit sur son depart qu'il avoit Besoin de son argent qu'il ne se souvenoit aucunement de luy avoir dit qu'il luy donneroit du temps.

La Cour condamné ledt michel Peltier antaya a payer comptant et sans delais son Compte de quarante quatre livres. Et condamne le Sr arundel aux frais sur ce qu'il est Convenu de ne pas presser ledt antaya Et qu'il a declaré ne pas sen souvenir ledt antaya ofrant des preuves, a quoy le Sr Rondel sest soumis pr lesdt frais ce qui sera executé.

a le Meme Cour

Mr RONDEL Contre JOSEPH CECIRE.

Mr Rondel demande audt Cecire un Compte de la somme de trente livres par son Compte ce que ledt Cecire Est Convenu mais qu'il ne pouvoit payer par ce que lon ne le payoit pas surquoy la Cour Condamne ledt Cecire a payer au Sr aRundel sans delais Et aux frais Et depens.
Given and determined by the said Court the said day, February 2, 1790.

His Bte. Dubuque.
Louis plus Chatel Ant Girardin.
mark

At a Court, March 3, 1790.

MM. Antoine Girardin, President. Bte. Dubuque.
Charles DuCharme. Louis Chatel.

M. Arundel, merchant, summoned Michel Pelletier to pay him the sum of forty-four livres in money according to his account, after having demanded it of him.

The said Michel Pelletier replied that M. Arundel had told him that he would not press him and that he did not believe that he would compel him to pay now; that he was surprised that he sent him a summons, that he had relied on his word.

To which M. Arundel answered that he had been to his house to demand of him his payment; and that he was about to leave; that he had need of his money; that he did not remember at all having said to him that he would give him time.

The Court condemned the said Michel Pelletier Antaya to pay in cash and without delay his account of forty-four livres; and condemns M. Arundel to pay the costs, because he agreed not to press the said Antaya and has declared that he did not recollect it, when the said Antaya offered proofs, whereon M. Arundel has submitted for the payment of the said costs, for which there will be execution.

At the Same Court.

M. ARUNDEL vs. JOSEPH CESIRRE.

M. Arundel sues the said Cesirre for an account of the sum of thirty livres according to his account to which the said Cesirre agreed; but which he does not pay, because some one does not pay him. Whereupon the Court condemns the said Cesirre to pay to M. Arundel without delay and to pay the costs and charges.
Le demandeur demande au défendeur le payerment de secours de la wage de lave montant à la somme de 1 livre 4 sols. Le commandant a donné dit qu'il a été de soulier de payer sans redresser et femmes et hommes pour leur service aux ordres et aux frais et depens.

Le demandeur demande au défendeur un taux de Boeuf qui lui a vendu la somme de 55 sols. Il y a une paire de soulier lui ayant esté fait le billet de pareille somme pour payer dans le mois de prate l'année suivante En farine au prix du Cour les quels Boeuf ledt s'du molon fut obligé verballement de luy livrer a sa demande qui repartirent le refus de Molon que la Cour loblige a lui livrer ledt Boeuf Molon a repondu qu'il offroit de livrer ledt Boeuf qui reconnuist les avoir vendu mais que par seigneur le billet du Cour sans façon Etoit dechiré qu'il y en ait représenté les nouveau qu'il y ait Reconu qu'il demandoit avant de luy livrer les Boeuf qui luy donna un caution payer laud temps et
M. Arundel, Plaintiff, vs. Janot Lapance, Defendant, who has been unwilling to appear, after having been called three times at the door of the audience chamber, the summons having been served on him yesterday by the huissier of the Court.

The plaintiff demands of the said Lapance the payment of his account for supplies of merchandise amounting to the sum of one hundred and seventy-one livres, because of his departure for Prairie du Chien, and since he cannot wait longer.

In view of the refusal of the said defendant to appear after summons was given to him, the said Court condemns him to pay without delay his said account, amounting to the sum of one hundred and seventy-one livres and to pay the costs and charges. Francois Turgeon, Plaintiff, vs. Lefevre, smith, who has not wished to appear after summons was given him, and he was called three times at the door of the audience chamber and M. Chatel appeared for him.

The plaintiff demands of the defendant the payment of his wages for mowing grass, which amount to the sum of sixty-one livres. Whereupon M. Chatel said that M. Lefevre had told him that he owed the plaintiff only forty-nine livres. Whereupon the Court condemned the defendant to pay without delay what he owed the said Turgeon, amounting to sixty-one livres and to pay the costs and charges, for which there will be execution.

Antoine Harmand called Sansfacon, Plaintiff, vs. M. Jean Dumoulin, Defendant.

The plaintiff demands of the defendant a pair of oxen which he sold to him for the sum of 550 livres and a pair of shoes, having accepted from him his note of like sum payable in the month of September next in flour at the price current; which oxen the said M. Dumoulin bound himself verbally to deliver to him on demand. He prayed, on the refusal of M. Dumoulin, that the Court compel the latter to deliver to him the said oxen. M. Dumoulin answered that he offered to deliver the said oxen and that he acknowledged that he had sold them, but that by inadvertence the note of M. Sansfacon was torn; that he had shown the pieces of it to him; that Harmand acknowledged that he, Dumoulin, demanded,
qu'il luy Consenty un autre billet a la place de celuy qui Etoit déchiré par inadvertance. vû aussi la déclaration de M° a Rundel
Et izidore laCroix temoins aux conventions des parties. La Cour ordonne aude a antoine harmand de fournir un Caution au s°
dumoulin avant de luy livrer lesd Boeuf Et de luy refaire un autre Billet En place de celuy dechire Et a defaud par lesd s°
harmand de ce faire sous huit jours le marché sera de nule valeur Et En satisfaisant a la presente sentence ordonne au s° dumoulin
de livrer lesd Boeuf condamne lesd harmand aux frais.

La cour est ajournée au 1er avril prochain.

girardin.
before delivering the oxen to him, that he give surety that he would pay at the said time and that he make another note in place of that which was torn by inadvertence. In view also of the affidavits of MM. Arundel and Isidore LaCroix, witnesses of the conventions of the parties, the Court decrees that the said Antoine Harmand furnish surety to M. Dumoulin, before the latter delivers to him the said oxen, and make another note in place of the torn one; and in default by the said M. Antoine Harmand to do this within a week, the bargain shall be null; and if he satisfies the present decree, the Court orders M. Dumoulin to deliver the said oxen; and condemns the said Harmand to pay the costs.

The Court adjourned to the first of April next.

Ant. Girardin.

At a Court, April 1, 1790.

MM. Antoine Girardin, President. Charles DuCharme.
Philippe Engel. Louis Chatel.
M. LAYLE, trader from Canada, Plaintiff, vs. FRANÇOIS LA
PANCÉ, Defendant.

The plaintiff demands of the defendant the quantity of 298½ lbs. of flour or 119 livres 10 sols in money, which he owes him on his note, and costs and charges. Heard M. Lapancé who acknowledged that he owed the said sum and said that he did not refuse the payment to the plaintiff and offered still to pay it. Heard also the said plaintiff, who said that he had demanded a number of times his payment of the said defendant and that he had always put him off from day to day until to-day.

The Court, on deliberation, condemned the defendant to pay without delay his money in flour or money, amounting to 298½ lbs. of flour or 119 livres 10 sols in money, and to pay the costs and charges for which there will be execution.

At the same Court.

The named WADDELL, Plaintiff, vs. PIERRE LAFLEUR, Defendant.

The plaintiff sets forth to the Court that he had bought a cow with calf for fifteen minots of corn and a hundred pounds of bacon with the understanding that it was a good milk cow and without fault; and that he had taken the cow to Grand Ruisseau; but that,
sans deffaud Et qu'il avoit Emmené la vache au grand Ruisseau mais qu'ant velée Elle navoit pû nourir son veau Et qu'il Etoit mort la mere n'ayant pû nourir que de plus il setoit apercû que ladite vache navoit que deux trions que les deux autres Etoient Secs, qu'il avoit fait son payement audt s't Lefleur. qu'il Requeroit que le St Lefleur luy remete une autre vache prete a veler Bonne Et sans deffaud. ou luy remetre son payement et aux frais et depens que dailleur il ne Croyoit pas que ce fut la meme vache que le deffendeur luy avoit proposê.

ouie ledt St Lefleur deffendeur qui a dit qu'il avoit vendû ladite vache audt Wadel En presence de Mr schemitz Et de meunier qui a Servy dinterprete, qu'il la averti de la visiter et que si elle ne luy Convenoit pas de la Laisser Et de ne pas lammener qu'il ne vouloit point de reproches. que le St schemitz lavoit visitee que vadel Lavloit visitée Et qu'il sen Etoit trouvé Contant Et luy avoit mis une Corde dans les cornes et Lavoit Emmenée.

En consequance avons fait faire sermant sur les Saints Evangiles au St schemitz achison qui ont dit etre present Et qui ont Expliqué a la Cour Les memes dires du demandeur. Vû aussi le Certificat du Nomme meunier qui a Servy dinterprete audt marché et visite de ladite vache cy joint et sermante devant deux magistrats de la Cour, donné a cause de son depart ledt certificat En faveor de st Lefleur. Le tout examiné la Cour a renvoyé les parties a la prochaine Cour jusques a larivée du Nomme meunier qui a servi dinterprete Et de temoins. y ayant contrariété de deposition Entre les deux temoins de Wadel et de lafluer.

La Cour est ajournee au premier may prochain.  
At Girardin

1 The Court never met again, for on the 27th of the month Governor St. Clair established the county of St. Clair. Thus after eleven years of existence the Court founded by John Todd came to an end. — Smith, St. Clair Papers, ii, 165.
after calving, she could not nourish her calf not being able to suckle it, and it was dead; that, moreover, he noticed that the said cow had only two teats, the other two being dry; that he had made his payment to the said Lafleur and that he prayed that M. Lafleur give him another cow ready to calve, good and without fault, or return to him his payment, and pay the costs and charges; that besides he did not believe that it was the same cow which the defendant had offered.

Heard the said M. Lafleur, defendant, who said that he had sold the said cow to the said Waddell in the presence of M. Smith and of Meunier who acted as interpreter; that he warned him to examine her and if she did not suit to leave her and not to take her away, that he did not wish reproaches; that M. Smith had examined her, that Waddell had examined her and that he was satisfied with her, had put a rope on her horns and led her away.

In consequence we have caused MM. Smith and Atchison, to make oath on the Holy Gospels and they have said that they were present and declared to the Court the same as the plaintiff. In view also of the certificate of the named Meunier, who acted as interpreter for the said bargain and examination of the said cow, herewith joined and sworn to before two magistrates of the Court and given because of his departure, the said certificate being in favour of M. Lafleur, and after all was examined, the Court dismissed the parties to the next Court until the arrival of the named Meunier who acted as interpreter and witness, since there is a contradiction between the testimony of the two witnesses of Waddell and that of Lafleur.

The Court adjourned to the first of May next.¹

Ant. Girardin.
EXTRAITS DES REGISTRES DE LA JURISDICTION DES CAHOKIAS.

Enprese............................ [Over a third of the leaf torn off.]
Et leque aux Sieur............................
Livre de compte obligation............................
les Illinois et ce an Consideration............................
me faire le plaisir de donne soixa..................... a leglise
dire Cent une messes et deux Service a.............. de mor en foy........
je luy donne le present pour luy Servire aux Besoin sans que ne
puis linquitter ne Sachan Sigen apres lecture faite je ay fait ma
marque a St Louis le 28 may 1773.

P' Chanarde (signe) marque + de maroy
temoin
Blondeau tem

L'an Mil Sept Cent Soixant quatorze le vingt deux de No-
ember, fut Present le Sieur Charlie Marois pardevant nous dit
notaire que la Presente donation qu'il a faite en faveur de Clem-
[ent] L'anglois est Sa mesme tenneur en cas de mort, et faire dire;
de plus Cinquant maisme Basse pour le Repost des ames du pere
et de la mere du dit Marois aux Caokias Les jour et an susdit.

signe + Marque de Charles Marois

Senet Note

Vu et approuvé le testament en L'autre Part donnons pou-
vou au Sieur L'anglois de le mettre en Execution pourvù qu'il
acquit toutes les dettes dû Deçedé Donné au Kahôs a 8th Sepre
1778.

Signe       G. R. Clark

Kahôs this 12th Decf 1778

True Copy of the orginal

Richard McCarty P N

1 Caikoria record in the courthouse of St. Clair County, Ill. It was originally bound in a
flexible paper cover, but is now bound in old parchment covers and the whole bound again
in stiff covers. The size of the paper is 15 by 20 inches. There are 48 pages, four of which
are blank. They are numbered Folio 5, etc. Evidently one page is missing at the beginning.
The writers are the successive notary-clerks of the Court, who generally signed themselves as
notaries, although most of the entries are such as French law required to be registered by the
EXTRACT OF THE REGISTERS OF THE MAGISTRACY OF CAHOKIA.¹

In presence

and bequeath to M.

account book, note

the Illinois and this in consideration

will give me pleasure to give sixty

to say one hundred and one masses and two services to......of dead.

In faith [of which] I give him the present to serve him in case of need without that......cannot disturb him. Not knowing how to sign, after reading made, I have made my mark at St. Louis,

May 28, 1773.

signed, Mark + of Marois.

P. Chanarde, Witness.

Blondeau, Witness.

The twenty second day of November of the year one thousand seven hundred and seventy-four was present before us, said notary, M. Charles Marois, who declared that the present donation, which he has made in favor of Clement Langlois is his last wish in case of death; and that he wished to have said furthermore fifty low masses for the repose of the souls of the father and mother of the said Marois. At Cahokia the day and year aforesaid.

signed

+ Mark of Charles Marois.

Senet, Notary.

Seen and approved the testament on the other part and we give power to M. Langlois to put it in execution, provided he pays all the debts of the deceased. Given at Cahokia, September 8, 1778.

Signed, G. R. Clark.

Cahokia this 12th of December, 1778.

True copy of the original,

Richard McCarty, P. N.

clerk, which title should have been used in the majority of cases. The book corresponds to the record of the modern recorder, but since there are entries of acts which are not purely legal instruments, the word jurisdiction has been translated by magistracy. The transcription is by the editor.
Le 22ème de Novembre
par le Commandant de
jour de September 177
Pele

... nque Barricque de Taffia a la
. . . Douze Cent Cinquant Livre en Peletries
... Environ quarant Livre de mauvais poudua
feu a Quarant Livres en Peletries
Item trois case de Savon de france a quatrvingt dix
Livres en Peletries
Item Deux Cent quatrvingt Livre de peau de chev-
reuil
Estemner une Grand et une petit marmitte a vingt Six
Livres en Peletries
Item un Cruche et un mechant prlat a quinze
Livre
Item deux fuzil fin a Soixant quinze Livre
Item trent neuf aun Gros Brin a trent sols L'aune
Item deux mals une neuf et l'autre vieux a vingt
trois livre
Item treze mouchoir rouge mais petit a Cinquant
sols $p$ mouchoir
Item une Chapeau avec une Loupe et Button dore
a quinze livres
Item une Cullotte et une veste de Drouguette de
soye a Trent Livres
Item une Vichel vest d'Indienne et une jilet de taf-
ata a trois Livre
Item une vest et un Cullot de rats de Castore a
quinze Livres
Item une Veste de drap Brun a Beullain de velour
noir a Douze Livres
CLERK'S RECORD, DECEMBER, 1778

[Reverse of torn leaf] ......................... able
.................................................................. well...
........................................................................... under date of 28,
.................................................................................. the 22nd of November...
............................................................................................. by the commandant of...
....................................................................................... day of September, 1778.

Pelties

............ casks of tafia at the ............................ livres sols de
........ twelve hundred and fifty livres in pelties. ............................... 1250 " "
............................................... about forty pounds of poor gun powder at forty
livres in pelties. ................................. 40 " "

Item, three cases of French soap at nine livres in
pelties. .......................................................... 90 " "

Item, two hundred and eighty pounds of deer-skin.
Appraised a large and a small saucepan at twenty-
six livres in pelties. ............................... 280 " "

Item, one pitcher and one tarpaulin at fifteen
livres. .......................................................... 26 " "

Item, one good gun at seventy-five livres. ............................... 15 " "

Item, thirty-nine ells of coarse hemp [rope?] at
thirty sols the ell. ............................................ 75 " "

Item, two trunks, one new and the other old, at
twenty-three livres. ............................................ 38 " "

Item, thirteen handkerchiefs, red but small, at fifty
sols per handkerchief. ......................................... 23 " "

Item, one hat with ornament and gold button at fif-
teen livres. .......................................................... 15 " "

Item, one pair of breeches and one vest with silk
drugget at thirty livres. ............................................ 30 " "

Item, one old vest of printed calico and one tafeta
waistcoat at three livres. ......................................... 3 " "

Item, one vest and one pair of breeches of beaver
at fifteen livres. ................................................... 15 " "

Item, one vest of brown cloth a Beuillain[?] of
black velvet at twelve livres. ............................... 12 " "
Item un Cadeau de Cade Brun et un Jillet noir sous les deux Vieu a Sept Livre

Transporte a l'autre pa[rt]

[L1972]

Suites de Lautre part

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>L 1972</td>
<td>&quot;</td>
</tr>
<tr>
<td>12</td>
<td>12 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>5</td>
<td>12 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>12</td>
<td>12 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>18</td>
<td>18 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>6</td>
<td>6 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>36</td>
<td>36 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>6</td>
<td>6 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>20</td>
<td>20 &quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>3</td>
<td>3 &quot;</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

Montant en Peletries

L 2147 " "

Note: The pages are numbered twice, and later alternately both and reverse, which is the
Item, one cloak of brown cade[?] and one black waistcoat, both old, at seven livres.

\[ \begin{array}{c}
\text{Carried forward.} \\
\text{L 1972} \\
\end{array} \]

\begin{itemize}
\item One vest of green tafeta at twelve livres \[ \text{L 12} \]
\item Item, one cloak of cade[?] with trimmings of crimson velvet at twelve livres. \[ \text{L 12} \]
\item Item, one coat and one pair of breeches of ash color, both old. \[ \text{L 5} \]
\item Item, two remnants of [——?] ribbon and two pounds of spinet strings at twelve livres. \[ \text{L 12} \]
\item Item, two pair of silk stockings, partly worn, at the sum of twelve livres. \[ \text{L 12} \]
\item Item, two handkerchiefs, half used, with two Beau fort sheets of four ells, old, at eighteen livres. \[ \text{L 18} \]
\item Item, one little mirror, a buckle, a soap ball, a little jar with pomade, two dozen little diamond buttons and one pair of silver garter buckles, at six livres. \[ \text{L 6} \]
\item Item, six ells of red polonaise at six livres an ell \[ \text{L 36} \]
\item Item, four coarse cloth sacks at six livres. \[ \text{L 6} \]
\item Item, a scythe, a pistol, a sortin,[?] a glass goblet and about eight pounds of soap, all at twenty livres. \[ \text{L 20} \]
\item Item, two earthen jugs3 and a serotte[?] at three livres. \[ \text{L 3} \]
\item Item, one strap bed, one mattress, a little feather bed, one old casket, one old tomahawk and a scraper at thirty-three livres. \[ \text{L 33} \]
\end{itemize}

\[ \begin{array}{c}
\text{Amounting in peltries} \\
\text{L 2147} \\
\end{array} \]

---

3 Terreins is the name given earthen jugs used for clarifying the river water.
États de Billets due et par que Due

<table>
<thead>
<tr>
<th>Item par la (par) Sieur Honoré</th>
<th>60</th>
</tr>
</thead>
<tbody>
<tr>
<td>p. le S. Durand Negi</td>
<td>27.10</td>
</tr>
<tr>
<td>p. une main de St. I. Marie</td>
<td>15</td>
</tr>
<tr>
<td>p. J. Lambert</td>
<td>152.10</td>
</tr>
<tr>
<td>p. LeBeau DeChene</td>
<td>60.10</td>
</tr>
<tr>
<td>p. L. St. Ville Chasseur</td>
<td>103</td>
</tr>
<tr>
<td>p. Le Petit Bartheau</td>
<td>350</td>
</tr>
<tr>
<td>p. 1. Billet de St. Martin Placette</td>
<td>490.17</td>
</tr>
<tr>
<td>p. le S. Legere</td>
<td>285</td>
</tr>
<tr>
<td>p. le S. Bartolot</td>
<td>185.9</td>
</tr>
<tr>
<td>p. Amant de Lange</td>
<td>175</td>
</tr>
<tr>
<td>p. Sainct Denx</td>
<td>122</td>
</tr>
<tr>
<td>p. Sabatier</td>
<td>120</td>
</tr>
<tr>
<td>p. Vincent de Lalande</td>
<td>25</td>
</tr>
</tbody>
</table>

Entré à recevoir

| Item par la (par) Sieur Honoré | 750  |

Entré d'once pour

| Item par la (par) Sieur Honoré | 250  |

Dans les Dues de la Rev de Pomme

| Item par la (par) Sieur Honoré | 250  |
Statement of notes due and by whom due.

Item, by M. Honoré ........................................... 60 " "
by M. Durand, merchant ......................... 27 10 "
by an order of M. Jos. Alarie ...................... 15 " "
by Jos. Lambert .............................. 150 10 "
by Le Beau Dechene .......................... 82 10 "
by M. Vallé, hunter ......................... 103 " "
by Le Petit Baribeau ...................... 310 " "
by two notes of M. Michot Placette ........... 239 17 6
by M. Lapierre ........................................... 304 " "
by M. Bte. Alarie ........................................ 48 " 5
by Aimable Lepage ............................. 150 " "
by Sansfaçon Sr. .......................... 242 " "
by Mailhet ........................................... 197 " "
by Colonial money ........................................ 55 " "

Carried forward ............................... L 4131 12
(Folio 4 Cahokia, 1778.)
Brought forward ............................... L 4131 12 6

Statement of debts in livres of account.

etc. etc. etc.

Item, M. Pichet ........................................... 2 10 "
M. Gervais ........................................... torn
M. Claude Gagnier ........................................... torn
M. Chas. DuCharme ......................... 8 torn
M. Mercier, Jr. ...................................... 5 " "
M. Fagot Jr ...................................... 32 10 "
M. Pierre Chauvin, 150 lbs. of flour, etc...... 1 10 "
M. Louis La Mars called Mechant ................. 19 10 "
M. Milhomme, blacksmith ......................... 85 16 "
M. Theophile Lemay ......................... 25 12 "
M. Milot Jr ...................................... 3 15 "
M. Milot Sr ...................................... 18 15 "
M. Pierre Martin, ensign ......................... 12 15 "
M. Bte. Saucier ...................................... 24 " "
M. Joseph Alarie & Company ......................... 15 " "
<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>M. Drouart</td>
<td>26.18 &quot;</td>
</tr>
<tr>
<td>M. D'etre</td>
<td>2.10 &quot;</td>
</tr>
<tr>
<td>Mr Thomas Brady</td>
<td>33.15 &quot;</td>
</tr>
<tr>
<td>M. Germain Voyageur</td>
<td>65 &quot;</td>
</tr>
<tr>
<td>M. Joseph Giroux</td>
<td>47.10 &quot;</td>
</tr>
<tr>
<td>M. Francois Trottier Ecuyer</td>
<td>14 &quot;</td>
</tr>
<tr>
<td>M. Dornon Soldat</td>
<td>4.10 &quot;</td>
</tr>
<tr>
<td>M. Gagnon La Mason</td>
<td>20 &quot;</td>
</tr>
<tr>
<td>M. Jimme frinos</td>
<td>12.25 &quot;</td>
</tr>
<tr>
<td>M. Etienne Eté</td>
<td>1.5 &quot;</td>
</tr>
<tr>
<td>Mme Laflanme le jeune</td>
<td>6.5 &quot;</td>
</tr>
<tr>
<td>Mr Denau &amp; Hanson</td>
<td>7.10 &quot;</td>
</tr>
<tr>
<td>M. Renard Deloge</td>
<td>6.5 &quot;</td>
</tr>
<tr>
<td>M. Touranjeau Lieu</td>
<td>9.15 &quot;</td>
</tr>
<tr>
<td>M. Monette</td>
<td>4.10 &quot;</td>
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<tr>
<td>M. Bte Metot</td>
<td>2.10 &quot;</td>
</tr>
<tr>
<td>M. Dormeur Lafleur</td>
<td>1.5 &quot;</td>
</tr>
<tr>
<td>M. Beaulieu</td>
<td>5 &quot;</td>
</tr>
<tr>
<td>M. Charles Valle Chasseur</td>
<td>2.10 &quot;</td>
</tr>
<tr>
<td>M. Mercier pere</td>
<td>1.5 &quot;</td>
</tr>
<tr>
<td>M. Chabot</td>
<td>21 &quot;</td>
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porte autre part  [L 4731 12 " ]

(Pepetries)

<table>
<thead>
<tr>
<th>Name</th>
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</thead>
<tbody>
<tr>
<td>M. Govard d't Barron p't compte</td>
<td>13.10 &quot;</td>
</tr>
<tr>
<td>M. Louis Pillet</td>
<td>4.5 &quot;</td>
</tr>
<tr>
<td>M. Joseph LaPança</td>
<td>2.15 &quot;</td>
</tr>
<tr>
<td>M. Demoulin</td>
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</tr>
<tr>
<td>M. Prennovaux</td>
<td>18 &quot;</td>
</tr>
<tr>
<td>M. LaGrave</td>
<td>5 &quot;</td>
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<tr>
<td>M. Rassette</td>
<td>6 &quot;</td>
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<tr>
<td>M. Antoine Boyer</td>
<td>2.10 &quot;</td>
</tr>
<tr>
<td>M. Reille</td>
<td>1.17.6</td>
</tr>
<tr>
<td>M. Louis Trottier</td>
<td>2.10 &quot;</td>
</tr>
<tr>
<td>M. Cocue Coorville</td>
<td>3.15 &quot;</td>
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</tbody>
</table>
M. George ........................................ 2 10 "
M. Drouart ........................................ 26 18 "
M. Détre ........................................... 2 10 "
M. Thomas Brady .................................. 33 15 "
M. Germain, traveler .............................. 65 "
M. Joseph Giroux .................................. 47 10 "
M. François Trottier, Esquire .................... 14 "
M. Dornon, soldier ................................ 4 10 "
M. Jimmie Frincs .................................. 12 5 "
M. Etienne Été ...................................... 1 5 "
Madame Laflamme Jr. ............................ 6 5 "
MM. Denau & Henson .............................. 7 10 "
M. Renard Desloges ................................ 6 5 "
M. Touranjieu, Lieut .............................. 9 15 "
M. Monette .......................................... 4 10 "
M. Bte. Methot ..................................... 2 10 "
M. Dormeur Lafleur ................................ 1 5 "
M. Beaulieu ......................................... 5 "
M. Charles Vallé, hunter .......................... 2 10 "
M. Mercier, Sr. .................................... 1 5 "
M. Chabot .......................................... 21 "

Carried forward

<table>
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<tr>
<th>Item</th>
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<tr>
<td>L 4731</td>
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(Peltres)

Brought forward

<table>
<thead>
<tr>
<th>Item</th>
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<tbody>
<tr>
<td>M. Govard called Baron for account</td>
<td>13 10 &quot;</td>
</tr>
<tr>
<td>M. Louis Pillet</td>
<td>4 5 &quot;</td>
</tr>
<tr>
<td>M. Joseph Lapancé</td>
<td>2 15 &quot;</td>
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<tr>
<td>M. Dumoulin</td>
<td>7 10 &quot;</td>
</tr>
<tr>
<td>M. Prenouveau</td>
<td>18 &quot;</td>
</tr>
<tr>
<td>M. Lagrave</td>
<td>5 &quot;</td>
</tr>
<tr>
<td>M. Racette</td>
<td>6 &quot;</td>
</tr>
<tr>
<td>M. Antoine Boyer</td>
<td>2 10 &quot;</td>
</tr>
<tr>
<td>M. Reilhe</td>
<td>1 17 6</td>
</tr>
<tr>
<td>M. Louis Trottier</td>
<td>2 10 &quot;</td>
</tr>
<tr>
<td>M. Cocue Courville</td>
<td>3 15 &quot;</td>
</tr>
</tbody>
</table>
Comptes des negress

La negresse a Govard ........................................... 81 " "
Le negre a Mr. Trottier Joseph ............................ 35. 10 "
La mulatresse a M" Saucier .................................. 80 " "
Francois negre a LeCompte ................................. 41 " "
Rose negresse a M Buteau ...................................... 8 " "
Sasa negre a Jacquet ........................................... 16 " "
Rose la negress a M" Saucier .................................. 21 " "
Moreaux le negre au Compte .................................. 16. 5 "
Cabrle Negre a M" Touranjou ................................. 11 " "
Negress a Robert ................................................. 6 " "
manuel a Beaulieu .............................................. 7 " "
Therese negress a Beaulieu .................................... 21 " "
Etienne La sauavge a Taillion ............................... 4 " "
Cotton de maillier a Touranjou ............................. 10 " "
Alexis Sauvage a Cadien ...................................... 26. 10 "
Jean Bap" Negre a Beaulieu .................................... 35. 10 "
Pompee negre a Sanfaçon ....................................... 7 " "

montant en Peleteries L 5,224. 19. 6
Erreur dans l'original de ........................................... 30. 18. 6
montant de l'original L 5,255. 18 "

Apres avoir tous Estemer et Examinier n'ayant plus rien
Trouver des Biens du Defunt Charls Marois nous avons Clos
ledit Inventaire en Presence des Messieurs Francois Trottier
Capitaine de Milice et pierre Martin Ensigne de milice tous les
deux Resident du Village de Cahokias arrette a la somme de Cinq
Mille Deux Cent Cinquante Cinq Livre dixhuit sols six deniers en
Peletries le jour et L'an cidevant Stipules &ca.

Signe fr. Trottier

marque de Pierre Martin un Croix

Jn" B, Mansen Scripsit
Enregistree a la requisition de Mons" Clement L'anglois 14 de
Dec" 1778

pd 40lb m Richard McCarty C. & N. P.

1 Moreau, sold to Lecompte, and Manuel, sold to Beaulieu, were the negroes executed
Account of negresses.

- The negress to Govard .................................. 81 " "
- The negro to M. Trottier, Joseph .......................... 35 10 "
- The mulatto girl to M. Saucier ............................ 80 " "
- François, negro, to Lecomte .............................. 41 " "
- Rose, negress, to M. Buteau ............................... 8 " "
- Sasa, negro, to Jacquet .................................. 16 " "
- Rose, negress, to M. Saucier .............................. 21 " "
- Moreau, negro, to Lecomte ............................... 16 5 "
- Cabrie, negro, to M. Turanjeau ........................... 11 " "
- Negress to Robert ........................................ 6 " "
- Manuel to Beaulieu ....................................... 7 " "
- Therese, a negress, to Beaulieu ........................... 21 " "
- Etienne, the savage, to Taillon .......................... 4 " "
- Cotton de Maillier to Touranjeau ......................... 10 " "
- Alexis, savage, to Cadien ................................ 26 10 "
- Jean Baptiste, negro, to Beaulieu ....................... 35 10 "
- Pompee, negro, to Sansfacon ............................. 7 " "

Amounting in peltries ....................................... L 5,224. 19. 6
Error in the original of ..................................... 30. 18. 6
Amount of the original ....................................... 5,255. 18. "

After having appraised and examined everything and having found no other goods of the deceased Charles Marois we have closed the said inventory in the presence of MM. François Trottier, captain of the militia, and Pierre Martin, ensign of the militia, both residents of the village of Cahokia and agreed on the sum of five thousand two hundred and fifty-five livres eighteen sols six deniers in peltries the day and year here before stated etc.

Signed Fr. Trottier.

Mark of Pierre Martin, a cross.

John B. Mansen scripsit.

Registered at the requisition of M. Clement Langlois, the 14th of December 1778.

Pd. 45 livres in money [?] Richard McCarty, N. P.

for poisoning M. and Madame Nicole. Pompee, sold to Harmand called Sansfacon, is the negro over whom the latter had so much trouble in regard to the payment. See pp. 135, 137, 196, n. 1.
Le soussigné resident Des Kahos Compte Des illinois ayant été appelé au Service de sa patrice Et étant a present audit Service qui peut lapeller hor de cette Conte Et Province et pour faire son devoir audit service est obligé d’abandonné toute Commerce Et nayant D’autre Moyen pour payé ses debts quavec L’argent Courant de ce pays. Cest pourquoi tous Ceux qui ont quelque Demande Contre luy sont requis de ce presenter pour en recevoir Le payement due au dix de juin au quel temp le service de son patrie Loblig de donner toute son attention, pourquoi il ne pouroit repondre a aucune action intenté Contre luy. quau retour Du dit Service, ainsi Ceux qui doivent audit Suppliant Sont requis de faire payement Sans plus de delay toutes personnes qui ont de Ses Bons ou Billet de Subsistance pour la Compagnie Sont requis incessament de les presenter pour En Etre payé.

Donné au Fort Bowmante 4 juin 1779, Signe Richard McCarty Capitaine du bataillon Illinois.

Enregistré a la Requisition du Monsr richard McCarty, Le 4 juin 1779 fr. saucier N. P.

(Folin 7. Kahôs 1779.)

Dans Le Cour de Septembre prochain Je payeray a l’ordre de Monsr Davde MCraï et Compaïne La Somme de deux Milles quatrevingt treize Livres Cinq Sols en Castor et Pelletteries Savoir le Castor a cinquante Sols, Les Loutres a Six franc, Et Les autres pelletteries au prix Courant du poste pour Valeur recue dudit Sieur Et ne Sachant signé a fait sa marque ordinaire en presence de temoins cy apris. au Grand MaKokité Le 29 Juillet 1779 — une croix pour Joseph Roy + Lafantais temoins.

Dans Le Court de Septembre prochain Je payeray a L’orde de Mons Davde MCraï et Compaïne La Somme de deux Cent quarente huit Livres dix Sols payable en Castor Et pelletteries Savoir Le Castor a Cinquante sols La livres Les Loutres a Six frans pour Valeur recue pr Son Compte en Marchandises a Défaut

1 This announcement was made in anticipation of the contemplated expedition against Detroit in June, 1779.—English, *Conquest of the Northwest*, i, 309.
The undersigned, a resident of Cahokia in the county of the Illinois, having been called to the service of his country and being at present on the said service, which may call him out of this country and province, and in order to perform his duty in the said service, is obliged to abandon all commerce; and not having other means to pay his debts except with the current money of this country, he requires for this reason that all those who have any claim against him present themselves to receive the payment due therefor on the tenth of June, at which time the service of his country obliges him to give all his attention; and also this is the reason why he cannot answer action brought against him until his return from the said service; and also those who owe the said petitioner are required to make payment without longer delay; and all persons who have his bons or notes of support for the company are required immediately to present them to be paid therefor.

Given at Fort Bowman, June 4, 1779. Signed Richard McCarty, Captain of the Illinois Battalion.

Registered at the requisition of M. Richard McCarty June 4, 1779. Fr. Saucier, N. P.

(Folio 7, Cahokia, 1779.)

In the Court of September next I will pay to the order of M. David McCrae and Company the sum of two thousand and ninety-three livres five sols in beavers and peltries, to wit: the beaver at fifty sols, the otters at six francs and the other peltries at the current price of the post, for value received from the said gentleman; and not knowing how to sign, he has made his mark in the presence of witnesses hereafter named. At Grand Makokite, the 29th of July, 1779 — a cross for Joseph Roy. + Lafantaisie, witness.

In the Court of September next I will pay to the order of M. David McCrae and Company the sum of two hundred and forty-eight livres ten sols payable in beaver and peltries, to wit: the beaver at fifty sols the pound, the otters at six francs, for value received according to his account in merchandise; in default of which, if I cannot sell the said merchandise, I promise to return

Grand Makokite is in the present state of Iowa.
De quoi si je ne puis rendre les dites Marchandises de les ramener en même nature comme elle sont porté sur ma facture et de sachant signé jay fait ma marque ordinaire en présence de témoins si après au Grand Makokité le 29 Juillet 1779 — marque de Joseph Roy —

La faïence Tempins

Enregistrée à La requéution du Sieur Charle Gratiot le 17
D'Aout 1779

F. Saucier N° P

A qui Conque il appartiendra autant que Charle Gratiot Isaia Levy et Jean Baptist Hubert Lacroix sujet de la République de la Virginie et habitant de la Ville des Cahoskias, ayant représenté qu'ayant fait des dépenses considérables en cherchant à procurer et ramasser un Capitale ou une Masse Convenable pour le Commerce Sauvage, Et qu'il Sera dans leurs pourvoir de fournir les États en provisions ou autre Chasse nécessaire, Lesquelles sont à présent difficile aussi a avoir En Consequence Nous trouvons nécessaire de les autoriser à accomplir leurs désirs ayant demandé une traite Exclusive pour un Certain temps selon les limites prescrites.

Folio 8. Cahors 1779

A présent il faut savoir que pour mieux les autoriser à Executer Leur Dessin patriotique Jay accordé Et accorde par ses présente aux dits Charle Gratiot Isaac Levy Et Jean Baptist Hubert Lacroix de ce Jour Jusqu'au premier D'avril prochain Le seul Et Exclusif pouvoir de commerce et Libre trafic selon Les Limites prescrites cy bas: C'est a dire, Commencent a la Ville des Cahoskias de la montant Le Mississipi Jusqu'a l'entée de la rivierre des Illinois et de Chaqu'unes des pointes ou places des dites bornes, leurs limites Setendeons sur le Coté de l'Ouest Vingt Lieux Dans les profondeurs.

Toutes fois que ceux qui ont Été revetu des permis pour Les dites traîttes, Et qui ont des Marchandise destiné pour Le même Commerce, il Leur Sera permis d'en disposer Selon Les bornes prescrites, Jusqu'au premier d'octobre prochain.

Pourvûue que Laditte Société Sera en tout temps responsable
them in the same kind as they are entered in my invoice; and not knowing how to sign, I have made my mark in the presence of witnesses hereafter named. At Grand Makokite the 29th of July. Mark of Joseph Roy +.

La Fantaisie, witness. F. Saucier, N. P.

Registered at the requisition of M. Charles Gratiot, August 17, 1779.

To whomsoever it may concern: Inasmuch as Charles Gratiot, Isaac Levy and Jean Baptiste Hubert LaCroix, subjects of the Republic of Virginia and inhabitants of the village of Cahokia, have shown that they have made considerable expense in seeking to procure and collect a capital and a suitable fund for trade with the savages; and inasmuch as it will be in their power to furnish the States with provisions and other necessary things which are at present difficult to obtain: consequently we find it necessary to authorize them to accomplish their desires, as set forth in their prayer for an exclusive trade for a certain time within prescribed limits.

(Folio 8, Cahokia, 1779.)

Now it must be known that in order to empower them better to carry out their patriotic design, I have granted and do grant by these presents to the said Charles Gratiot, Isaac Levy and Jean Baptiste Hubert LaCroix from this day until the first of April next the sole and exclusive power of trade and free traffic within the limits prescribed herebelow: that is to say, commencing at the village of Cahokia, from there ascending the Mississippi up to the mouth of the Illinois river; and from each point and place of the said boundaries we extend their limits on the side of the west [east?] twenty leagues in depth.

Nevertheless it should be known that it is permitted those who have been given permission for the same trade and who have merchandise destined for the same commerce, to dispose thereof within the prescribed limits until the first of October next.

Provided that the said society shall be at all times responsible
pour Leur bonne Et Juste Conduite au pouvoir Civile Comme si devant Et se soumetteront aux Loix Requise.

Donné sous ma main Et Seaux aux Cahoskia the premiers Jour de Septembre Et la quatrième Année de notre Republic anno Domini, 1779.

Je Sertifie La presente pour veritable Copie tirés de l’anglois aux Cahoskias 2ème Septembre 1779. Signé W [?] Gooding, sey.

Enregistré à la requisition du Sieur Charles Graftiot aux Cahos Les 10ème 7bre 1779.

fr. Saucier Nô, P

Moy Le Soussigné natif de Connacucit dans la nouvelle Angle-terre Comté de Hartford ayant son nom Et autre pour Lequel Je suis Commencer et aist Etablir (dans L’année de notre seigneur mil Sept Cent soixante et quinze) une Certaine quantité de terrin sur le Bord du Mississipi a L’est vis a vis le Village de St Louis du Coté Des Espagnol sur L’ouest de la dit rivière quantité point Connû tenant du Coté du Sud le long La rivière de Mr Labbé Commenceant a une branche entre dans le Mississipi du bord du quel en allant ouest Jusqu’a lac manissioui Entre Dans Ladite

(Folio 9, Kaôs 1779.)

rivière de mr Lablé, Et du Coté du nord Commenant a un Certain Cautonier vis a vis une Certaine Cote de rocher sur le Bord despagnue du mississipy en allant ouest Jusqu’au Lac dudit Manis-sioûi, Etant et Joignant du Coté D’ouest pardevant par le mississipy par le Sud par la rivière de mœ Lablé par L’est par le lac manissioûi et au nord par de terre non concedé Et Come Le Soussigné ait fait de Grand depence pour Etablir des Moulin Sur La dite rivière de mœ Labbé ou ils sont actuellement il a Fait suivant La Coutume Du payûs prendre Et en a fait Clau et Labourer une partis D’un Certain Terrain de La Largeur de dix arpant sur le Coté du Sud dudit Riviere allant de ladite riviere sud au nord du Grand marrais Joignant du Coté de ouest au terre prise par Les habitants des Cahôs et a l’est au terrain non Conséd Et Comme

1The French of this document is impossible, and several passages, of which the opening one is the worst, are untranslatable. McCarty’s French is at best remarkable, but this document exceeds the others in peculiarities. It has seemed impossible to certify the correctness of each error, so I will give a blanket certificate that the above is a correct transcription.
for their good and just conduct to the civil power as herebefore
and submit themselves to the required law.

Given under my hand and seal at Cahokia, the first day of
September and the fourth year of our Republic Anno Domini
1779. Signed John Todd.

I certify that the present is a true copy translated from the
English. At Cahokia, September 2, 1779. Signed

W. [?], Goodin, Sec'y

Registered at the requisition of M. Charles Gratiot at Cahokia,
the 20th of September, 1779. Fr. Saucier, N. P.

I, the undersigned, native of Connecticut in New England,
county of Hartford, in his name and another's, have begun to
and have laid off (in the year of our Lord, 1775) a certain
strip of land on the east bank of the Mississippi and opposite
the village of St. Louis of the Spanish side on the west, area
not known. It extends on the southern side along the river of
M. Labbé, commencing at a branch which enters the Mississippi,
from the banks of which it extends west as far as where lake
Manissouri enters the said river of M. Labbé; and on the north

(commencing at a certain roadway [?] opposite a certain rocky
bluff on the Spanish bank of the Mississippi, it extends west to
the said lake Manissouri, being bordered on the west by the
Mississippi, on the south by the river of M. Labbé, on the east
by the lake Manissouri and on the north by non-ceded land.
And since the undersigned has been at great expense to establish
mills on the said river of M. Labbé, where they are at present, he
has caused it to be taken up in accordance with the custom of the
country and has made enclosure thereon and put in cultivation
a part of a certain field of ten arpents in extent on the southern
side of the said river, extending from the said river south to the
north of the Grand Marais and adjoining on the western side the
land occupied by the inhabitants of Cahokia and on the east the land

writing of the original is very clear, so that the only chance of error is through oversight;
but since every line offered its own peculiarities in grammar and spelling, the document has
been studied more carefully than others.

[?], A river in Cahokia district.
quand Le Soussigné a pris Ces dit terrins il n'étoit point déterminer dans quel province Elle Sera. Le Soussigné n'avoir point fait application a aucune pour des titres, Le Commandant pour Lors Étant dans ce pays (Cap² Lord) me disoit que mes Etablissement Étoit suffisant pour me procurer icelle quand cella seroit decidoist a présent par La faveur de DIEU nous vivant sur et dans un etat Libre et indépendant et nous Jouissons de tous nos Droit comme peuple Libre Je madresse au Majistrat dud³ District qu'il fasse Enregistrer dans leur Gref ce placer que par la Suite personne ignore mes prétention en foy de quoy Jay Signé la présente au Cahôs le 10 jour de Juin 1779.

(Signé) Richard M. Carty

Enregistré a la requisition de Sieur richard M Carty aux le 11 octobre 1779

fr saucier Nr P.

Extrait Des registres de la Juridiction Des Cahôs.
aujourd'hui dixième Jour du mois de Septembre mil Sept Cent Soixante Et Dix neuf, Est Comparu au Greffe de Se Siege marie aubuchon porteuse du testament de defeunt rené Locat passé pardevan Le notaire Soussigné Le vingt quatre Juin contenant Ce qui Suit.

(Folio 10, Kaôs 1779.)

Lan mil Sept Cent Soixante Et dix neuf le Vingt quatrieme Jour du mois de Juin fut présent Sieur René Locat habitant de meurant au Village des Cahôs Lequel Étant malade depuis Longtemps sans neanmoins desprit memoires Et entendement ainsî qu'il a paru au notaire soussigné, et des temoins Enfins només Considérant qu'il n'en rien de plus Certins que La Mort ni de plus incertains que Son heure Crayant D'en Etre prevenu sans avoir disposer du peu de Bien qu'il a plut a dieu Luy donner a fait dicter et nomé audit Notaire et temoins soussigné Son present testament et ordonnance de derniere Volonté En La maniere qui Suit PREMIEMENT Comme Chrétien Et Chatholique a reCommandé

¹ This claim was allowed to McCarty's heirs by the U. S. land commissioners.—Ann. State Pop., Pub. Lands, ii., 160.
not conceded. And since at the time when the undersigned took up these said lands it was not decided in what province this country was to be, the undersigned did not make application to any one for title-deeds, and the commandant at that time in the country, Captain Lord, told me that my buildings were sufficient to procure for me the same when it should be decided. Since now by the favor of God we are living safe and in a free and independent state and are enjoying all our rights as a free people, I address myself to the magistrates of the said district that they may cause to be registered in their office this announcement that in the future no person be ignorant of my pretentions. In faith of which I have signed the present at Cahokia the 10th day of June, 1779.¹

(Signed) Richard McCarty.

Registered at the request of M. Richard McCarty on the 11th of October, 1779.

F. Saucier, N. P.

Extract of the Registers of the Magistracy of Cahokia.

To-day the tenth day of the month of September, 1779, there appeared at the office of this Court Marie Aubuchon, bearer of the last will and testament of the deceased René Locat, made before the undersigned notary the 24th of June, which contains what follows:

(Folio 9 Cahokia 1779.)

The year, 1779, the 24th day of the month of June, there was present M. René Locat, inhabitant domiciled in the village of Cahokia, who, having been sick for a long time without loss, however, of intelligence, memory and understanding, as appeared to the undersigned notary and witnesses named below, and considering that there is nothing more certain than death and more uncertain than its hour, and fearing to be overtaken thereby without having disposed of the little property which it has pleased God to give him, has dictated to the said notary and undersigned witnesses his present last will and testament in the manner which follows: In the first place as Christian and catholic he recommends his soul to God the Creator, Father, Son and Holy Ghost, supplicating His divine goodness, by the infinite mercy of our Lord Jesus
Son âme a dû être le Créateur père de l'être. En tant que Saint Esprit Suppliant sa divinité, Bénir par la mission infinie de notre Seigneur JESUS CHRIST et par l'intercession de la Cour Celette Le placer au nombre des Cieux au nombre des Bienheureux VÉUT et emmener Lédin testateur que Ses destins Soyez gardé et non par Luy finit à aucun, Se trouve reparti par son héritier Cy après nommé, il est son pourvoir que Son Corps soit Enfermé dans Le Simili de cette paroisse au nom de la vie éternellement au qu'il. Luy Solt Cinquième Messe du Services pour le repos de Son âme pendante le Cour de L'année Enquain aux regards de tous Les bienveils écouteuses prises auguste et surpassée à Luy appartenant de telle nature qu'il puisse être En en quelle Environ qu'il Seun Geste à Luy la Tout à. Encore Et Eternellement à divine Marie Enseignant à Son Saint nom tant est de données pour en Jour Seul Son est temps de l'instant et même Les Vierges et dîner si qu'on le soit. Avoir de tout retour et en suspens Comme de même. Pour l'autorité de main envoyé en liser de nécessité par son...
Christ and by the intercession of the Celestial Court to receive him in the Kingdom of Heaven among the number of the blessed. The said testator wishes and requires that his debts be paid and that if any wrong is found to have been committed by him that reparation be made by his heir hereafter named. He desires first that his body be interred in the cemetery of this parish among the number of the faithful who have departed this life and that there be held fifty masses or services for the repose of his soul during the course of the year. As regards all his real and personal property, inherited or acquired before or after marriage, belonging to him of whatever nature and in whatever place it may be situated, without any reserve he gives and devises it to Marie Aubuchon, his wife, to possess and make use thereof during her natural life and to receive therefrom the usufruct and even to sell and alienate it, if she finds there is need thereof, and to dispose thereof as a thing belonging to her in full right, in case of necessity, during her widowhood; and this is done to give recognition to the good services, labor and care which the said Madame Marie Aubuchon, his wife, has had for him and which he hopes she will have so long as it shall please God to leave them together; and after the death of the said Madame Marie Aubuchon, the said testator substitutes for his sole and legitimate heir the person of Gabriel Marlot, his stepson, to whom he gives and devises entirely and forever in full proprietorship all the real and personal property, inherited or acquired before or after marriage, which shall remain of the said estate after the death of the said Madame Marie Aubuchon, his mother and wife of the testator; that is to say that the said Gabriel Marlot shall take the said estate in the state that he shall find it after the death of his said mother, if he does not prefer to renounce it.

(Folio 11, Cahokia, 1779.)

And to each of the other pretendants to the said estate he gives and bequeathes the sum of five sols in full satisfaction of all claims; and he revokes and annuls all other testaments which he may have made herebefore to the prejudice of the present one, which alone he determines to be his last will and testament and
payé revoquant Et annulant tous autres testaments qu'il pourroit avoir fait ci devant aux prejudice des presentes au quelles Seul il Sarette Comme Etant Sa derniere Volonté qu'il Entant toujours Etre valable nonobstant Surrannation ou l'absence du tems attendu que Sa Maladie le pourroit encore prolonger Longtemps ci dont il ne peut prevenir La finie. Et pour l'exection des presentes a nommé pour Son procureur Testamentaire La personne de Monsieur Cerré. Marchand resiçtant aux KasKasKias, pour agir et faire valoir après Son decest le present Testament qui nous a eté ainsi dicté et nommé par led Sieur Testateur en presence des témoins et nous notaire Soussigné et a luy Lue et relu qu'il a dit Entendre et veut qu'il Soit ainsi Executé selon Sa teneur.

Fait en La Maison dudit rené Locat En presences des Sieurs françois trotier Equier, père Godin Capitaine de Milice Michel Beaulieu 1er Bâton Saucier Et Amable Lepage Tous Cinq habiçant resiçtant aux Cahôs a ce requis et appellës pour témoins qui ont avec nous Notaire Signé Le present Testament et led rené Locat a dit ne le Savoir de ce interpelle a fait une Croix pour marque après Lecture faïte aux Cahôs Le Vingt quatrieme Jour du mois de Juina six heure de relevé Mil Sept Cent Soixante Et dix neuf signé a l’original une + pour marque de rené Locat francois trottier p. Godin Bâton saucier Et amable lepage Et nous notaire soussigné. se reque-rant Ladt dame Marie Aubuchon insinuation dud testament Lecture faïte di celuy En notre greffe nous Lavons insinué Et enregistré sur les registres des insinuation de ce Siege suivant L’ordonnance pour servir et valoir Ce que de raison dont acte Le dit Jour Et an.

fr saucier N° P.

Extrait des registre de La Jurisdiction Des CaHos.

aujourd'hui Cinquieme Jour du mois de Juin Mil sept Cent quatrevingt Est Compara au Greffe de ce Siege Monsieur Richard McCarty Capitaine au Bataillon des illinois porteur d’une Commission de Capitaine au Contenant ce qui Suit. the COMMON-WEALTH of Virginia to Richard McCarthy Esquire. Know you that from the Spécial trust and Confidence which is reposed in your patriotism, Fidelity, Courage, and Good Conduct, you are, by these presents, Constituted and appointed Captain of a
which he requires to be held valid notwithstanding the expiration or absence of time, because his sickness may still prolong his stay here, the end of which he can not foresee. And for the execution of these present he has named for his testamentary attorney the person of M. Cerre, trader residing at Kaskaskia, to act and cause to be maintained after his decease the present testament, which has been signed in the presence of witnesses and of us, the undersigned notary, and read and reread to him; and he has said he required and wished that it be so put in execution in accordance to its tenor.

Made in the house of the said René Locat in the presence of MM. François Trottier Esquire, Pierre Godin, captain of the militia, Michel Beaulieu, Jean Bte. Saucier and Amable Lepage, all five inhabitants domiciled at Cahokia summoned and called as witnesses, who have with us, the notary, signed the present testament, and the said René Locat has said that he did not know how to sign and has made a cross for his mark after reading was made. At Cahokia the 24th day of month of June at six o'clock in the afternoon, 1779. Signed in the original a + for the mark of René Locat, François Trottier, P. Godin, Bte. Saucier and Amable Lepage and we the undersigned notary. The said Madame Marie Aubuchon requiring registration of the said will and testament, after reading was made of it in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will certify, the said day and year.

Fr. Saucier, N. P.

Extracts of the Registers of the Magistracy of Cahokia.

To-day the fifth day of the month of June, 1780, there appeared at the office of this Court M. Richard McCarty, captain in the Illinois battalion, bearer of a commission of captain, containing what follows: The Commonwealth of Virginia to Richard McCarty, Esquire. Know you that from the special trust and confidence which is reposed in your patriotism, fidelity, courage and good conduct, you are by these presents constituted and appointed captain of a company in the battalion of regular forces raised for
Compagnie in the Battalion of regular forces raised for the defence and protection of this State Illinois County and for repelling every hostile invasion thereof. You are therefore carefully and diligently to discharge the duty of Captain by doing and performing all manner of things thereunto belonging; and all officers and soldiers under your command are hereby strictly charged and required to be obedient to your orders as captain and you are to observe and follow such orders and directions, from time to time, as you shall receive from the executive power of this State, or any your superior officers, according to the rules and discipline of War, in pursuance of the trust reposed in you. Witness Patrick Henry Esquire Gouvernour or chief Magistrate of the Commonwealth aforesaid, this first day of March in the third year of the Commonwealth, annoq dom. 1779.

fr. saucier Gref
Et au dos Est Ecrit
Illinois County wit
Richard McCarty esq. was duly qualified before me to the within Commission the 13th June 1779.

(Signed) Jn Todd Jr.

Extrait Des registre de la Juridiction Des Cahokia.
aujourd'hui Cinquième Jour du mois d'octobre Mil Sept Cent quatrevingt Est Comparu au Gresse de Se Siege Est Comparu [sic] Le Sieur Yacinte Sté Cirre porteur de Son testament de dernière Volonté passé pardevant Le notaire soussigné Contenant ce qui Suit.

Par devant Le notaire publique aux village des Cahokia et des témoins Soussigné fut present Sieur Yacinte Saint Sire demeurant a St Louis, Desirant Sabsenter pour quelque temps de ce pays, et Considerant quil ny a rien de plus Certain que La mort ni de plus incertain que Son heure Crayant d'en être prevenu Sans avoir disposer du peu de bien qu'il a plut a dieu Luy donner a fait dicter audi notaire Et temoin Soussigné Son present testament, et ordonnance de dernière volonté de La maniere qui Suit Si il plait a dieu de disposer de Luy. premierement veut et Entand Le dit testateur
the defence and protection of this state, Illinois county, and for repelling every hostile invasion thereof. You are therefore carefully and diligently to discharge the duty of captain by doing and performing all manner of things thereunto belonging; and all officers and soldiers under your command are hereby strictly charged and required to be obedient to your orders as captain, and you are to observe and follow such orders and directions, from time to time, as you shall receive from the executive power of this state or any of your superior officers, according to the rules and discipline of war, in pursuance of the trust reposed in you.

Witness, Patrick Henry Esquire, Governor or Chief Magistrate of the Commonwealth aforesaid, this first day of March in the third year of the Commonwealth, in the year of the Lord, 1779.

Fr. Saucier, Clerk.  
(Signed) P. Henry.

And on the back is written Illinois County to wit:

Richard McCarty Esq. was duly qualified before me to the within commission the 13th of June, 1779.

(Signed) John Todd Jr.

Extract of the Registers of the Magistracy of Cahokia.

To-day the fifth day of the month of October 1780, there appeared at the office of this Court M. Yacinte St. Cyr, bearer of his last will and testament passed before the undersigned notary, containing what follows:

Before the notary public in the village of Cahokia and undersigned witnesses, there was present M. Yacinte Sainte Cyr, dwelling in St. Louis, who desires to absent himself some time from this country, and considering that there is nothing more certain than death nor more uncertain than its hour and fearing to be overtaken without having disposed of the little property that it has pleased God to give him, he has had dictated to the said notary and undersigned witnesses his present last will and testament in the manner which follows, should it please God to take him away. In the first place the said testator wishes and
Extrait du registre de La Juridiction Des Cahôs.

Aujourd'hui, troisième jour du mois d'avril [sic] Mil Sept Cent quatre-vingt-un. Le juge au Greffe de ce Siège, Le Sieur Pierre Prevost, porteur d'une lettre à lui adressée Signé Thomas Bentley, daté du quatorze décembre Mil Sept Cent quatrièm Contenant
requires that his debts be paid and any wrong committed by him, if any is found, righted, and as regards all his property, he gives and bequeaths two thousand livres in money to Yacint St. Cyr, son of Pierre St. Cyr, his god-son; and as to the balance of all that which may belong to him in the country of the Illinois, the said testator wishes and requires that half shall be given to the poor and the other half to cause prayer to be made to God for the repose of his soul. And to each of the other pretendants to the said estate, if any be found, the said testator bequeaths and gives five sols in full satisfaction of all claims; and he revokes and annuls by these presents all other testaments which he may have made to the prejudice of the present one, which alone he determines to be his last wish and which he requires always to be valid; and for the execution of the presents the said testator has chosen and named for his testamentary executor the person of M. Gabriel Cerré, merchant residing in St. Louis, who is to take action in consequence of the present testament in regard to all the property which he has and may have in the country of the Illinois and he wishes that it be put in execution according to its tenor. Made and passed in the office in the year, 1780, and the fifth day of the month of October in the afternoon, in the presence of MM. François Trotter, Bte. Dubuque, Jean Bte. LaCroix and Charles Lefevre, witnesses summoned for this purpose, who have signed with the exception of the said M. Yacint St. Cyr who has declared that he did not know how and has made his mark with a cross, after the reading was made, in compliance with the ordinance. Thus signed in the original a. + for the mark of Yacint St. Cyr, Fr. Trotter, Charles Lefevre, J. Bte. LaCroix and Bte. Dubuque and we the undersigned notary.

Fr. Saucier.

Extract of the Registers of the Magistracy of Cahokia.

To-day the third day of the month of April, 1781, there appeared at the office of this Court M. Pierre Prevost, bearer of a letter addressed to him and signed Thomas Bentley, dated the 14th of December, 1780, containing what follows: Sir: M.
Ce qu'il Surt. Monsieur-Le Sieur Dejean propose de vous envoyer au detroit porter des Lettres. Comme il vous Connoit et que Je Lui ait dit que vous Etiel pour [?é]r Capable de faire ce voyage, il vous donnera douze cent francs, c'est un Bon prix je vous Conseille de Le faire. vous me rendez Service aussi, attendu que Je veux Ecrire pour des marchandises: vous ne risqué rien, nous vous conculerons de façon qu'il ne vous arivera rien: Si vous vous Decidé a y aller vous i à tout de Suite: vous pourrez engager un Sauvage aux Cahos pour vous guider attendu qu'il faut que vous passié par Le même Chemin que vous avez pris avec Le Colonel Labalme; M' Dejean ne veut pas que vous passié par Le poste, attendu que Ce Chemin n'est pas praticable a causes des Eaux, D'ailleur il est trop Long: Si vous Croyé ne pas pouvoir avoir un Sauvage, taché d'avoir un Blanc pour vous guider, Si vous ne voulez pas y aller faite nous réponce tous de Suite Je Suis votre Serviteur.

Signé) T Bentley.

Ce requerant Led1 Sieur pierre prevost insinuation de Laditte Lettre Lecture faite d'icelle en nôtre Greffe nous L'avons insinué Sur Les registre des insinuations de Se siege Suivant L'ordonnance pour Servir et valoir ce que de raison dont acte Le dit Jour et an.


Extrait des registre de La Juridiction Des Cahos.

aujourd'hui troisieme Jour du moi d'avril Mil sept Cent qua
trevingt un est Comparu au Greffe de se Siege Le Sieur pierre Prevost porteur D'une Lettre adressé a Msn Les habitant Des Illinois En General et particulierement a Ceux Des Caskaskia Contenant Se qui Suite.

du fort Jefferson le 11 Jan 1781

Meschers amis et Compatriotes.

C'est avec Le plus profond regret que Jay appris que vous Estes volé et pillée, par ceux que vous appelles nos Gens, soyes bien assurés que Jen ressens Beaucoup de peine, et que Jem-

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1 The letter to another friend that Bentley maintained his connections with Canada while asserting his ideals to the States. See Introduction, p. xvi.

2 This is a reference to the explorers of Bentley, Dodge, and Rogers. See Introduction.
Dejean proposes to send you to Detroit to carry some letters, since he knows you and I have said to him that you are competent to make this journey. He will give you twelve hundred francs; it is a good price and I advise you to do it. You will render me a service also seeing that I wish to write for some merchandise. You risk nothing. We will advise you so that nothing will happen to you. If you decide to go there, come here at once. You can engage a savage at Cahokia to guide you seeing that it is necessary for you to travel by the same road which you took with Colonel Labalme. M. Dejean does not wish you to pass by the Post, since that road is not practicable on account of water; besides it is too long. If you think you cannot get a savage, try to get a white man to guide you. If you do not wish to go there, send us an answer at once. I am your servant.

(Signed) T. Bentley

The said M. Pierre Prevost requiring the registration of the said letter, after reading was made thereof in our office, we have inscribed it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect of which this act will testify, the said day and year.

Fr. Saucier, N. P.

Extract of the Registers of the Magistracy of Cahokia.

To-day the third day of the month of April, 1781, there appeared at the office of this Court M. Pierre Prevost, bearer of a letter addressed to MM. the inhabitants of the Illinois in general and particularly to those of Kaskaskia, containing what follows:

Fort Jefferson, Jan. 11, 1781.

My dear friends and compatriots:

It is with the most profound regret that I have learned that you are robbed and pillaged by those whom you call our people. Be well assured that I feel great grief about it and that I shall employ my efforts to remedy the causes of all your complaints and grievances. M. Kennedy has always been duly authorized to conduct all our public business in your country. He has at present my instructions to make the purchase of supplies for our garrison.
pleindre tous mes Efforts pour remedier a toutes Vos plaintes, tous vos Griefs: Monsieur Kenedy a tourjour été duement autorisé pour gérer toutes vos affaires publique dans votre pays, il a réellement mes instruction pour faire L'achap: des vivres pour son Garrison. Je vous prie de le Crediter. Car Jay toute ma Confiance en Sa Bonne Conduite. et Ses abilities, particulièrement parce qu'il a été Longtems un de vos Concitoyens; J'auray bejour- Ezard a vos plaintes, et tant qu'il Sera a mon pouvoir Jme- teray ordre. mais Comme Le Colonel clark Sera avec nous de bu printemps. Je Sus persuadé qu'il vous donnera une ample Satisfac- tion de toutes Les injures que vous a réellement faites. Sies vous d'un antiers et generaux payement pour toutes Les provision que M' Kenedy aura achettés chés vous et Soyés assurés de La bien- viellance du Gouvernement Envers vous. Permette moy L'hon- neur de me souscrire mes Chers amis et Compatriotes Votre très humble et tres obeissant Serviteur Et Sincere amy.

Signé Robert George Cap'n Commandant

Vray Copie traduite de Langlais par, signé J Gerault.

aux Kas Le 24 Janvier 1781


Extrait des registre de La Juridiction des Cahôs.

aujourd'hui quatrieme Jour du mois d'avril est Comparu au Greffe de Se Siège Le Sieur pierre prevost porteur D'un pouvoir a Luy Donné par Les habitant des Cahôs pour representer Leurs

(Folio 14, Cahôs. 1781.)

Griefs au Gouvernement de Virginie Contenant Se qui Suit. Je moy francais trottier Commandant du district des Cahôs a la requisition du public, ayant assemblé Les Citoyens dud' district pour nomer une personne pour représenter nos Griefs au Gouverne- ment de Virginie Et Congrés des Etats unis de L'amérique si

1 Robert George was a native of Virginia and a kinsman of George Rogers Clark. He was a skilled gunner and enlisted in the regular army. He was sent with James Willing to
I pray you to trust him, for I have all confidence in his good conduct and his ability, particularly because he has been for a long time one of your fellow citizens. I shall always give attention to your complaints and so far as it will be in my power I will see thereto; but since Colonel Clark will be with you in the spring, I am persuaded that he will give you full satisfaction for all injuries which have been really made you. Count on entire and generous payment for all the provisions which M. Kennedy shall have bought from you and be assured of the good-will of the government toward you. Allow me the honor, my dear friends and compatriots, of signing myself your very humble and very obedient servant and sincere friend. Signed Robert George.¹

Captain Commandant.

True copy translated from the English by (Signed) J. Gerault. At Kaskaskia January 24, 1781.

The said M. Pierre Prevost requiring the registration of the said letter, after reading was made of it in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier, N. P.

Extract of the Register of the Magistracy of Cahokia.

To-day the fourth day of the month of April there appeared at the office of this Court M. Pierre Prevost, bearer of a warrant given to him by the inhabitants of Cahokia to represent their grievances to the government of Virginia containing what follows: I, François Trottier, Commandant of the district of Cahokia, at the requisition of the public, have assembled the citizens of the said district in order to name a person to represent our grievances to the government of Virginia, and to the Congress of the United States of America if need be. Consequently we have named and do name M. Pierre Prevost to whom we give power to make for

¹ Francois Prevost was killed in a battle against the British in 1778. On his return he joined Clark in Illinois and served through the war. This letter was part of the good will of the French, and it is mentioned particularly in the memorial sent by the people of Kaskaskia to the governor of Virginia. —Menard Col. Tard. Papers. George died in Utica, Ind. —English, Conquest of the Northwest, I, 366.
Besoin Est; En Consequence nous avons unanimement nommé et nommons Le Sieur pierre prevost auquel nous donnons pouvoir de pour nous Et en notre nom, Lieu et place, faire nos representation audit Gouvernement de Virginie ou autres endroits qui sera nécessaire Suivant nos Droits Conformément au Loix naturel et Coutumes de ce pays; nous Luy recommendon Expréçement de Sinterresser pour nous, pour tout Ce qui regarde nos intérêts premierement, de La façon que nous avons reçue, nouri, et Logé Les troupes de L'etat de Virginie Et Comme nous avons Eût payé avec de Largent qui ne nous a été d'aucune Valeur, Ce qui nous a ruiné Totallement et nous mis présentement hors d'Etat de faire Subsister nos femmes et nos familles, nous ayant été promis par Les personnes en place que Ses fournitures nous Seroient payé En marchandise a Bonne Composition, au Contraire Ces mêmes Marchandises, disoit on destiné pour nous nont Servie qu'a retirer La plus grande partie a Ces papiers a vil prix ce qui ne Ser pas difficile a Luy de prouver; Ce que nous Consentons qu'il face avec toute vérité et equitté possible, Luy Donnant tout pouvoir a cette Effest, promettant avoir tout ce qui Sira fait par Ledit Sieur prevost pour agréable Et Le ratifier Si Besoin Est; Et pour Le reconnoître des Service qu'il Veult Bien nous rendre, nous Luy allouons une piastre Gourde pour Chaque de Ses journées a Compter

(Folio 16, Cahôs 1781.)

du Jour de Son depart de ce poste, Jusqu'a son arrivé, Et Ce payable a Son retour Ce dont nous Sommes Convenue, et avons Signé aux Cahôs Le 3. D'avril 1781. signé fr trottier, Jn Bte Lacroix, armant, beaulieu, j b mercié, Langlois, Jervais, dubuc, Jn. Lepage L trogué, B Saucier, Isaac Levy, P. martin, George Blin, une pour Marque de francois Courié une idem pour Sr Lapencé, une idem pour ant Boyée une autre idem pour Jn poirié, une idem pour Loui gau, une autre idem pour Clem Alary, une idem pour Louis pillet, une autre idem pour pierre Dorion, une idem pour pierre roy, une idem pour jean Dehay, une idem pour Sr Cecire, une idem pour Chle Butau une autre idem pour Louis Lebrun.

1 This petition was carried by Pierre Prevost and Richard McCarty. McCarty was attacked by the Indians and killed, and his papers were captured. I do not know whether the petition was sent later to the governor or not. See Introduction, p. cii.
us and in our name and stead our representation to the said
government of Virginia or other places that it shall be necessary
according to our rights conformably to the natural law and cus-
toms of this country. We recommend him expressly to interest
himself for us and for all that which concerns our interests: firstly
by telling how we have received, nourished and lodged the
troops of the State of Virginia and how we have been paid with
money which has been of no value to us, which has ruined us
totally and put us out of condition now to support our wives and
families; and that we were promised by persons in position that
these supplies would be paid for in merchandise at a fair settle-
ment, but that this same merchandise, which they said was desti-
 ned for us, was used only for retiring the greatest part of this paper
at a low price, a proceeding which it will not be difficult for him to
prove and which we consent that he do with all truth and equity
possible, giving him all power to this effect. And we promise to
sanction all that shall be done by the said M. Prevost and to ratify
it, if need be. And to recompense him for the services which he
agrees to render us, we allow him a piastre gourde for each
day counting from the day of his departure from this post
until his arrival, and this payable on his return. This we have
agreed and have signed at Cahokia the 3d of April, 1781. Signed,
Fr. Trottier, Jean Bte. LaCroix, Harmand, Beaulieu, J. B. Mercier,
Langlois, Gervais, Dubuque, Jean Lepage, L. Trogue, B. Saucier,
Isaac Levy, P. Martin, George Blin, a + for mark of François
Courrier, the same for M. Lapancé, the same for Ant. Boyer,
another for Jean Poirier, the same for Louis Gaud, another for
Clem. Alarie, the same for Louis Pillet, another for Pierre Dorion,
the same for Pierre Roy, the same for Jean Deshayes, the same
for M. Cesirre, the same for Ch. Buteau, another for Louis
Lebrun.¹

The said M. Pierre Prevost requiring the registration of the
said commission, after reading was made of it in our office we
have inscribed and registered it in the record of registrations of
this Court in compliance with the ordinance, that it may be used
Ce requerant Led⁴ Sieur pierre Prevost insinuation du dit pouvoir, Lecture faite de celuy en notre Greffe nous L'avons insinué et enregistré Sur Les registre des insinuations de Se Siege Suivant L'ordonnance pour servir et valoir ce que de raison dont acte, Le dit Jour Et ans. fr. saucier

Extrait des registres de la Juridiction des Cahôs.

aujourd'hui vingt Cinq du mois de mars mil Sept Cent quatre-vingt deux Est Comparu au Gref de ce Siege Sieur Joseph motard porteur dune procuration passé par devant le notaire Soussigné Le vingt trois du présent Contenant Ce qui Suit. pardevant Le notaire Soussigné aux village des Cahokia et En présence des témoins soussigné nomé, fut présent en Sa personne Sieur Joseph motard negocient cy devant résident a St Louis, Lequel a par ces présentes fait et Constituer son procureur General Et Spécial La personne de Mons⁴ michel Beaullieu habitant Demeurant au Susdit Lieu des Cahokia, auquel il donne pouvoir de pour Luy et En son nom demender Et recevoir, et Se faire rendre Compte par Monsieur DuBreuil St Cyr des Sommes dont il aura Été payé

(Folio 17, Cahôs 1783.)

suivant Letat qui Luy a Été remis par mondit Sieur motard Et Son reçu au Bas toute fois que ce ne Sera que Lorsque Mondit Sieur DuBreuil St Cyr partira du païs a moin que La paix ne Ce fasse avant Et que Ledit Sieur procureur Constituer trouve occasion de faire parvenir a mondit Sieur motard en europe Les Sommes que mondit Sieur DuBreuil St Cyr aura. Entre Les main suivant Led⁴ Etat qu'il En a reçu, Et au Cas de depart dudit Sieur avant La paix, sera Loisible aud⁴ procureur Constituer de remettre a tel personne qu'il Jugera a propôs La ditte Somme moyennant assurance ou de la Garder Luy même Jusqu'a ce qu'il a puisse faire tenir aud⁴ Sieur motard promettant aprovurer et rati- fier Comme il aprouve Et ratifie tout Ce qui Sera fait au moyens Des presentes Sans qu'il Soit Besoin d'un pouvoir plus Special fait et passé En etude aux Cahôs L'an mil Sept Cent quatrevingt deux Le vingt trois du mois de mars après midy en présence de M⁴a

¹ The passage is very obscure and the translation has therefore been made as literal as possible.
and have its effect, of which this act will testify, the said day and year.

Fr. Saucier.

Extract of the Registers of the Magistracy of Cahokia.

To-day the twenty-fifth of the month of March, 1782, there appeared at the office of this Court M. Joseph Motard, bearer of a power of attorney passed before the undersigned notary, the twenty-third of the present month, containing what follows: Before the undersigned notary at the village of Cahokia and in the presence of the undersigned and named witnesses, there was present in his person M. Joseph Motard, merchant hitherto residing in St. Louis, who has by these presents made and constituted his attorney, general and special, the person of M. Michel Beaulieu, inhabitant domiciled in the aforesaid place of Cahokia, to whom he gives power for him and in his name to demand and receive and to cause to be rendered to him an account by M.

(Dubreuil St. Cyr of the sums which he shall have been paid according to the statement, which has been delivered to him (Beaulieu) by the said M. Motard, with his receipt below; provided this shall only be valid when the said M. Dubreuil St. Cyr shall set out from the country, unless the peace is made before, and provided the said constituted attorney find occasion to send to the said M. Motard in Europe the sums which M. Dubreuil St. Cyr shall have in his hands according to the said statement which he has received; and in case of the departure of the said gentlemen before the peace, it will be permissible to the said constituted attorney to confide to such person whom he judges fitting the said sum, provided he receives security, or to keep it himself until he can put it in the possession of M. Motard, who promises to approve and ratify, as he approves and ratifies, that which shall be done by means of this present without there being need of a more special power. Made and passed in the office at Cahokia in the year, 1782, on the twenty-third of the month of March in the afternoon, in the presence of MM. Matthieu Saucier and François Lapance, witnesses summoned for this, who have signed with us, notary, after
n'est pas une erreur. L'information est correcte. Le texte suivant est une traduction approximative.

La terre de la paroisse de Sainte-Croix est remise à La paroisse qui est signée par le curé et les habitants de la paroisse. Le curé est précédent et le seigneur demeure. Le prix est de cinq cents livres. La somme est laissée dans la cave. Le seigneur est ancien et précédant. Les registres des actes sont conservés pour servir...

Avec salut,

savoir
reading was made. Signed on the original, J. Motard, Mth. Saucier, François Lapancé and Fr. Saucier, notary. And below is written: Furthermore the said M. Motard declared that he owed the said M. Beaulieu the sum of five hundred livres by his note, which said sum he shall take from that which he shall receive from M. Dubreuil St. Cyr, and he has signed the day and year, and the said sum of five hundred livres he may demand, when he shall wish. The said M. J. Motard requiring the registration of the said power of attorney, after reading thereof was made in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier.

Extract of the Registers of the Magistracy of Cahokia.

To-day the fifth of the month of September, 1782, there appeared at the office of this Court M. Gabriel Cerré, bearer of an obligation of M. Ant. Harmand, at the end of which is contained what follows: Having been condemned by the Court to pay the said obligation, I bind myself by the mortgage of all my goods generally to pay to M. Gabriel Cerré the sum of one thousand six hundred and forty-six livres in money and the interest of the said sum in a year from this date, without one obligation being derogatory to the other; and for greater surety I have, by these presents, mortgaged more specially my house situated in the village of Cahokia, on the one side adjoining Jean Lapancé's and on the other separated by a street. At Cahokia, the 5th of September, 1782. A. Harmand. And below is written: I, the undersigned, [acknowledge] that the interest of the above sum has been paid me up to this day. At Cahokia, September 5, 1782. Cerré. The said M. Cerré requiring the registration of this obligation, after reading was made thereof in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier, N. P.
Extract of the Registers of the Magistracy of Cahokia.

To-day the 8th day of November, 1782, there appeared at the office of this Court M. Joseph Labuxiere, state's attorney of Virginia, bearer of his commission, and in virtue of the decree of the magistrates of this Court, yesterday, he has required of us the registration of his said commission, which contains what follows:

I, the undersigned Jean Girault, attorney for the State of Virginia in the county of the Illinois.

Since the employment of military officer, to which it has pleased the State to appoint me, makes it impossible for me to fill any longer the place of attorney for the said State in the county of the Illinois, to which office I was appointed by a commission dated the fifth of June, 1779; and since it is indispensably necessary to appoint a person capable of replacing me in the said office and I know the wise conduct, capacity and experience of M. Joseph Labuxiere and his zele and affection for the service of the State and the public welfare, I have appointed and do appoint him by these presents state's attorney of Virginia to replace me in the said office throughout the whole extent of the county of Illinois; and consequently to demand for the said State of Virginia all that which belongs to the competence of this office both in matters civil and criminal; and for this purpose to enjoy all the honors rights, privileges, emoluments and dignities attached thereto; to take cognizance of all estates in abeyance or others which shall be intestate, to make inquiries, suits, proceedings and recoveries therefor, in order to render account thereof to whom by right it shall belong; and in all things to conform himself to the laws and statutes established by the State of Virginia in the county of Illinois aforesaid. We pray M. Richard Winston, civil governor in the said county, to approve our appointment in the person of the said M. Joseph Labuxiere and to cause him to be recognized in the said capacity of attorney by all the colonists and subjects of the said county of Illinois and by all others whom it shall concern. In faith of which we have signed the present commission and placed our seal thereon. Given in the village of Kaskaskia in the Illinois, the twenty-ninth of June 1781, Signed Girault.
Nous Richard Winston Gouverneur Civil En la Comté des ilinois.

Veu la presente commission que nous avons homologué Et homologuons. En consequence avons receu Et recevons led' Sr Joseph Labuxiere procureur pour l'Etat de virginie En la comté des ilinois Et Ses dependances Sous le Sermant quil a presente- ment preté de Se conformer aux statuts Et reglements dud' Etat pour ladite comté des ilinois, laquelle reception nous avons faite du Consentement unanime des magistrats Sousignez tenant la cour de justice En cette ville des caskakias En foy de quoy avons signé la presente que nous avons scellé de Notre Cachet ordre Et delivré au Sr Labuxiere pour lui servir ce que de raison, En la ville des caskakias aux ilinois le 29 juin 1781. Signé Richard Winston, Jacques lasource magistrat presid1, Godin, Janis, Barbeau, Louviere tous magistrat Et l'original de present Enregistrement delivré aud' Sr Labuxiere Et avons signé led' jour et an.

Labuxiere fr. saucier N. P.

(Folio 20, Cahôs 1783.)

Extrait des registres de La Juridiction des Cahô.

Aujourd'hui huitième jour de novembre mil sept Cent quatre vingt trois, Est Comparu aux Greffe de Sieg le Sieur Charle Charleville demeurant aux caskakia porteur d'une reconnaissance du Sieur [blank] pourée, nous a requis Lenregistrement de laditte Reconnaissance portant Ce qui suit.

Jay reçu de Monsieur Charle Chauvin Charleville un reçu de Monsieur bagot de lagarsseniere, Consenti a mondit Sieur Charle Chauvin Charleville de la Somme de Vingt Et un Mille neuf Cent Soixante Et dix Livres Et aux Environs de quatre Cent Livres de paux de chevreur Et un petit paquet de Castor, La reconnaissance de Monsieur bagot Lagarceniere En datte du huit aoust mil Sept Cent soixante Et dix huit, En outre une procuration que ledit Charleville ma donné pour pouvoir poursuivre Le Sieur bagot En Son nom, Et faire mon possible pour retirer La ditte somme suivant le reçu de monsieur bagot La Guarsinaire, Si Je ne puis rien retirer de M' bagot Je remettrè Les pieces reçu de mons' Charleville a luy même Et il me remettra le présent
We Richard Winston, Civil Governor in the County of Illinois.

Having seen the present commission, we have confirmed and to confirm it and in consequence we have received and to receive the said M. Joseph Labuxiere as attorney for the State of Virginia in the county of the Illinois and its dependencies under the oath which he has now made to conform to the statutes and regulations of the said State for the county of Illinois, which reception we have made with the unanimous consent of the undersigned magistrates holding the Court of justice in this village of Kaskaskia. In faith of which we have signed the present which we have sealed with our seal and delivered to M. Labuxiere for his use, of which this act will testify. In the village of Kaskaskia in the Illinois, June 29, 1781. Signed, Richard Winston, Jacques Lasource, presiding magistrate, Godin, Janis, Barbau, Louvier, all magistrates, and the original of the present registry was delivered to the said M. Labuxiere; and we have signed the said day and year.

Labuxiere

Fr. Saucier, N. P.

(Folio 20, Cahokia, 1783.)

Extract of the Registers of the Magistracy of Cahokia.

To-day, the eighth of November, 1783, there appeared at the office of [this] Court M. Charles Charleville, residing in Kaskaskia, bearer of a receipt from M. [blank] Pource, and he has required of us the registration of the said receipt which contains what follows:

I have received from M. Charles Chauvin Charleville a receipt of M. Fagot de Lagarceniere given to the said M. Charles Chauvin Charleville for the sum of twenty-one thousand nine hundred and seventy livres and about four hundred pounds of deer-skins and a small package of beaver. The receipt of M. Fagot de Lagarceniere bears date of the eighth of August, 1778; furthermore a power of attorney which the said Charleville gave me to empower me to sue M. Fagot in his name and to do my best to obtain the said sum according to the receipt of M. Fagot de Lagarceniere. If I can do nothing about obtaining the sum from M. Fagot, I shall return the papers received from M. Charleville to him and he will return the present. Made at St. Genevieve January 1, 1782.
...
Signed Leger [?] Pourée. The said M. Charleville requiring the registration of the said receipt, after reading was made thereof in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier, N. P.

Extract of the Registers of the Magistracy of Cahokia.

To-day, the tenth of November, 1783, there appeared M. Joseph Labuxiere, who has required of us the registration of the commission which follows:

Having seen the petition presented to us by M. Joseph Labuxiere under date of December 10, 1782, and knowing that the government has desired nothing more than to give facility to all its subjects to gain their livelihood honestly and to seek, obtain and possess happiness wherever they can obtain it, and to assist them with its authority and power in order that each may exercise his talents and be useful to society:

In virtue of the power given to us by M. John Todd Esquire,

(Folio 31, Cahokia, 1784.)

civil governor in the county of Illinois and its dependencies, we have permitted and do permit M. Joseph Labuxiere Senior, to establish a notariat in this said county at the place where he shall have his residence and to this end to draw up and receive in his capacity of notary public, throughout the extent of the said county and district, all instruments, contracts and inventories, settlements, auctions and in general to do all that which belongs to the competence of a notary, without any person being permitted to make opposition thereto; for the State wishes that each person enjoy full liberty to place his confidence in such notary as he shall judge fitting. In consequence we have this day received the oath of office from the said M. Labuxiere, who has promised and sworn to conform himself to the statutes of government and customary usages; and he shall be free, in case of incompatibility, to substitute some one to perform the functions of state’s attorney in the affairs which require one, and where he cannot exercise...
de Raison que nous avons signé et Scellé de Notre Cachet ordinaire aux Caskakia le douze decembre mil sept cent [sic] quatre vingt deux, signé sur la commission Richard Winston Lieutenant de Compte. Laquelle Commission nous avons Enregistree Et remis l'original aux Labuxiere pour luy servir ce que de raison Et avoir recour a renregistrement cy dessus En cas de Besoin dont acte lesd1 jour et an.

fr. saucier N°.

Extrait des Registres de la juridiction des Cahos.

Du dix avril mil Sept cent quatre vingt Cinq. auyjourd'hui est comparu le Sr Joseph Labuxiere tuteur des Enfans mineurs de defunt jean Bte jacquemain dit lajoe de la prairie du Rocher Lequel nous Requis renregistrement cy après.

Je soussigné tuteur des Enfans mineurs de defunt jean Bte jacquemain dit lajoe de laprairie du Rocher averti tous ceux qui ont pris des effets à lencan dud1 defunt Jacquemain que led1 Encan dans le present mois davril et que les adjudicataires ayent à payer eux ou leurs cautions leurs adjudications Entre les mains de Mr Barbeau capitaine commandant a la prairie du Rocher qui leur donnera quittance En mon absence Faute de quoy il leur est declaré qu'il payeront les frais et depens que lon fera pour aler chés eux leur demander le recouvremente Et en outre L'interest Suivant la Loix Et coutume Etablir pour les mineurs fait En mon domicile des Cahos le 9 avril 1785. signé Labuxiere Et plus Bas Est Ecrit Envoyé une copie aux Kas a Mr de Montbrun et a Mr Barbeau pour afficher chacun dans les Lieux de leurs dependances le 10 avril 1785.

signé Labuxiere tuteur
fr. saucier N. P.

(Folio 36. 1786.)

aujourd'hui vingt huit decembre mil Sept cent quatre vingt Six est comparu au greffe de ce siege le Sr gabriel Baron habitant

1 All pages between the reverse of folio 31 and folio 36 are omitted. These pages contain the copies of documents in a suit between Laureat Durocher of St. Louis and Pollard & Masson of Detroit in regard to a consignment of goods. The men interested are all from
the two duties in the same affair. In faith of which we have delivered the present commission and have signed and sealed it with our seal at Kaskaskia, the twelfth of December, 1782. Signed on the commission, Richard Winston, County Lieutenant; which commission we have registered and returned the original to the said M. Labuxiere that he make use thereof and have recourse to the above registry in case of need; of which this act will testify, the said day and year.

Fr. Saucier, Notary.

Extract of the Registers of the Magistracy of Cahokia.

On the tenth of April, 1785, to-day, there appeared M. Joseph Labuxiere, guardian of the minor children of the deceased Jean Bte. Jacquemain called Lajoye of Prairie du Rocher, who has required of us the registration of what follows:

I, the undersigned guardian of the minor children of the deceased Jean Bte. Jacquemain called Lajoye of Prairie du Rocher, notify all those who have taken goods at the auction of the deceased Jacquemain, the said auction [having been held] in the present month of April, that the purchasers have to pay for them or [give] their surety for their purchases into the hands of M. Barbau, captain commandant at Prairie du Rocher, who will give them receipts in my absence; in default of which, notice is given to them that they shall pay the costs and charges, which are made in going to them to demand the recovery, and also the interest according to the law and established custom for minors. Made in my domicile at Cahokia April 9, 1785. Signed, Labuxiere. And below is written: Sent a copy to Kaskaskia to M. de Monbreun and M. Barbau for each to post in the places of their dependencies, April 10, 1785.

Signed Labuxiere, guardian.

Fr. Saucier, N. P.

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(Folio 36, 1786.)

To-day the twenty-eighth of December, 1786, there appeared at the office of this Court M. Gabriel Baron and Marie Louise St. Louis of Detroit, and the documents do not form an integral part of the Cahokia records. The entries are made by Joseph Labuxiere in the years 1786 and 1787.
du poste des cahos et marie Louise Buteau son Epouse porteur de leur contrat de mariage passé devant Senet Notaire aux Cahos le vingt huit septembre mil Sept cent Soixante Seize Portant la donation qui suit. Et pour se donner des preuves de L'afflection reciproque quils Se portent Lun et lautre ils Se Sont fait et ce font par ces presentes donation mutuelle reciproque et a jamais irre-vocable autant que donation puisse valoir au dernier vivant d'eux de tous et uns Chacuns les Biens meubles et immeubles propres acquets et conquets que le premier mourant aura et laissera au jour et heure de Son deces pour enjouir par le dernier vivant En plaine proprieté et comme de chose luy apartenante de plain droit, cette presente donation mutuelle Et reciproque ainsy faite pourvû toutes fois qu'il ny ait point denfant nez ni a naitre dudt mariage car en Cas denfant ladite donation Sera nule de plain droit ainsy convent Et accordé. ce requerant les dits St et dame Baron insinuation de la presente donation nous lavons insinuée et en-registree sur le present registre dinsinuation et denregistrement du greffe de ce Siege pour servir audt St dame Baron ce que de raison dont acte lesdt jour et an.

Labuxiere Ntre gfir

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(Page 40, 1787.)

requisition de Mr Joseph Janez lt Commrre Du 18 janvier 1787.

avis au Public

Le Soussigné Etant chargé de Prendre connoissance des abus de Nature publique qui ont été commis ici a L'entour il est Bien mortifié de voir que ces abus Sont Enormes et frequants mais comme la Nature de Sa Commission est telle qu'il ne peut pas pour le present les Examiner comme il le vouldroit Et que dailleurs il est plus glorieux de prevenir les Crimes de peur qu'on ne les commette que de les punir après quils Sont commis, il avertit donc le public par ces presentes que toutes personnes ou personnes qui après cette date Commetra ou occasionnera quelque Ravage, ou pillage ou destruction Soit au fort de Chartre ou a l'Encien

1 Continuation of the Laurent Durocher documents to the reverse of folio 39.
Buteau, his wife, bearers of their contract of marriage passed before Senet, notary at Cahokia, the twenty-eighth of September, 1773, containing the donation which follows: And in order to give proofs of the reciprocal affection which they have one for another, they have made and make by these presents mutual, reciprocal and irrevocable donation, in so far as a donation can be valid, to the survivor of them of all and each of the goods, personal and real, inherited or acquired before or after marriage, which the first one dying shall have and leave on the day and hour of his or her decease, to be enjoyed by the survivor in full proprietorship and as a thing belonging to him or her in full right. This present mutual and reciprocal donation is so made, provided, however, that there should be no child born nor to be born of the said marriage; for in case of a child the said donation shall be null in full right as agreed and granted. The said M. and Madame Baron requiring the registration of the present donation, we have inscribed and registered it in the present record of registrations of the office of this Court that the said M. and Madame Baron may make use thereof, of which this act will testify, the said day and year.

Labuxiere, Notary Clerk.

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Requisition of M. Joseph Janez, Lieut. Commissary, January 18, 1787.

Notice to the Public.

The undersigned being appointed to take cognizance of the abuses of a public nature, which have been committed here in the surrounding places, he is very mortified to see that such abuses are great and frequent; but as the nature of his commission is such that he cannot examine them as he would wish to, and since, besides, it is more glorious to prevent crimes which one fears will be committed than to punish them after they are committed, he warns the public, therefore, by these presents that all persons or person, who after this date shall commit or cause any depredation, robbery or destruction either at Fort de Chartres or at the former college of the Jesuits at Kaskaskia or at the old fort on the moun-
Est comparu le Sr Augustin Dubuc, marchand voyageur, \textit{Ex", de present, aux Cahos a l'issue de la Cour de justice Seante E...}

\begin{quote}

la Chambre du greffe Locombrorre a presenté a la dite cour la requête ci-jointe et a requis le renregistrement En ce dit greffe que j'ai transcrit sur le registre des Enregistrement mot a mot suivant l'original ainsi qu'il suit.

a Monsieur Jean B. Lacroix présidant Et Messieurs Les juges de la cour du district des cahos.

Messieurs:

augustin dubuc marchand voyageur de montréal resident a present en ce poste faisant par procuration du Sr valentine jautard avocat En la dite ville a l'honneur de vous representer...
ain which commands the village or at any storehouse or public building, they may expect that they will be punished very severely, since therefrom depends the welfare of a government which desires to be just and equitable.

Every person who has in his possession anything belonging to the public is notified to return it as soon as possible.

The undersigned would think himself fortunate, if the persons who are known to have demolished the old college of the Jesuits would profit by this notice to bring to it the materials which they have taken therefrom and to rebuild the structures in the condition in which they were hitherto, since it is hoped that in a short time there will be stationed there in garrison a corps of troops, who will have need of these buildings; and the necessary enquiries concerning these persons will be made, if they neglect this warning. Signed at Kaskaskia, January 11, 1787, Joseph Janez, Lieut Com.

Read, published and posted on the door of the church of Cahokia by me, Joseph Labuxiere, notary and clerk of the said place January 18, 1787.

Labuxiere, Clerk.

February 19, 1787.

There appeared M. Augustin Dubuque, traveling trader, at present in Cahokia, at the door of the court of justice sitting in the office of the clerk; and after having presented to the said Court the following petition, he has required the registration there-of in this said office; and I have transcribed it on the record of the registrations word for word according to the original as follows:

To M. Jean Bte. LaCroix and MM. the Judges of the Court of the District of Cahokia.

Sirs:

Augustin Dubuque, traveling trader of Montreal, resident at present in this post, and acting by power of attorney of M. Valentine Jautard, lawyer in the said city, has the honor to show you that, in virtue of the decree under date of the sixth of the month of November last, of which it has pleased you to cause him to be informed, he had believed that [he would have received justice] in accordance with the legality of the claims which the said M.
quen vertu de la Sentence qu'il vous a plû luy faire Signifier e date du Sixième du mois de Novembre dernier il auroit Crû qua-
prés la validité des droits que a requis ledt se jautard Sur les Biens Cy devant appartenants aux missions Etrangeres Situés En ce village paroisse de la Sainte famille consistant En une maison de pierre et Son terrain ainsi qu'une terre et autres effets tel qu'il est Ennoncé par le contract de vente quen a fait en Son vivant le Seigneur Jean Lagrange au Seigneur jautard par acte passé pardevant Mr Labuxiere Notaire Royal en datte du quatrièmesme juin de Lannée mil Sept cent Soixante Cinq dont ledt Seigneur Lagrange avoit acquis le tout de Mr françois Forget duverger pretre et missionnaire des missions Etrangeres grand vicaire de Mr Leveque de quebec faisant et agissant alors au Nom de Mr Le Superieur des missions Etrangere de paris, par acte passé devant ledt Mr Labuxiere notaire Royal des[Illinois]le Cinquiesme de Novembre mil sept cent Soixante trois Sous le gouvernement de Mr de Neyon alors gouverneur de ce pays au Service de Sa majesté le Roy de france. Le suppliant ne peut cacher Sa Surprise connaissant la probité des arbitres Nommés par la communauté des habitans de ce village pour donner leurs opinions Sur la validité ou linvalidité des titres cy dessus mentionnés, de voir avec quelle authorité (et Sil m'est permis Sans blesser la modestie des dits arbitres) avec quelle legerité ils ont Cassé Ennuélé et mis au Neant les actes passés il y a vingt Cinq a vingt six ans par main de Notaire Royal, tems ou le pays Etoit sous la domination francaise et jouissoit dune justice Établie Et réglée Et ou toutes personnes en place N'auroit Eu la témérité de passer ou recevoir aucun acte qui ne fut conforme aux loix Sans Encourir les risques de punition.

qu'il me soit permis Messieurs de vous observer quel seroit Ce droit des gens Si la Cour dajourd'hui toute respectable quelle est. Et quel pouvoir qui luy soit Confié, avoit le droit de Casser

les actes passez sous les gouvernements françois et anglais Sous lesquels nous avons Successivement passez dans lespase d'Environ quatorze à quinze ans, quelle seroit la Sureté publique, y auroit-il

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1 For an account of the purchase by Jautard, see Thwaites, Jesuit Relations, lxxi., 37.
Jautard has made to the property heretofore belonging to the foreign missions situated in this village, parish of the Holy Family, and consisting of a stone house with its lot as well as a plantation and other effects, such as is described by the contract of sale, which M. Jean Lagrange during his life made thereof to M. Jautard by instrument passed before M. Labuxiere, royal notary, dated June 4, 1765, all of which the said M. Lagrange had acquired from M. François Forget Duverger, priest and missionary of the foreign missions and grand vicar of the bishop of Quebec, acting at that time in the name of M. the Superior of the foreign missions of Paris, by instrument passed before the said M. Labuxiere, royal notary of the [Illinois], on the 5th of November, 1763, under the government of M. de Neyon, at the time governor of this country in the service of His Majesty the King of France. The petitioner cannot conceal his surprise, since he knows the probity of the arbitrators appointed by the community of the inhabitants of this village to give their votes on the validity or invalidity of the titles hereinabove mentioned, at seeing with what authority (and if it is permitted without wounding the modesty of the said arbitrators) with what levity they have put aside, annulled and set at naught the instruments passed twenty-five to twenty-six years ago by the hand of a royal notary, at which time the country was under the French dominion and enjoyed an established and regulated justice and when no person in office would have had the temerity to pass or receive any instrument, which did not conform to the laws, without incurring the risks of punishment.

Permit me, gentlemen, to inform you what this right of the people would be, if the Court of to-day, wholly honorable as it is, and what the power which is confided to you would be, did the right exist of setting aside the instruments passed under the French and English governments, under which we have successively passed in the space of about fourteen to fifteen years. What would be the public surety? Would there be any individual who could flatter himself with enjoying acquisitions which he has made or will leave to his descendants, without running the risk of seeing them forfeited? Would not such a power become absurd which instead
aucun particulier qui pût se flatter de jouir des acquisitions qu'il a faites ou laissées a leurs descendans Sans courir les risques de S'En voir dechù, un tel pouvoir ne deviendroit-il pas absurde qui au lieu de veiller a la Sureté publique par le maintien des loix donneroit atteinte a les Enfreindre, le droit des gens Est un droit que toutes nations Civilisées respectent Et Se rendent reciprocement les uns aux autres, lorsque le pays fut rendu par le traité de paix aux Englais lon a vû cette nation respecter Et mettre En force tout acte de justice pâses Sous le gouvernement françois, comme maintenant que nous Sommes au pouvoir des Etats unis de Lamerique lon verra cette puissance maintenir dans toute Sa force toutes loix et usages existants Sous les deux gouvernements antérieurs les puissances Conquerantes ont le droit dajouter au pays qu'ils ont conquis les loix qui leurs Sont propres mais non pas de Casser celles qui regnoient precedament

Le Suppliant vous represente très respectueusement quen vertu de la procuracy a lui livrée par le S't valentin jautrad avocat resident a montreal pour Se nantir des Biens cy devant mentionnez quil avoit legitimement acquis de deffunt S't jean Lagrange Et dont il a joui paisiblement pendant lespace denviron vingt un an Sans interruptions ni apellation de qui que ce soit il a En conecuance Lannée dernier fait DéCréter La dite Mission avec les Dits Biens En presence de témoin, pendant trois Mois de Suite a la porte de L'eglise au nom du dit Sieur Valentine Jautard Comme à lui appartenant Sans que qui que Ce Soit Se présentat pour y mettre Empechment, et ont été vandu Juridiquement Selon les Loix et Coutumes du pays à la porte de L'eglise, La quel vente Le Suppliant Entend qu'il est Lieu Sauf au Collége des Mission Etrangeres d'avoir Leurs recours Contre Leurs agent; Le Suppliant a L'honneur de vous observer Messieurs que Lorsque il a donné Sa Signature pour Se Soumettre à la Desition des Arbitres il ne Croyoit pas avoir affaire à ses propres parties puisse qu'il ce Disent ou ils sont Connu Etre de la Communauté des habitans Il ne veut pas dire par la qu'il est Crû m'al Decider mais il sient deCément que faisant corps Dans le nombre des paroissiens ils aurait Dû Ce Recuser au lieu de prendre Le ton dautorité de
of watching over the public surety through the maintenance of the laws should give a blow to break them. The right of the people is a right which all civilized nations respect and submit to reciprocally. When the country was surrendered to the English by the treaty of peace, that nation was seen to respect and put in force all acts of justice passed under the French government. Since now we are in the power of the United States, it will be seen that this power maintains in all their force the laws and usages which have existed under the two preceding governments. The conquering powers have the right to add to the country, which they have conquered, the laws which are their own; but not to annul those which were in force before.

The petitioner sets forth to you very respectfully that, in virtue of the power of attorney given him by M. Valentine Jautard, lawyer residing in Montreal, to take possession of the property hereinbefore mentioned, which he had legitimately acquired from the deceased M. Jean Lagrange and which he has enjoyed peacefully during the space of about twenty-one years without interruption or action from any one, and in consequence thereof, he last year caused to be issued in the presence of witnesses and posted, for three months together at the door of the church, a writ against the said mission and its property in the name of the said M. Valentine Jautard as belonging to him, without any one presenting himself to make objection thereto; and judicial sale was made according to the laws and customs of the country at the door of the church which sale, the petitioner understands, is allowed, reserving to the college of the foreign missions the right to have recourse against their agent. The petitioner has the honor to remark to you, gentlemen, that when he gave his signature to submit himself to the decision of the arbitrators, he did not believe that he had an affair with the interested parties. Since they say it or are known to be of the community of the inhabitants, and he does not wish to say by that it is believed the decision was unjust, but he feels that, since they were of the number of the parishioners, they ought properly to have challenged them instead of taking the tone of authority to annul and set aside authentic instruments legally passed under a
Casser et d’anéantir des actes authentiques passer L’égalemment
Sous un Govenement sage; Le Suppliant ne peut voir quavec Peine
que Les susdits arbitres annoncera dans un passage de Leurs Sen-
tance que Le dit Suppliant est Nantie De titres authentiques de la
part du St Jautard et dans un autre ils disent quils N’en à pas
suffisamment puisqu’il En demande d’autres ils osent Encore avan-
cer que Le St abbé forget s’est Evadé furtivement de pais dans le
temps quils scavent Le Contraire, Leurs sentence prouve que
L’abbé forget a Emporté Les fonds de la Mission En france, C’est
donc La Mission même qui a òperer dans Ce fait, puis qu’ils avoit
Mis La Gestion et La Conduite Entre les mains du dit forget et que
personne ne Ce soit opposer a la sortie des fonds L’orsqu’il partie
du pais; dans Le Convoys de Monsieur de Neyon àlors Gouverneur
du pais; Le Suppliant Doit donc Etre Certain que Le dit forget
avoir tous pouvoir dans Ladmission de cette Mission et Les
habitans n’en ont point Douter puisquils ont acquis de Lui, et
quand même il N’auroit pas Été muny d’un pouvoir particulier,
il a Été Connu membre de La Mission et Vicaire général et par
consequent toutes Les ventes ou transsactions faites par lui sont
pour le Compte de la dite mission, il est donc plus que Ridicule
aux arbitres de prendre Le haut ton d’autorité de Casser et annul-
ler des actes Sacrés, un tribunal de Justice Légale Les respecte
partous, il ny a que Le deffaut de forme qui puisse Les annihilir,
mais il est desfiendu à des arbitres Den Connoitir. Ce Consideré
il vous Plaise, Messieurs Declarer La dite sentence null et Randu
par des Personnes inCompetentes, dire que Leur pouvoir ne
s’étand pas Jusqu’a decider une affaire de Droits qui n’appar-
tient qu’au tribunal Competent, de plus le suppliant vous prie,
Messieurs, de le recevoir appelant de La susdite sentence et de Lui
En Expedier acte afin qu’il puisse se pourvoir partout ou à qui
le droits appartendra, et ferez droit. Présenté par moi soussigné
ta la cour respective des Cahokias le 15 ème fevrier 1787 au Kah-
okias. signé dubuc Et a l’instant ladite requete a Été Remise audt
sé duque par moy greffier Soussigné après la seance de la Cour
tenue par M’t fr. Saucier président au lieu et place de sé jean B’t
well-conducted government. The petitioner can see only with
pain that the arbitrators aforesaid announce in a passage of their
verdict that the said petitioner is provided with authentic titles
from M. Jautard and in another they say that he has not sufficient
of them, since they demand others. They also dare to advance
that M. Abbé Forget left the country at the time secretly, when
they know the contrary. Their verdict proves that the Abbé
Forget has carried the funds of the mission to France. It is then
the mission itself which has acted in this deed, since they have
placed the action and conduct in the hands of the said Forget and
since no one has made opposition to the departure of the funds,
when he set out from the country in the convoy of M. de Neyon,
at that time governor of the country. The petitioner ought then
to be certain that the said Forget had all power in the administra-
tion of this mission; and the inhabitants have had no doubt there-
of, since they have acquired property of him; and if even he should
not have been armed with a particular power, he has been known
as a member of the mission and vicar-general and consequently
all the sales or transactions made by him are for the account of the
said mission; and it is therefore more than ridiculous for arbitra-
tors to take the high tone of authority of annulling and setting aside
sacred acts—a tribunal of civil justice would respect them every-
where. There is only the defect of form which could annul them,
but it is forbidden arbitrators to take cognizance thereof. In con-
consideration of this, gentlemen, you should decide to declare the said
verdict null and rendered by persons incompetent, and to say that
their power does not extend to deciding a question of law, which
belongs only to a competent tribunal.

Furthermore the petitioner prays you, gentlemen, to receive
his appeal from the verdict aforesaid and to expedite an act thereof
in order that he can plead everywhere in regard to whom the
rights belong and obtain justice. Presented by me, the unders-
signed, to the honorable Court of Cahokia, the 15th of February,
1787, at Cahokia. Signed, Dubuque. And now the said petition
has been returned to the said M. Dubuque by me the undersigned
clerk, after the sitting of the Court, held by MM. Fr. Saucier, presi-
dent in the place and stead of M. Jean Bte. LaCroix, Ant. Girardin, Louis Chatel, M. Saucier, Clement Alarie, and Joseph Lapancé, to whom the said petition was presented and by them referred. Below is also what follows: Seen by the assembled Court the above petition of M. Dubuque, together with the verdict of the deputed arbitrators appointed by the community of the inhabitants of Cahokia, to whom the said M. Dubuque has promised to leave the decision by his writing dated November 7, 1786. The Court has overruled all the prayers and principal observations mentioned in the petition of M. Dubuque, and has confirmed and does confirm the verdict of the said deputies, and decrees that it shall have its full and entire effect notwithstanding all appeal. Given at Cahokia February 19, 1787. Signed below the reference of the said petition returned to M. Dubuque, Ant. Girardin, Mt. Saucier, a + for the mark of Joseph Lapancé, a + for the mark of Clement Alary, a + for the mark of Louis Chatel, Fr. Saucier, president, and the undersigned clerk.

Aug. Dubuque.

Labuxiere.

To-day, the first of March, 1787, there appeared at the office of this Court M. Augustin Dubuque, traveling trader, who has required the registration of the power of attorney here following:

Before the undersigned notaries of the province of Quebec, residing at Montreal, M. Valentine Jautard, lawyer living in the faubourg St. Joseph near this city of Montreal, has by these presents made and constituted his attorney, general and special, the person of M. Augustin Dubuque, traveling merchant, at present in this city, to whom he has given power to sell, alienate, cede and transfer for him and in his name, to whom it shall seem good to him and for what price and sum which the said constituted attorney shall determine, the lands hereafter designated: to wit, a piece of land situated in the village of Cahokia, parish of the Holy Family, containing about three hundred feet frontage and about nine hundred feet in depth, upon which is constructed a stone house, in whatever condition it is found at present; also a plantation of four arpents frontage situated in front of Cahokia extending in depth from the trench to the bluffs, adjoining on
fondeur jusques aux cotes, joignant dun costé au S'r Clermont Et de lautre costé au Nommé dorion Suivant les designations Portées aux contacts d'acquisitions que led¹ S'r Constituant en a faite de feu S'r jean lagrange vivant Negotiant aux caskakias par contract passé devant M'r Labuxiere Notaire en datte du quatre juin mil Sept cent Soixante Cinq dont led¹ S'r lagrange avoit acquis le tout de M'r² francois forget duverger pretre et missionnaire des missions Etrangeres grand vicaire de M'r Leveque de quebec faisant et agissant alors au Nom de M'r le Superieur des missions Etrangeres de paris par acte passé devant led¹ M'r Labuxiere des [Illinois] le Cinq Novembre mil Sept cent Soixante trois, dont tous les dits titres y Enoçés ont été remis aud¹ S'r Constitué pour et en vertu diceux en prendre possession au Nom dud¹ S'r constituent, les vendre comme dit est au meilleur avantage que led¹ constitué trouvera Enfin plaider apeller, obtenir jugements aux fins de deguerpissements Si personne ou personnes quelconques Seetoient a proprié les dits Biens, En un mot passer tous toutes [sic] de vente revetir lacqueure ou les acquereurs de toute propriete au Nom dud¹ Constituant Et du produit des ventes En recevoir ieceux deniers et den donner quittances ou en passer tous actes au profit des acquereurs, promettant led¹ S'r constituent avoir tout pour agreable ce que led¹ S'r Constitué fera, donnant pouvoir de constituer un ou plusieurs procureurs Sans Besoin de ratification de la part dud¹ S'r constituant voulant que la presente vaille jusquu revocation expresse tel laps de tems qui puisse Se couler, car ainsi promettant &c. obligeant &c voulant &c nonobstant &c. fait et passé a montreal Etude des Soussignez Ian mil Sept cent quatre vingt Cinq le dix neuf May avant midy, ces presentes delivrees En Brevet, et a mond¹ S'r constituant Signé ces presentes avec les Notaires Lecture faite Suivant Lordonnance—signé &c &c Jautard—Foucher—fr. LeGuay Notaires. et plus bas est Escrit Nous René ovide hertel Ecuyer Seigneur de Rouville L'un des juges de Sa Majesté En Sa Cour des playdoyers Communs, district de Montreal province de quebec &c. &c. Certifions a tous qu'il appartienda que M'r² fr. LeGuay et antoine foucher qui ont Signé et delivré ces presentes
one side M. Clermont's and on the other the land of the named Dorion according to the description contained in the contracts of acquisition, which the said constituter made therefor with the late M. Jean Lagrange, during his life merchant at Kaskaskia, by contract passed before M. Labuxiere, notary, under date of June 4, 1765, all of which the said M. Lagrange had acquired from M. François Forget Duverger, priest and missionary of the foreign missions and grand vicar of the Bishop of Quebec, acting at that time in the name of M. the Superior of the foreign missions of Paris, by act passed before the said M. Labuxiere, royal notary of the [Illinois] on November 5, 1763. All the said title deeds here mentioned have been delivered to the constituted attorney that he may by virtue thereof take possession in the name of the said constituter, and sell them, as said, to the best advantage, that the said constituted attorney shall find; finally that he may plead, appeal and obtain judgments for the purpose of ejectments, if any person or persons, whatever, has appropriated the said property, in a word to make all contracts of sale and to invest the purchaser or purchasers with full property rights in the name of the said constituter and to receive the money from the product of the sales and to give receipts therefor or to pass all acts to the profit of the purchasers; the said constituter promises to sanction all which the said constituted attorney shall do; and gives him power to constitute one or more attorneys without the need of ratification on the part of the said constituter; and he wishes that the present be valid until express revocation without regard to the time which may elapse; for thus promising etc. binding, etc. willing, etc. notwithstanding etc. Made and passed at Montreal in the office of the undersigned, the year 1785, the nineteenth of May before noon. These presents were delivered in brevet and the said M. constituter signed these presents with the notaries, after reading was made according to the ordinance. Signed, V. Jautard, Foucher, Fr. Le Guay, notaries. And below is written — We, René Ovide Hertel Esquire, Seigneur de Rouville, one of judges of His Majesty in his Court of Common Pleas, district of Montreal, province of Quebec etc. etc. certify to all whom it may concern that MM. Le Guay and Antoine Foucher,
Sont notaires. En cette province que foy doit être ajoutée aux actes quils passent tant en jugements que hors Certifions En outre que le papier timbré nest point En usage dans cette dite province En foy de quoy nous avons signé ces presentes et a icelles aposé le seau de nos armes ordinaires donné a Montreal En notre hotel le 19 May 1785 signé hertel de Rouville.

Et plus Bas est Ecrit. je Soussigné augustin dubuque je transporte la presente procuration a Mr 'jean dumoulin Negociant pour lexercer Et la faire valoir En tous son contenu, de meme et ainsi que jaurais pû faire le metant et transmetant En mon lieu Et place aux Cahos le dix sept Novembre mil sept cent quatre vingt Cinq. signé A. Dubuc.

Et a l'instant ladite procuration a Eté delivrée par moy greffier soussigné audt, st augustin Dubuc lesdt jour Et an.

Aug, Dubuque

Labuxiere

aujourd'hui vingt quatre avril mil sept Cent quatre vingt Sept est comparu au greffe de la jurisdiction des Cahos aux ilinois Mr huges huvard porteur des pieces Suivantes lequel En a requis Lenregistrement Suivant Et transcrit sur le present registres lui meme atendu que le greffier nentend pas la langue anglaise ainsi quil Sult.

Know all men by these presents that I John Askin of Detroit Merchant have made ordain'd Constituted & appointed & by these presents do make ordain constitute & appoint in my place & stead put & depute Mr Hugh Heward of Detroit aforesaid my true & lawful attorney for me & in my Name & for my Use to ask Demand recover & receive of & from any person or persons indebted to me or any of my former Copartnerships.—giving & granting to my said attorney my sole & full power & authority to take pursue & follow such legal Courses for the Recovery receiv- ing & obtaining of the same as I myself might or could do were I personally present & upon receipt of the same Acquittances &

other sufficient Discharges for me & in my Name to sign Seal & deliver as also one or more Attorney or Attornies under him to
who have signed and delivered these presents, are notaries in this province and that faith should be given to instruments which they draw up as well in judgments as elsewhere. We certify, furthermore, that the stamped paper is not in use in this province. In faith of which we have signed these presents and have thereon placed the seal of our customary coat of arms. Given at Montreal in our mansion, May 19, 1785. Signed, Hertel de Rouville.

And below is written: I, the undersigned Augustin Dubuque, transfer the present power of attorney to M. Jean Dumoulin, merchant, to carry out and put into effect in all its contents even as I could have done, using and transmitting it in my place. At Cahokia November 17, 1785. Signed A. Dubuque.

And now the said power of attorney has been delivered by me, the undersigned notary, to the said M. Dubuque the said day and year.

Aug. Dubuque Labuxiere.

To-day, the twenty-fourth of April, 1787, there appeared at the office of the jurisdiction of Cahokia in the Illinois M. Hugh Heward, bearer of the following documents and he has required the registry thereof and has transcribed them in the present register himself, since the clerk does not understand the English language, as follows:

1st piece.

Know all men by these presents that I, John Askins of Detroit, merchant, have made, ordained, constituted and appointed and by these presents do make, ordain, constitute and appoint and in my place and stead put and depute Mr. Hugh Heward of Detroit aforesaid my true and lawful attorney for me and in my name and for my use to ask, demand, recover and receive of and from any person or persons indebted to me or any of my former co-partners; giving and granting to my said attorney my sole and full power and authority to take, pursue and follow such legal courses for the recovery, receiving and obtaining of the same as I myself might or could do, were I personally present; and upon receipt of the same, acquittances and other sufficient discharges for me and in my name to sign, seal and deliver; as also one or more
substitute or appoint & again at his pleasure to revoke & further to do & perform & execute for me & in my Name all singular Thing or Things which shall or may be necessary touching & concerning the premises as fully & entirely as I the said John Askin ought or could do in & about the same or as if more especial authority was required than is herein given — ratifying allowing & confirming whatever my said Attorney shall lawfully do or cause to be done in & about the Premises by virtue of these presents.

In witness whereof I have hereunto set my Hand & Seal the fifteenth Day of November in the year One Thousand Seven Hundred & Eighty Six.

(signed) John Askin

Signed Sealed & delivered in presence of
John McCaslan Witness
William Park
Hugh Heward

& a lifiant Lorignal
Remis a Mr huges huward
Labuxiere

2nd.

Know all men by these presents that we John Askin George Leith & Angus Mackintosh of Detroit & Directors of the Miamis Company for ourselves & in behalf of the said Company have made ordain'd Constituted & appointed & by these Presents do make ordain constitute & appoint & in our place & Stead put & depute Mr Hugh Heward of Detroit aforesaid our true & lawful Attorney for us & in behalf of the said Company in our names & for our use to Demand recover or receive of & from any person or persons indebted to the said Company

Giving & granting to our said Attorney our sole & full power & authority to take pursue & follow such legal Courses for the Recovery receiving & obtaining of the same as we ourselves might or could do were we personally present. And upon the Receipt of the same Acquittances & other sufficient Discharges for us & in our Names to sign Seal & deliver as also one or more Attorney or Attorneys under him to substitute or appoint & again at his pleasure to revoke; & further to do & perform & execute for us
attorney or attorneys under him to substitute or appoint and again at his pleasure to revoke; and further to do and perform and execute for me and in my name all singular thing or things which shall or may be necessary touching and concerning the premises as fully and entirely as I, the said John Askim, ought or could do in and about the same or as if more special authority was required than is herein given; ratifying, allowing and confirming whatever my said attorney shall lawfully do or cause to be done in and about the premises by virtue of these presents.

In witness whereof I have hereunto set my hand and seal, this fifteenth day of November, in the year one thousand seven hundred and eighty-six. 

Signed John Askim.

Signed, sealed and delivered in the presence of John McCaslan, witness William Park.

And now the original was returned to M. Hugh Heward.

Hugh Heward. Labuxiere.

2nd.

Know all men by these presents that we, John Askim, George Leith and Angus Mackintosh of Detroit and directors of the Miamis Company, for ourselves and in behalf of the said company have made, ordained, constituted and appointed and by these presents do make, ordain, constitute and appoint, and in our place and stead put and depute Mr. Hugh Heward of Detroit, aforesaid, our true and lawful attorney for us and in behalf of the said company, in our names and for our use, to ask, demand, recover or receive of and from any person or persons indebted to the said company; giving and granting to our said attorney our sole and full power and authority to take, pursue and follow such legal courses for the recovery, receiving and obtaining of the same as we ourselves might or could do, were we personally present; and upon receipt of the same, acquittances and other sufficient discharges for us and in our names to sign, seal and deliver; as also one or more attorneys under him to substitute or appoint and again at his pleasure to revoke; and further to do and perform and execute for us and in our names all singular thing or things which shall or may be necessary, touching or
& in our Names all singular Thing or Things which shall be necessary touching or concerning the premises as if the said Directors ought or could do in the same or as if more especial Authority was required therein given. Ratifying allowing & confirming whatsoever said Attorney shall lawfully do or cause to be done in premises by Virtue of these Presents.

In Witness whereof we the said Directors in behalf of the Company have hereunto set Hands & Seals the Twentieth Day of November in the Year One Thousand Seven Hundred & Eighty Six.

(signed) John Askim
Signed Sealed & delivered In presence
of John McCaslan Witness
Mont [illegible] Trimble
a Linstant remis a Mr hugues huvard

Hugh Heward. Labuxiere.

Monsieur

comme vous Nignorés pas que je suis Charge par ordre de notre Cour de la succession de defunt Mr augustin dubuque,

(40. 1788)
you avez En main une negresse Et Son Enfant a luy appr te je vous suplie de la remettre avec son Enfant a Mr aRondel avec qui je me suis arrangé pour la Conduire aux Cahos lieu auquel Elle doit Etre vendue pour le compte de la Sucession ce faisant la presente Lettre que je vous Envoy par Mr aRundel vous servira dample decharge par son recu de ladite negrese Et son Enfant que vous ferés mettre au bas de la presente Crainte de tous perils Et Evenements a votre decharge

jay Ecrit au mois Novembre dernier par le detroit Et Riviere des ilinois a madame votre soeur Et luy marque de vous Envoyer Sa procuration. ou a tout autre quelle voudra Choisir. si contre mon atente on me refusoit la Negresse Et son Enfant je vous previens que je la laisse sur les Risques perils Et fortunes de qui

1 John Askins was a merchant and fur trader of Sandwich township, Ontario. He was serving as commissary at Michilimakinac in 1774. Later he served in the British army and was retired in 1812. He married into one of the old French families of Detroit.—Mich.
concerning the premises as fully and entirely as we, the said directors, ought or could do in or about the same or as if more special authority was required than is herein given; ratifying, allowing and confirming whatever our said attorney shall lawfully do or cause to be done in and about the premises by virtue of these presents.

In witness whereof we, the said directors, in behalf of the said company have hereunto set our hands and seals, the twentieth day of November, in the year one thousand seven hundred and eighty six.

Signed, sealed and delivered in the presence of John McCaslan, witness. (Signed) John Askin.¹

George Leith.

Now it was returned to M.

Hugh Heward.
Hugh Heward.

Labuxiere.

Sir:—

As you are not ignorant that I am intrusted by order of the Court with the estate of the deceased M. Augustin Dubuque and you have in your possession a negress and her child belonging to him, I pray you to deliver her with her child to M. Arundel, with whom I have made arrangements to conduct her to Cahokia, where she is to be sold for the account of the estate. By doing this the present letter, which I am sending you, will serve you for a full discharge, through the receipt for the said negress and her child which you will cause to be written at the bottom of the present for fear of all perils and emergencies in regard to your discharge.

I have written in the month of November last via Detroit and the Illinois river to Madame your sister and instructed her to send to you her power of attorney or to any other whom she wishes to choose. If, contrary to my expectations, the negress and her child are refused me, I warn you that I leave her at

the risk, peril and fortune of him whom it shall concern, reserving to myself, in that case, to make my suit for and to the profit of the estate against whom I shall think it to be right. Joined herewith is the original letter written us on the subject by M. Cruzat.

If I have deferred having her transferred, the bad weather and the ice are the causes thereof and also because you said that you would send her at the first safe opportunity.

I have the honor, sir, of being your servant. Signed Labuxiere, March 10, 1788. To M. Pratte, Merchant at Ste. Genevieve.

Letter of M. Cruzat written to M. Saucier, President of the Court.

In consequence of the letter that you have written me yesterday, I have given to M. Pratte at Ste. Genevieve order to hold at the disposition of your Court and to deliver on its demand the nessers which is at his house belonging to the estate of the late Augustin Dubuque, since I am persuaded that the creditors of this bank will enjoy the same rights in this estate as the creditors who are on your bank etc. Signed François Cruzat, St. Louis, November 14, 1787. To François Saucier, Magistrate at Cahokia.

Testament of James Moore.

To-day the first of September, 1788, there appeared M. Dorisier, acting for and in the name of M. Gabriel Cerré, absent, bearer of the testament of James Moore, and he has, for and in the name of the said M. Cerré, required the registry thereof, as follows:

In the name of God, amen, I, James Moore of Bellefontaine of the country of the Illinois, being in perfect health of body, soul and memory, render thanks to God for recalling to memory the mortality of my body; and knowing that the lot of every man is to die once, I make, ordain and constitute this present my last will and testament: that is to say, firstly and the first of all I give and recommend my soul into the hands of Almighty God who gave it and I recommend my body to the earth to be interred in Christian burial and the funeral to the direction of my testamentary executors, that at the general resurrection I may receive it
again by the supreme power of God; and as to the temporal goods, which it has pleased God to give me in this life, I give, devise and dispose of the said goods in the manner and form following:

Firstly, I give and bequeath to Catherine Moore, my well beloved wife, the third of all my property both personal and real, after my debts shall be all legitimately paid; it is my intent which I wish to be executed during her widowhood. As to the negroes Bingo and Judik, it is my intent that they return to M. Tobias Barshares, if he is willing to take them back and to hold himself responsible therefor to the estate of John Allison; if not, the said negroes shall be sold at auction or sold at private sale, if the testamentary executors judge it best, and their price assured to the use of the estate of the late John Allison; as to all the lands, which I possess at the present time, it is my intent that they be equally divided between my sons except that my son, William, shall have two parts. The cleared lands shall be divided as well as those in woods and in farm-yard at the discretion of the executors hereafter mentioned. I give equally to my son, William, the horse called Pasbai and a book called or entitled “Tragedies of Otway”; and the first volume of the “Spectator”; and to my son, John, “The Companion of the Young Man”; and to my son, James, the works of Abraham Cowley; and to Henoch, the seventh volume of the “Spectator”; and to Milton, “The Paradise Lost” of Milton and the works of M. Savage entitled “The Vagabond”; and to my daughter Mary, the first volume of the works of Shakespeare with an equal part of all my personal goods; and all the remaining books shall be equally divided among all; my son, William, shall have my violin. I ordain and constitute likewise Gabriel Cerré, Shadrach Bond and Thomas Biggs to be my executors of this present last will and testament, to whom I recommend that they leave all my property in the hands of my wife during her widowhood until the boys are of age; and that at that time each of them, as they come of age, withdraw his share; but if there appears to the testamentary executors that there is the least appearance of waste in the property, it is my intent that
laisser tous les Biens entre les mains de ma femme pendant Son veuvage jusqu'à ce que les garçons Soient en age et pour lors chacun d'eux a mesure qu'ils viendront En age tireront leur part mais S'il paroit aux Executeurs testamentaires qu'il y ait la moindre apparence de dégat dans les Biens. c'est mon intention qu'il le prenne entre leurs mains et le place au plus avantageux pour le Benefice des Enfans Et par le present je desaprouve, revoque et Ennule tous les autres testaments antérieurs a celui ci ainsi que les Executeurs par moi nommés ci devant dans mes precedants legs et intentions, je rattisie Et confirme ce present, et aucun autre pour etre mon testament et mes dernieres intentions, En consequance de quoy jy ay posé ma Signature Et mon cachet ce trente unieme jour de May, Lan de notre Seigneur mil Sept cent quatre vingt sept signé James Moore } cachet } signé Cacheté Lû prononcé et déclaré par led James moore comme Son testament Et Ses dernieres intentions en presence de nous qui en sa presence Et en presence de chacun de Nous avons Signé nos Noms ci dessous Signé Michel Huff—John Slaughter + Sa marque — frs. Clark — et plus Bas est Ecri je certififie la presente traduction Conforme a la original Signé L Dorsiere
Enregistre conforme a la traduction par moy N°re Publique Soussigué.

Labuxiere N°re P.

aujourd'hui troisieme jour de Septembre mil Sept cent quatre vingt huit est comparé au greffe et Notaria du poste des cahos aux ilinois le S° jean B° Dumat habitant dus lieu porteur de Son contract de mariage avec felicité Peltier Son Epouze passé devant Mr Labuxiere N°re aud lieu des cahos En datte du dix° jour de juin mil Sept cent quatre vingt Six par lequel il apert la donation que led Comparant a fait de tous Ses Biens meubles Et immeubles qu'il laissera au jour Et heure de Son trepas a ladite felicité Peltier. la dite donation portée Sur Son Contract de mariage contenant ce qui Suit. Et ledit futur Epoux pour donner des preuves dune veritable affection a ladite future Epouse et luy marquer qu'il veut Bien Servir d'un veritable pere a Ses Enfans ayant accepté leur tutelle p° veiller a leurs interest et les aider de
they take it in their hands and place it to the best advantage for the interest of the children. And by the present I disapprove, revoke and annul all other testaments previous to this as well as the executors named by me herebefore in my previous wills and testaments. I ratify and confirm this present and no other to be my last will and testament; in consequence of which I have set thereon my signature and my seal, this thirty-first day of May in the year of our Lord 1787. Signed James Moore \[his\] \{seal\}. Signed, sealed, read, pronounced and declared by the said James Moore to be his last will and testament in his presence and in the presence of us, who, in his presence and in the presence of each of us, have signed our names hereunder. Signed Michel Huff, John Slaughter + his mark, Francis Clark. And below is written, I certify that the present translation conforms to the original. Signed, L. Dorsiere.

Registered, according to the translation, by me, the undersigned notary public.

Labuxiere, N. P.

To-day, the third day of September, 1788, there appeared at the office and notariat of the post of Cahokia in the Illinois, M. Jean Bte. Dumay, inhabitant of the said place, bearer of his contract of marriage with Felicité Pelletier, his wife, passed before M. Labuxiere, notary, in the said place of Cahokia under date of the tenth day of June, 1786, in which there appears the donation which the said appearer has made of all his property, personal and real, which he shall leave on the day and hour of his death, to the said Felicité Pelletier. The said donation is contained in his contract of marriage and is as follows: And the said future husband, in order to give proofs of a veritable affection to the said future wife and to show her that he wishes to serve as a true father to her children, the guardianship of whom he has accepted, to watch over
Ses avis Et conseil Et marquer a la future Epouse une veritable amitié, il luy a fait a Elle Seule donation pure Simple Entre vif Et a jamais irrevocable En la meilleure forme que donation puisse valoir de tous les Biens meubles et immeubles quil laissera au jour et heure de Son trepas En cas quil deceddie Sans Enfans avant la dite future epouse Et meme de ladite somme de dix mille Sept cent quatre livres portée En Linvantaire dudt dumay pour en jour disposer et apartenir a ladite future Epouse Sans retourn comme de Chose a Elle apartenante de plain luy en donnant toute propriétie Sans que personne y puisse pretendre aucune Chose, comme un bien quil a acquis et gagné par ces penibles travaux dont ladite future Epouse Sera libre de disposer a sa mort En faveur de qui Bon lui semblera Sans que les Enfans dudt picart Son premier mary Et dElle puisse pretendre aucune chose que ce quelle voudra Bien leur donner cette presente donation ainsi faite toutes fois au Cas qu'il ny ait aucunes enfans vivants nez ni a naitre dudt futur mariage dudt dumay et de ladite future Epouse car au cas dEnfant ladite donation Sera nule de plain droit et Sans difficulté &c. Ce requerant ledt jean Bte dumay insinuation de la dite donation, Nous lavons insinué et enregistré Sur les registres de cette juridiction après en avoir fait lecture, pour servir Et valoir ce que de raison a la dite felicité peltier. et a ledit dumay fait sa marque ordre ne sachant signer lesdt jour et an

marque + de

jean Bte dumay

Labuxiere

aujourd'hui vingt quatre mars mil sept Cent quatre vingt neuf est comparu jean marie dorion tuteur de la mineure lamarche demeurant aux Cahos lequel nous a requis lenregistrement du billet cy après.

Je Joseph Robidoub Soussigne declare devoir Et promet payer dans le courant du mois doctobre de lannée mil sept cent quatre vingt dix a lordre de Mr jean marie dorion la Somme de sept Cent piastres En Bon courant ou la valeur en pelterie de
their interests and to aid them with his counsel, and to show the future wife a true affection, has made to her alone a true and simple donation inter vivos and irrevocable, in the best form that donation can be made valid, of all the personal and real property which he shall leave on the day and hour of his death, in case that he dies without children before the said future wife, and also of the said sum of ten thousand seven hundred livres contained in the inventory of the said Dumay, to enjoy, dispose of and to belong to the said future wife without requital as a thing belonging to her, and he gives it to her in full proprietorship so that no person can make any pretense thereto, as it is property which he has acquired by his labor, of which the said future wife shall be free to dispose at her death in favour of whom it seems best to her, and so that the children of the said Picart, her first husband, and of herself can make claim to nothing except what she shall be willing to give them. This present donation is so made, however, in case only that there are no living children born or to be born of the said future marriage of the said Dumay and the said future wife. In case of a child the said donation shall be null in full right and without difficulty etc. The said Jean Bte. Dumay requiring the registration of the said donation, we have inscribed and registered it on the records of this magistracy, after having made a reading thereof, that it may be of use and validity to the said Felicité Pelletier, of which this act will testify. And the said Dumay has made his mark, not knowing how to sign, the said day and year.

Mark + of
Jean Bte. Dumay.

Labuxiere.

To-day, the twenty-fourth of March, 1789, there appeared Jean Marie Dorion, guardian of the minors Lamarche, dwelling at Cahokia, who has required of us the registration of the following note:

I, the undersigned Joseph Robidou, declare that I owe and promise to pay in the course of the month of October of the year 1790, to the order of M. Jean Marie Dorion the sum of seven hundred piastres in current bons, or the value in peltries of receipt at
Recette au prix Courant de Lecheance pour un Negre quil ma vendue Nommé Minan agé d'Environ trente Cinq ans provenant de la Succession de feu Buet Et pour plus grande Sureté du S't dorion. je Soussigné auguste Chouteaud me rend garant Et caution de la Susdite Somme de Sept cent piastres Et m'oblige la payer comme En faisant ma propre affaire Et debte comme principal debiteur a S't Louis le vingt Mars mil Sept cent quatre vingt neuf. signé J H Roubidoub. p't. caution aug'te Chouteau. 700 Piastres.

Et a linstant remis led't Billet En original aud't S't jean marie dorion qui a declaré ne savoir signer et a fait sa marque ordre.

marque de + Jean Marie dorion Labuxiere greffier
W Arundel temoin

Know All Men by these presents that we Edward William Gray Esquire William Goodall, John Lilly, Peter Bouthiellier, and Robert Cruickshanks merchants executers of the last will and Testament of William Kay late of Montreal in the district of Montreal, in the Province of Quebec merchant deceas'd Have made Ordained, authorized, constituted and appointed and by these presents DO make Ordain, authorize, constitute and appoint Josiah Bleakley late of michelimakinac, but now of Montreal aforesaid merchant, Our true and Lawful attorney, for us, and in our name or (otherwise) and to and for our use as Executors aforesaid, to ask demand sue for recover and receive of and from all and every person or persons whatsoever whom it doth, shall or may concern, and particularly of and from David McCrai, David McCrai and Co, Pierre antoine Tabeau, Jean Baptiste morelle, James Aaron Holt, and Charles Gratiot at michel-makinac or elsewhere in the upper Country, all such sum and Sums of money Debts Dues and Demands whatsoever, as are due, owing payable or belonging to the said William Kay at the time of his Decease, and now are or hereafter may become due, owing, payable or belonging to as the Executors of his said last Will and Testament, for or by reason of any cause, matter or thing whatsoever and to compound and agree to take less than the whole for
the current price at maturity, for a negro, which he has sold me, named Minan, aged about thirty-five years, coming from the estate of the late Buyat; and for greater security of M. Dorion, I, the undersigned Auguste Chouteau, hold myself as guarantor and surety of the aforesaid sum of seven hundred piastres and pledge myself to pay it as if it was my own business and debt as principal debtor. At St. Louis, the twentieth of March, 1789. Signed, J. H. Robidou. For surety, Auguste Chouteau, 700 piastres.

And now the said note in original was returned to the said M. Jean Marie Dorion, who has declared that he did not know how to sign and has made his mark.

Mark of + Jean Marie Dorion. Labuxiere, Clerk.

W. Arundel, witness.

Know all men by these presents that we, Edward William Gray Esquire, William Goodall, John Lilly, Peter Bouthiellier and Robert Cruickshanks, merchants, executors of the last will and testament of William Kay, late of Montreal in the district of Montreal in the province of Quebec, merchant deceased, have made, ordained, authorized, constituted and appointed and by these presents do make, ordain, authorize, constitute and appoint Josiah Bleakley, late of Michillimakinac but now of Montreal aforesaid, merchant, our true and lawful attorney, for us and in our name or (otherwise) and to and for our use, as executors as aforesaid, to ask, demand, sue for, recover and receive of and from all and every person of persons whatsoever whom it doth, shall or may concern, and particularly of and from David McCrae, David McCrae and Co, Pierre Antoine Tabeau, Jean Baptiste Morelle; James Aaron Holt and Charles Gratiot at Michillimakinac or elsewhere in the upper country, all such sum and sums of money, debts, dues and demands whatsoever, as are due, owing, payable or belonging to the said William Kay at the time of his decease, and now are or hereafter may become due, owing, payable or belonging to as the executors of his said last will and testament, for or by reason of any cause, matter or thing whatsoever and to compound and agree to take less than the whole for all or any of
all or any of the debts or Demands aforesaid, where the whole in
all appearance cannot be got, And upon payment, recovery or
receipt thereof or of any part or parts thereof, Acquittances, or
other Good and sufficient discharges in the Law for the same, for
us and in our names as Executors as aforesaid accordingly to make,
Seal and deliver, and Generally to do, transact, manage and
perform all other matters and things any wise relating to the
premises in such manner as to our said attorney shall appear most
advisable and Expedient as fully amply and effectually in all
respects as if the most special powers were to our Said Attorney
for the purposes aforesaid by us given, or as we ourselves might
or could do personally, AND an Attorney or Attornies under him
for the purposes aforesaid, with the like or more limited powers,
to make and at his pleasure to revoke.

HEREBY allowing ratifying and confirming all and whatsoever
our said Attorney or his Substitute or Substitutes shall
Lawfully do or cause to be done in or about the Premises by Virtue
of these Presents IN WITNESS whereof we have hereunto sett
our hands & Seals the twenty fifth day of April in the Year of Our
Lord One thousand Seven Hundred & Eighty Eight.

Signed Seal’d and

deliver’d in the presence of

Edw’d Wm Gray [Ls]

W Goodall [Ls]

John Lilly [Ls]

P Bouthillier [Ls]

R Cruickshank [Ls]

Jn Bouthillier

Sam’l Genard

Lequel Enregistrement a Eté fait a la requisition du M’r Charles
Grassiot conforme a l’originaux Et transcrit par me jean dumoulin
Neg’t au defsauf par moy Nre d’Entendre la langue Englaise
aux Cahos le 28 8bre 1788

Ch Gratiot

Jn Dumoulin

Josiah Bleakley
the debts or demands aforesaid, where the whole in all appearance
cannot be got; and upon payment, recovery or receipt thereof
or of any part or parts thereof, acquittances or other good and suf-
cient discharges in the law for the same, for us and in our names
as executors as aforesaid, accordingly to make, seal and deliver
and generally to do, transact, manage and perform all other matters
and things anywise relating to the premises in such manner as
to our said attorney shall appear most advisable and expedient
as fully, amply and effectually in all respects as if the most special
powers were to our said attorney for the purposes aforesaid by us
given, or as we ourselves might or could do personally; and an
attorney or attorneys under him for the purposes aforesaid, with the
like or more limited powers, to make and at his pleasure to re-
voke.

Hereby allowing, ratifying and confirming all and whatsoever
our said attorney, or his substitute or substitutes shall lawfully
do or cause to be done in or about the premises by virtue of these
presents. In witness whereof we have hereunto set our hands and
seals the twenty-fifth day of April in the year of the Lord, one
thousand seven hundred and eighty-eight.

Signed, sealed and                        Edw. Wm. Gray [LS]
delivered in the presence of                 Wm. Goodell [LS]
Jn. Bouthieller                              Jonne Lilly [LS]
Samuel Genard.                               P. Bouthieller [LS]
                                               R. Cruickshank [LS]

This registry was made on the requisition of M. Charles Gra-
tiot and conforms to the original and was transcribed by me,
Jean Dumoulin, merchant, in default of a knowledge of the
English language by me, notary, at Cahokia, October 28, 1788.
Ch. Gratiot.
Jean Dumoulin.
Josiah, Bleakley.
CAHOKIA DOCUMENTS.

French

GRATIOT TO G. R. CLARK, FEBRUARY 3, 1779.

Monsieur

Je suis au desespoir que mes affaires icy soient dans le cas de me priver de me joindre avec nos jeunes gens, pour vous prouver le desir que j'aurois en toute occasion de vous témoigner mon attachem^1 et mon Zèle en tout ce qui vous regarde, et vous assurer en même tems de l'affection que vous vous ete sy dignement acquise de tous les citoyens de ce Village, dont je me flatte que dans toute les occasions vous les verrés Zélè et devoué entière-ment a tout ce qui conserne les Interest de la Cause dont vous etes le defenseur dans ce pays. Pour ce qui me regarde, comme je suis dans la triste Necessité de rester, cy je puis vous etre icy de quelques utilité, j'espere que vous n'epargnerés pas dans auqu'une occasion celui qui est pour la vie

Votre très humble & Devoué

Serviteur Ch Gratiot

N.B: Mes respect s'il vous plait le Cap^a Bowman et tous vos officers vous obligere infiniment C G^b.

Aux Cahos le 3^d Fevrier 1779

[On the reverse] Jespere qu'au Retour de votre Campagne nous auron le plaisir de vous voir en notre Village, et que vous viendres avec vos Messieurs nous aider a boire Notre Vin, dont je crains bien que cy vous tardis longtemis il ne Surisse de telle maniere qu'il n'y ast plus moyen den boire.

^1 The following documents come from several archives. This collection does not contain all the stray papers from Cahokia of the period, but it does contain all the important known documents, hitherto unprinted. Several documents from the Dr. MSS. were published by F. J. Turner in Amer. Hist. Rev., viii., 491 et seq. Other papers have been printed by M. I. F. Griffin in Amer. Cath. Hist. Researches, New Series, ii., 3. The classification into French and English documents was necessitated by the composition of the book.
CAHOKIA DOCUMENTS.\textsuperscript{1}

FRENCH.

Gratiot to G. R. Clark, February 3, 1779.\textsuperscript{2}

Sir:

I am in despair because my affairs here are in such condition that they prevent me from joining with our young men, in order to prove to you the desire which I have of testifying to you on every occasion my attachment and zeal in all that concerns you, and to assure you at the same time of the affection, which you have so worthily earned from all the citizens of this village, whom, I flatter myself, you will see on all occasions zealous for and entirely devoted to everything which concerns the interest of the cause, of which you are the defender in this country. As far as I am concerned, since I am under the sad necessity of remaining behind, if I can be of any use here, I hope that you will not spare, on any occasion, him who is for life

your very humble and devoted servant,

Charles Gratiot.

N. B. My respects, please, to Captain Bowman and all your officers and you will oblige infinitely

C. Gratiot.

At Cahokia, February 3, 1779.

[On the reverse] I hope that on the return from your campaign we shall have the pleasure of seeing you in our village and that you will come with your gentlemen to aid us in drinking our wine, but I fear that if you delay a long time, it will come about that there will be no longer means of drinking any.

\textsuperscript{2}Dr. M.S., 49\textsuperscript{3}, original manuscript. The letter was written to Clark at the time he was preparing to set out for Vincennes. Dr. Louise Phelps Kellogg kindly collated the proof of all the documents from the Draper M.S., printed in this volume, with the originals.
MCARTY TO HIS WIFE, APRIL 28, 1779.

Ma chère femme Voila la dernière foi que je vous écris il y a un des postes de St. Martin et celui par votre frère là-bas depuis quelque temps je n'escesse de vous et ma chère fille je vous prouverai être ici, je craignais pour eux et vous tacher ma chère femme de venir avec quelqu'un me rejoindre ici avec eux est il possible ma chère que vous ne pourvouez point trouver quelqu'un Voila Mad. la Capitaine McDonald souhait que vous estiez ici pour me voir en ma habitation je suis Capitaine dans la Bataillon des Illinois et aide de Camp du Commandant en chef du département ouest. Voila vous me dira bien de avancement subite mais il est vrai je cherche dans cet temps de trouble de affixer un Bien être pour nos Enfants et je ne peut le faire pour nous, mais cy vous estoit reste vous resterez bien en cas de ma mort, Votre pention est assurer en s'adressant à l'Etat ou Republique de Virginie. Mon Moulin en mon absence par la grand Abbat de pluie est encore parts mais mon General m'aides promis de faire camper un Regiment dans le beau temps au moulin pour la remettre tacher donc ma chère femme de venir me joindre je ne doute point que vous entendrez parler de moy car j'ai eu Bon part dans la prise de Gouverneur Hamilton et je me flatte que je lui ait rendu service dont il a eu besoin par sa meurtrière qu'il faisoit commette journal sur les femmes et les Enfants de mes Compatriotes et je crois que cy le Traître de Mississippi me rend justice je suis chère à eux par le soin que je en ai prise vis a vis les sauvages &c. et que je prend constamment. Chere femme tacher de me rejoindre et votre famille, vous cousine espere cela au moins cy vous me haisse point je suis en esperant de vous y voire avec estime et respect a grand mere, mama oncle Baby & Tant & les francois sont nos allies.

Votre affectioné marie
Richard M. Carty Capne
Illinois Batallion
McCarty to His Wife, April 28, 1779.

My dear wife:—This is the last time that I shall write you this year, one by the posts of St. Martin and that by your brother etc. For some time past I have had to dream of you and my dear daughter. I wish to God that you might be here, since I have great fear for them and you. Try, my dear wife, to come with some one to join me here with them. Is it possible, my dear, that you cannot find any one? There is Madame Captain McDurald who wishes that you were here to see me in my uniform of orderly. I am captain in the Illinois battalion and aid-de-camp of the commander in chief of the western department. There you are, you will tell me, very suddenly advanced; but it is true I am seeking in this time of trouble to establish a fortune for our children and I cannot do it for ourselves; but if that be nothing to you[?], you will be well fixed in case of my death. Your pension is assured by sending to the State or Republic of Virginia. My mill in my absence has been carried away by the great downpour of rain; but my general has promised me that he will have a regiment encamp in the spring at the mill in order to set it up again. Try then, my dear wife, to come and join me. No doubt you have heard people speak of me, for I was prominent in the capture of Governor Hamilton, and I flatter myself that I rendered him service, of which he has had need on account of the murders, which he has caused to be committed daily on the wives and children of my compatriots; and I believe that, if the traders of the Mississippi render me justice, I am dear to them on account of the care which I have taken against the savages etc and which I am taking constantly. Dear wife, try to join me and your family; your cousin hopes it, if you do not hate me. I am living in hope of seeing you here. With esteem and respect to grandmother, mamma, uncle, baby and aunt; and the French are our allies.

Your affectionate husband

Richard McCarty,
Captain Illinois Battalion.

*The first sentence, like others in the letter, is difficult to interpret.*
CAHOKIANS TO CLARK, APRIL, 1780

Cahokia April 28, 1779.

Addressed, To Madame McCarty, at her mother’s, Montreal.

Endorsed: Letter from one Richard McCarty at Cahokia to his wife at Montreal, dated the 28th of April, 1779. Received the 24th of July.

INHABITANTS OF CAHOKIA TO G. R. CLARK, APRIL 11, 1780.1

To the Honorable George Rogers Clark, Esquire, Colonel and Commander in Chief of the troops of the State of Virginia in the County of the Illinois and its Dependencies etc.

Sir:

In the deplorable situation in which we find ourselves at present we are deputing to you the person of M. Charles Gratiot, one of our citizens, to set before you our distress and the misery to which the savage nations from all sides are reducing us. We are on the eve of being attacked in our village by considerable parties of savages and will not be able to work at the cultivation of our fields, if we do not have prompt succor.2 That is why we take the liberty of addressing ourselves to you on account of the confidence and hope which we have in your benevolence and affection, which you have always shown us; but what afflicts us the most is this, that in case you send us many men, we should not have the provisions which would be necessary for them. M. Gratiot can easily inform you of the capacity of our village and we have charged him to confer with you for this purpose; for we have placed all our confidence therein and that you will only work hand and hand with us to procure us peace and repose and we will not cease making prayers to Heaven for your preservation and prosperity.

We have the honor of being, sir, your very humble and devoted servants. In the name of the citizens of Cahokia, the eleventh of April, 1780.

Mark + of Beaulieu.
Pierre Martin J. B. Saucier.

J. B. H. LaCroix.

2 The attack was made on Cahokia and St. Louis on May 26th. The British had expected to surprise the inhabitants of the two villages. This shows that they were warned over a month before the attack. The most important documents giving the history of the attack have been published in the Missouri Hist. Soc. Collections, II., No. 6, pp. 42 et seq. See also this volume, p. 539.
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ILLINOIS HISTORICAL COLLECTIONS

PETITION OF CADIEI LAMUSAGE, JULY 6, 1780.
A L’Honorable Cour du District des Cahoskias

Messieurs:

Cadieu Lamoage a l’honneur de vous représenter très respectueusement qu’ayant laissé en depot l’autonne dernière une Carabine chez Veuve Germain Jaquet pour trois Cent livres de farrine que le Suppliant devoit a la ditte Dame etant sur son depart pour les Pays d’en haut ou ses affaires l’appeloit, qu’en outre qu’il avoit laissé la ditte Carabine sur les pretentions qu’en avoit formé le Sr. Ch. Gratiot disant quelle avoit été prise a un sauvage l’autonne derniere et qu’il avoit ordre de la retirer.

Mais quelle a ete sa surprise lorsqu’a son retour en se village il a voulu aller payer la ditte Dame Jaquet et restirer la ditte Carabine; elle lui a dit quelle avoit été saisie par l’ordre prive de Monsr Franc. Trotié alors Juge de Police en faveur de Jos. Alary pour une somme qu’il devoit le Suppliant payable a printemps, et que les dits Sieurs Trotié et Jos. Alary l’avoyt forcee a livrer la ditte Carabine; comme le Sertificat de la ditte Dame ainsi que celui de son frere le Prouve.

Le Suppliant a l’honneur de vous représenter a cela, dexaminer attentivement cy le Sr. Fr. Trotié etait en droit en sa qualification de Juge de Police de delivrer une saisie de son autorité privee et sans celle de la cour, pour une somme pareille a celle la, puisque un Juge de Paix ne peut Juger au qu’une affaire en son particular passe la somme de vingt cinq shelings de la Province de la Virginie, qu’en outre la Suppliant s’ettant arrengé avec le Defendeur pour payer sur le Mississipy la somme qu’il devoit, que le defendeur devoit chargé deffun Pajet de ses Billets qui devoit en recevoir le payement lequel etoit tout fort a lui livrer, mais que le deffun Pajet n’ayant pas été jus qu’a lui le Suppliant c’est vu dans la necessité de garder le dit payement et de l’apporter avec lui lequel il est pret a faire au Defendeur.

1 Chi. Hist. Soc., Cah. Rec., original manuscript. Transcription by the editor.

2 Trottier was a member of the Court at the time. I do not know whether the title of justice of the police was given to the justice holding the Court during the week or to each justice of the peace. Later, one member of the Court was delegated to hear causes between the sessions and was called president of the Court and justice of the week. See supra, p. 53.
PETITION TO COURT, JULY, 1780

PETITION OF CADIEN LAUSAGE, JULY 6, 1780.¹
To the Honorable Court of the District of Cahokia.

Sirs:

Cadien Lausage has the honor of showing you very respectfully that he left on deposit last autumn a rifle at the house of Madame Germain Jaquet, widow, as pledge for three hundred pounds of flour, which the petitioner owed the said lady, since he was about to depart for the upper country, where his business called him; that, furthermore, he had left the said rifle because of the claims which M. Charles Gratiot had made to it, affirming that it had been taken from a savage last autumn and that he had an order to take possession of it.

But what was his surprise, when, on his return to this village, he wished to go and pay the said Madame Jaquet and repossess himself of the said rifle, she told him that it had been seized on the private order of M. François Trottier, at that time judge of police,² in favor of Joseph Alarie for a sum which he, the petitioner, owed him, payable in the spring; and that the said MM. Trottier and Joseph Alarie had compelled her to deliver up the said rifle, as the certificate of the said lady and that of her brother prove.

The petitioner has the honor to request this of you, to examine carefully, if M. Fr. Trottier was within his rights in issuing, in his capacity as judge of the police, on his private authority and without that of the Court, a writ of seizure for a sum like that, since a justice of the peace of the province of Virginia by himself cannot pass judgment in a suit for more than twenty-five shillings; and to notice, also, that the petitioner had arranged with the defendant to pay the sum, which he owes him, on the Mississippi; that the defendant was to have intrusted the deceased Pajot with his notes, who was to receive the payment for them and which was all ready for delivery to him; but that, the deceased Pajot not having come, the petitioner saw himself under the necessity of keeping the said payment and of carrying it with him, and this he is ready to make to the defendant.

In consideration of this, sirs, that, since MM. Joseph Alarie and Fr. Trottier have by their private authority, and not by that of
Ce Consideré Messieurs qu'il vous plaise ordonner que puisque les S^m Jos^h Alary et F^m Trotié se sont cy injustement saisie de leurs autorité privée et sans celle de la Justice et que le S^ Jos^h Alary s'en soit servy comme il a fait, de vouloir les condamner à payer la ditte Carabine Cent Piastres gourdes qui est le prix quelle a couté et les condamner a tous fraix depend, Dommages &c: tant de la procedure que dailleur et feres Droit. 

aux Cahos le 6 Juillet 1780 Pr. Cadien Lausage Ch Gratiot

INHABITANTS OF CAHOKIA TO DE LA BALME, SEPT. 21, 1780.

Declaration au nom des Habitants du Village de Cahokia aux Isinois addressée au Mons. Motin de la Balme pensionnaire du Roi de france et Colonel françois &ca &c &ce

Monsieur

Nous soussignés Habitants des Cahokias tres persuadé de l'elevation de vos sentiments pour nous joint a cela le Haut rang que vous tenez dans le monde dont nous ne pouvons plus douter, et plus encor les lustre nom de françois que vous porté et dont vous vous faites honneur seul nom pour lequel nous ne cessions de soupirer de peur qu'il ne s'etaigne chez nous et pour lequel meme nous avons toujours été et sommes encore prêts a sacrifier non pas nos biens seuls qui ne sont que par trop mediocres, mais nos propres vie.

Ces motiffes de Consolation et d'autres non moins legitimes nous commande imperieusement d'avoir en vôtre personne une si grande Confiance que nous vous prions unanimement de vouloir bien Ecouter d'une oreille favorable la declaraton que nous osons vous presenter touchant tous les mauvais traitements que nous avons souffert patiemmentment depuis que les troupes de Virginie sont malheureusement arrivé chez nous jusqu'a present.

Non que nous veuillons entreprendre de vous ennuyer de pla-intes inutiles qui ne serviroient a rien pour nous delivrer d'une insupportable tirannie, n'y meme a nous avancer un bonheur plus durable a la Venire, et que nous esperons bientot. C'est pourquoi nous ne voulons que rapporter de la maniere la plus

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2 For an account of the expedition of De la Balme, see Introduction, pp. ixxix, et seq.
justice, seized the rifle so unjustly and since M. Joseph Alarie has
made the use thereof that he has, it please you to condemn them
to pay for the said rifle one hundred piastres gourdes, which is the
price that it has cost, and to condemn them to pay all costs,
charges, damages etc as well for the procedure as otherwise and
you will render justice.

At Cahokia July 6, 1780. For Cadien Lausage
Charles Gratiot.

INHABITANTS OF CAHOKIA TO DE LA BALME, SEPTEMBER 21,
1780.¹

Declaration in the name of the inhabitants of the village of
Cahokia in the Illinois, sent to M. Mottin de la Balme, pensioner
of the King of France and French Colonel etc.

Sir:—

We, the undersigned inhabitants of Cahokia, are well per-
suaded of the loftiness of your sentiments for us and of the high
rank which you hold in the world, concerning which we can no
longer doubt, and still more of the illustrious name of Frenchman
which you bear and honor, the only name for which we do not
cease to sigh for fear that it be extinguished among us and for
which we have always been and are still ready to sacrifice not only
our property, which is only too small, but our own lives.²

These causes for consolation and for others not less legiti-
mate command us imperiously to have so great confidence in your
person that we unanimously pray you to consent to listen with
favorable ear to the declaration, which we dare to present to you,
concerning all the bad treatment which we have patiently suffered,
since the troops of Virginia unfortunately arrived in our midst
until the present moment.

We do not desire to attempt wearying you with useless com-
plaints, which would serve in no way to free us from an insupport-
able tyranny nor further for us a happiness more durable in the
future and which we hope for soon. That is why we wish only to
relate in the most simple and faithful manner the most true things,
which they (the Virginians) themselves are incapable of calling in
question.
simple et la plus fidèle les choses les plus veritable sur les quels ils sont eux memes incapable de contester.

Ou les troupes Virginienes etant arrivées au Kaskaskia y a deux ans passés commandés par le Colonel St George Roger Klark, ils se sont saisi de la personne de Monsieur de Rochelin sans que les habitants du dit village se soient mis en devoir de leur faire aucunes résistance, vu qu'ils se déclarent in- mellement amateurs de la liberté pour laquelle ils ne cesseront de se battre et encore plus constemment fidèles allés de la France leur plus grande protectrice. Il ne leurs fut donc pas possible de faire le moindre signe de violence au seul nom des français un fois prononcé devant eux.

Ces Habitans enfin peu attentifs a leur propre bonheur et n'ayant point eux mêmes assez d'esperience pour decouvrir leur fourberie cachée, Sous de fausse apparence d'honestes gens n'y point prevenir les facheuses suites qui les menacoient ainsi que nous et qui n'ont pas manquer de s'effectuer en effet se sont rendues avec la plus grande crédulité sans même exiger de voir aucuns Titres qui puissent nullement les eclaircir ne leur prouver par quelle autorité le Col. Clark s'empoiset de leur village, s'aveuglant eux mêmes du doux espoir de se revoir en bien peu de temps les très humble et fideles sujets de leur ancien et très puissant monarque le roix de France.

Nous avons lieu de croire que les Virginiens voyant la trop grande Credulité des Habitants des Kaskaskias et trouvant en un mot combien il leur etoit facile de faire le conquête d'un pays habité par des gens si credulle et si aise a gouverner ont sans doute crus a propos de depecher promptement le Capitaine Josh Bowman pour venir s'emparer de notre Village, n'ayant uniquement que trente hommes avec eux et sans estre soutenu d'aucuns titres reconnus ny des Etats unis ny meme de l'Etat de Virginie, ou s'il en avoit s'est epargné la pene de nous les faire voir, ou craignant quelques facheuses suites les voyant nos voisins et meme maitres des Kaskaskias avons proferer de nous rendre plutôt que des nous exposer a de plus grandes risques joint à cela les promesses récidivées qu'ils nous faisoient incessamment
When the Virginia troops arrived in Kaskaskia two years ago, commanded by Colonel George Rogers Clark, they captured the person of M. de Rocheblave without the inhabitants of said village attempting the duty of making any resistance to them; because they explicitly declared themselves lovers of liberty for which they fought incessantly, and still more constantly as faithful allies of the French, their greatest protector. It was not, then, possible for the Kaskaskians to make the least sign of violence to the name of Frenchmen once pronounced before them.

These inhabitants, finally, little attentive to their own happiness and not sufficiently experienced to discover the concealed knavery of the Virginians under the false appearance of honest people or to anticipate the grievous consequences which menaced them as well as us, and which have not failed to take effect, have surrendered themselves with the greatest credulity, without even exacting a sight of any credentials which might enlighten them in any way or prove to them by what authority Colonel Clark took possession of their village, for they blinded themselves with the sweet hope of seeing themselves again in a short time the very humble and faithful subjects of their former and very powerful monarch, the king of France.

We have reason to believe that the Virginians, after seeing the very great credulity of the inhabitants of Kaskaskia and finding, in short, how easily it was for them to make the conquest of a country inhabited by people so credulous and so easy to govern, have undoubtedly believed it expedient to despatch immediately Captain Joseph Bowman to come and take possession of our village. He had only thirty men with him and was unsupported by any recognized credentials either from the United States or even from the State of Virginia or, if he had them, he saved himself the trouble of showing them to us. And we, fearing some grievous consequences in seeing them our neighbors and even masters of Kaskaskia, have preferred to surrender rather than expose ourselves to greater risks. There should be added to this the repeated promises, which they continually made us, of enjoying the sweets of liberty and its advantages and the declaration to us, under oath
de jouire de douceurs de la liberté et de ses avantages, et non
affirment par serment même que la guerre entre l’amérique et
la grande Bretagne ne pouvait pas durer plus qu’une année vu
que la voix seppuisoit to us les jours et ne tiroit aucune force
généralement que ce peut etre d’ailleurs, enfin les protestations
reiterés detre toujours sincere et allies fidelles et plus encore
l’esperance de nous voire un pour assujetie au joug leger de la
France. Nous ont contraint à les recevoir chez nous comme amis
croyant bien qu’ils etoient authorise du Congié Meme et non pas
qu’ils formoient un Etat particular entre eux.

Nous voyant alors epuises et reduits a souffrir les feaux d’une
guerre contre les sujets de la grande Bretagne dont la cause et
principal point ne nous venoit que par apart aux Virginiens qui
nous avoit conquis. Nous avons crus necessaire d’en prevenir le
Colonel Clark qui etablissoit pour lors la minne de faire ou il avait
ammené quantité de famille et Beaucoup de Troupes.

Mais ce dernier il faut croire se voyant à charge tant de monde
sans vivres, nat point beaucoup hesité de nous envoyer pres de deux
cent hommes, aux quels il s’est joint affectant sous les apparences
d’un feu zele le plaisir qu’il avoit de nous estre de quelqu’utilité.

Quelques jours apres son arrivée icy l’armée de nos ennemis
composé d’un assez nombreuse quantité de Sauvages cy devant
nos fidelles amis, et fort peu d’anglois etant debarrqué partie sur
notre rive et le reste sur les terre espagnolles s’est retirés s’etant
borné a quelques tis-tis a leur lache maniere de faire la guere sans
faire un grand Carnage dans notre partie.

1This may be the meaning, but the passage is very obscure.

2This statement is probably true, for an attack on Illinois by the states had been
expected before the appearance of Clark. See Introduction, p. xxxv.

3 The chronology from this point on is difficult to understand. If it is assumed that the
narrative follows the chronological order, as from the connectives it appears to do, this attack
on St. Louis and Cahokia occurred in the fall of 1778, the retaliation on the Indians imme-
diately afterwards, and after that the troops were left in Cahokia, where they still were in 1780.
All this is impossible, for Great Britain was not at war with Spain, Montgomery had returned
to Virginia, and the troops were not in Cahokia all the time from 1778 to 1780, as the docu-
ment itself later shows. Therefore, the narrative as it stands is not chronological.

If we suppose that the writers set down each grievance as it came to their minds, new
difficulties arise. The transition to this passage is too abrupt. On page 543 the writers men-
tion Captain McCary and add, “of whom we have spoken before,” although it is the first
time his name appears. On page 549, near the end of the memorial, the writers declare that
they will now narrate a detailed account of the treatment they have received from the
Virginiens, and begin with number 11, but that detailed account had already been given.

From these chronological and other inconsistencies, it is evident that the pages of the
original memorial had become misplaced before any copy of them was made, and subsequent
even, that the war between America and Great Britain could
not last longer than a year; seeing that public opinion was being
wreaked day by day and that no conclusion was generally drawn
that it would be otherwise; and finally the reiterated protesta-
tions that they were always sincere and allied friends; and fur-
thermore the hope of seeing ourselves again subjected to the light
yoke of France. Therefore we were constrained to receive them
among us as friends, believing indeed that they were authorized
by Congress itself and not that they represented a particular
state.

Seeing ourselves exhausted and reduced to suffer the scourge
of a war against the subjects of Great Britain, the cause and prin-
cipal point of which reached us only from the side of the Virgin-
iens who had conquered us, we have believed it necessary to in-
form Colonel Clark thereof, who was establishing at that time
the Iron Banks where he had brought numerous families and
many troops.

But this latter, it must be believed, seeing himself in charge
of so great a number without supplies, has not hesitated long
to send us almost two hundred men, to whom he joined himself,
affecting under the appearance of a false zeal, the pleasure which
he had in being of some utility to us.

Some days after his arrival here, the army of our enemy, com-
posed of a sufficiently large number of savages, herebefore our
faithful friends, and of very few English, having disembarked,
Oh! le Col. Clark affectant toujours de vouloir notre bien publique sous pret ex de nous Vanger forma aussitot avec nous et conjointement aux Espagnoles un partis de plus trois cents hommes pour aller ravager dans leur propre village les Sauvages qui etoient venus nous harceler chez nous ayant substitué en Sa place Col. Montgommery pour nous commander et aussitost il nous a laissé.

Il est donc bon Monsieur de vous exposer que les Virginiens n'ayant jamais eu aucune principe d'économie ont été cause par leur peu d'arrangement et mauvaise conduite na point réussi et que notre glorieux projets se sont trouvés par leur faute evannouié, les Sauvages ayant abandonné leurs Villages les plus proches ou nous avons été nous nous sommes vus forcé a relacher et ne pas pousser route plus loin n'ayant plus presque de vivres ny de poudre ny balle ce qu'ils s'etoient chargé de nous fournir eux memes. l'un des plus grand sujet pour lequel se plaignent tous les jeunes gens qui ne veulent plus entendre parler de les suivres en quelques lieux que se puisse etre.

Au retour de cette derniere Cacade le Colonel Montgommery nous a proposé de garder les troupes que nous souhaitterons pour la sureté de notre Village, deignez aussi rappeller que nous ne croyons point qu'il nous faisoit cette offre par un Veritable effet de son zèle qu'il nous vouloit montrer mais parce qu'il s'en voyoit lui meme embarassé. nous avons cru necessaire de garder avec nous cent hommes que nous nous sommes obligé de nourir chez nous et comme nous meme lesquels sont encore chez nous les uns malades et les autres en santées qui ne nous sont qu'a charge et qui dans un tems aussi critique que celuy ou nous sommes a present ne daigne point seulement faire la moindre garde puisqu'ils manquent donc totalement leurs engagements nous ne nous croyons plus obligé au soutiens d'un Troupe qui nous infecte et nous ruine en ne nous payant point ce que nous leurs avons jusqu'a ce jour avancé qu'avec un monnoye dont nous ne pouvons rien

1 Expedition to the Rock River under the command of Montgomery, while Clark hurried south to intercept another army of the enemy on its way to Kentucky.—V. State Papers, iii, 441. Captain Rogers also says that the Spaniards joined Montgomery for the expedition to the Rock river.—Dr. MSS., 4813.
part on our bank and the remainder on Spanish land, withdrew, having limited themselves to some "tis-tis" in their slack manner of making war without causing a great carnage in our country.

Oh! Colonel Clark, affecting always to desire our public welfare and under pretext of avenging us, soon formed with us and conjointly with the Spaniards a party of more than three hundred men to go and attack in their own village the savages who had come to our homes to harass us, and after substituting Colonel Montgomery to command us in his place, he soon left us.

It is, then, well to explain to you, sir, that the Virginians, who never employed any principle of economy, have been the cause, by their lack of management and bad conduct, of the non-success of the expedition and that our glorious projects have failed through their fault; for the savages abandoned their nearest villages, where we have been, and we were forced to stop and not push on further, since we had almost no more provisions, powder and balls, which the Virginians had undertaken to furnish us. This is one of the greatest subjects about which all the young men complain and they no longer wish to hear talk of following the Virginians to any place whatsoever.

On the return from this last ill success, Colonel Montgomery proposed that we keep the troops which we wished for the safety of our village. Deign also to recall that we do not believe that he made this offer from a true effect of his zeal, which he wished to show us; but because he saw himself embarrassed. We believed it necessary to keep with us a hundred men, whom we are obliged to support at our homes, and like ourselves they are still with us, some sick and others well; and they are only a charge to us and at a time so critical as this present, they do not deign to do the least guard duty. Since, therefore, they fail totally in their engagements, we do not believe ourselves bound to the support of a body of troops, that infect and ruin us by not paying for what we have up to this day advanced to them except with a money with which we can buy nothing; for property infinitely more considerable than ours would be weakened very quickly and
avoire des biens infiniment plus considérable que les nôtres, s’alterroient bien vitre et s’épuiseroient enfin si comme nous le s’avanceroient toujours et ne recevoient rien.

Joint à cela encor nous avons l’honneur de vous observer qu’il est arrivé ici dernièrement que le Capitaine Hallars logant dans ce village, s’est adoner a entrer dans la maison d’un Habitant de ce Village, ou estoit logé un Soldat de sa compagnie lequel s’est plaint de la mauvaise nourriture bien qu’il fut à la table de son hôte homme chargé d’une nombreuse famille, et qui n’a qu’un bien très mediocre enfin le Capitaine prenant un ton imperieux dit qu’il pretendait que les soldats fussent bien traitté et qu’il lui ordonnoit de tuer ses poules jusqua la derniere, et qu’après il le forcheroient d’acheter ailleurs a prix d’argent n’ayant pas lui meme assez de raison ou n’en vouloit point avoire ny croire qu’il ne tendoient tous qu’a la ruine et insupportable captivité de tous les Habitants.

En outre le major Rich’d Mc Carty dont nous avons deja parle mecontent disoit il du mauvais procedé des Habitants à leurs egards; aurroit souhaitter Commander en chef ce village afin de faire prendre une partie des principaux Habitants dicy pour les mettre au fers et les envoyer ainsy gainer dans la Virginie n’étant pas encor rapasé de la vaire et trop grande cedulité avec laquelle il nous ont jusqu’icy abusé.

Il nous plaira aussi croire que dernièrement Major William ayant envoyé chez Monsieur gagné habitant de ce Lieux un soldat avec un ordre pour y loger. Cet homme qui depuis un assez long espace de temps avoit eu l’importunité jusqu’au nombre de quatre a la fois et qui en avoit encor un dans le meme moment ne se croyant point obligé de prendre ce dernier par plusieurs fois recidivez le renvoye parrer son ordre refusant constamment de le recevoire Le Major William meme s’emportant en une furieuse Collet s’est munis de deux bon pistolets avec resolution de le luy faire revoir son soldat par la force, en ayant rencontre en chemin ledit gagné il luy a appliqué un de ses pistolets sous la gorge le menaçant bien fort de luy flamber le tette s’il ne vouloit incontinent obier a son ordre et loger son soldat.
finally exhausted, if like us, the owners were always making advances and receiving nothing in return.

Joined to this also, we have the honor to inform you of what happened here recently. Captain Hallars [Kellar?] happened to enter into the house of an inhabitant of this village where was lodged a soldier of his company, who complained of the bad food, although he was at the table of a host intrusted with a numerous family who has only a very small property. Finally the captain, assuming an imperious tone, said that he meant that the soldiers should be well treated and he ordered the man to kill his fowls up to the last one, and afterwards compelled him to buy elsewhere at the money price, because he did not have or did not wish to have sufficient reason for believing that they were reducing to ruin and insupportable captivity all the inhabitants.

Furthermore, Major Richard McCarty, of whom we have already spoken, discontented, he said, with the bad behavior of the inhabitants towards them, had wished to be chief commander of this village in order to have arrested a part of the principal inhabitants thereof so that he might put them in irons and send them, thus caught, to Virginia, since he is not satiated with the vain and too great credulity by means of which they have until now deceived us.

It will please you also to consider that lately Major William sent to the house of M. Gagné, an inhabitant of this place, a soldier with an order to lodge there. This man, who for a sufficiently long time had had the vexation of as many as four at a time and who had one of them still at the very time, did not believe himself obliged to take this last, and several times sent him back to get rid of his order, and refused constantly to receive him. Major William himself, flying into a furious passion, armed himself with two good pistols in the determination to force him to receive his soldier; and having met on the way the said Gagné, he placed one of his pistols at his neck and threatened fiercely to blow off his head, if he did not agree immediately to obey his order and lodge his soldier.
Dernierement aussi le meme Major William ayant envoyé chez un nommé lefebvre forgeron pour emprunter quelques botelles de taffia Ce dernier luy a fait repondre que n'etant point maistre puisqu'il le debitoit pour un autre qui le payoit pour ses peines il ne luy estoit point possible de prendre sur luy et qu'il etoit peut a luy en ceder cent pots s'il le souhaittoit moyennant qu'il donnoit de l'argent comptant aussitot et sans attendre d'avantage le Major envoya un officier ou sergent accompagné par six soldats avec ordre de saisir tous les taffias que le dit lefebvre pouvoit avoiv et ce sans doute au profit des Etats de Virginie, mais ce dernier leur ayant montré le lieux ou ses Brissons estoient referme ils n'ont point osé faire fraction et en a été aquitté au moyen d'un cruche qu'il a été oblige de leurs donner.

Pour mieux vous faire Connaître le peu d'indulgence qu'ils avoient pour nous le peu de soins qu'ils prenoient de s'attirer nos cœurs et meme davantage leur impitoyable genre de gouverner un peuple sur lequel ils voyoient avoire pris trop d'avantage, ils sont exigé de expressement et nous ont forcé de leur fournir une quantité considerable de farinie pour mettre en Magasin et pour les Besoins de l'Etat, Voulant disoient ils faire une expédition pour notre salut general sans nous dire formellement ny ou ils vouloient aller ny ce qu'ils vouloient faire.

oh! comme nous n'avons pas tout a fait paru dispose a consentir trop aveuglement a leur requisition ils ont des ce moment voulu opprimer la force par la force, et Sans plus tarder au envoya un de leurs officiers un sergent suivi de quelques soldats pour faire la visite dans tous les moulin de ce village afin de combiner par eux memes-selon les farennes qu'ils y trouveroient Et qu'ils en pourroient prendre pour eux cette garde conduite par leurs mauvais princippes ont osé forcer les portes qui se sont trouvé fermé menacez meme de donner de leurs Carabines ceux qui seroient assez hardis de s'opposer a leur infaime violence osait de plus imprimer Sur les portes de chaque moulin l'etampe de l'Etat de Virginie comme luy appartenant. Entre ceux qui ont des moulin

1 After the return from the Rock River expedition Major Williams was left in command of the troops at Cahokia, superseding McCarty.—English, Conquest of the Northwest, II., 790.
Lately also, the same Major William, having sent to the house of a man named Lefevre, blacksmith, to borrow some bottles of tafia, this latter answered that he was not the owner, since he sold them at retail for another who paid him for his trouble, and that it was not possible to assume the responsibility and that he was ready to give him a hundred jugs thereof, if he wished to pay cash. Immediately and without waiting longer, the major sent an officer or sergeant accompanied by six soldiers with an order to seize all the tafia which the said Lefevre might have; and this without doubt to the profit of the estates of Virginia; but after this last had shown the place where his liquor was locked up, they did not dare to break in and he has been freed from them by paying a jugfull which he was obliged to give them.

In order that you may better understand the little indulgence which they have for us and the little care they take to win our affections and even more their pitiless manner of governing a people, over whom they see they have taken such an advantage, we tell you that they exacted expressly, and have compelled us to furnish, a considerable quantity of flour to put in their storehouse for the needs of the state, since they wished, they said, to make an expedition for our general welfare, without telling us explicitly where they intended to go or what they wished to do.

Oh! As we have not appeared wholly disposed to consent too blindly to their requisition, they have from that moment determined to put down force by force; and without further delay they sent one of their officers, a sergeant followed by some soldiers, to search all the mills of this village in order to make collections on their own account, according to the amount of the flour which they found there and which they could take for themselves. This guard, governed by their evil principles, dared to break the doors, which were locked, and they threatened with their rifles those who were bold enough to make opposition to their infamous violence; and they dared further to mark on the doors of each mill the stamp of the State of Virginia, as a sign that it belonged thereto. Among those who had mills, there was only M. Beaulieu, one of the cap-
il ne s’est trouvé que M. Beaulieu l’un des Capitaines de milice d’icy qui s’y est exposé furieusement et contre lequel ils n’ont point osé exercer leur cruelle tiranie. Il nous reste encore à savoir si la crainte ou la honte les a Retenus.

Nous voyant donc ainsy Molested par nos fidelles alliés au moins qui osaient se servir de ce titre pretendu nous avons sollicité afin que les soldats fussent dispensé dans chaque de nos maisons esperant par la estre moins Captivé et pouvoir mieux conserver nos Bestiaux preferant à notre malheureux sort, la jaime d’avoir chez soye une troupe de Brigans qui loin de nous estre de quelqu’ utilité nous sont insupportables et pour les pensions desquels nous sommes forcés à tenir des billets de logement en payement sans nul espoir d’en estre jamais payé.

Nous ne vous dirons point par quel heureux destin nous nous en sommes trouvés debarassé. Nous savons seulement que par un bonheur imprévu ils ont été rappelé aux Kaskaskias pour passer leur quartier d’Hyver. Ce qui nous a procuré une grande tranquillité jusqu’a ce printemps dernier ou ayant été menacé d’une armée considerable qui se formoit de la part des royalistes pour venir nous battre et tacher moyen d’achever notre ruinne très persuadé qu’elle etoit avancée a un grand point.

Nous crèmes donc apres n’avoient rien à craindre en commerçant avec eux nos Marchandises denrees meme nos animaux de toute especie pour leur argent qu’ils nous en asseuré bonnes et qui n’at aucuns cours en ce pays pas meme entre eux ils nous ont aussy chargé d’un nombre immense de lettres de change sur le tresorier de Virginie dont nous ne pouvons rien faire et dont nous sommes infectes jusqu’a present et ce apres nous avoir fidellement promis que ces papiers nous seroient payé en or ou bonnes marchandises à grand prix que nous pouvons commerçer et gagner considerablement.

Non contents encor de nous avoire epuisé et ruiné en nous prenant generalement tout nos denrees et animaux sans nous les payer ne voulant pas meme nous permettre d’en transporter sur une autre rive pour en tirer de quoy nous retiré ils menacent

1 Winter of 1779-1780.
tains of militia of this place, who exposed himself to their violence with fury and against whom they have not dared to exercise their cruel tyranny. We are still doubtful whether fear or shame restrained them.

Seeing ourselves thus troubled by our faithful allies, at least by those who dared to make use of this pretended title, we have petitioned that the soldiers should be billeted in each of our houses, since we hoped thereby to be less held captive and to be better able to preserve our animals, preferring in our unhappy lot the inconvenience of having at our houses a troop of brigands, who, far from being of any use to us, are insupportable and for whose board we are obliged to take in payment notes for lodging without any hope of being ever paid.

We shall not tell you by what lucky fate we were freed from them. We know only that by an unforeseen good fortune they were recalled to Kaskaskia to pass their winter quarters,¹ which procured for us a great peace until last spring, when we were menaced by a considerable army which was formed by the royalists to come to attack us and attempt means of achieving our ruin, being persuaded that it had reached its height.

We believed, also, that there was nothing to fear in trading our merchandise, commodities and even our animals of all kinds with the Virginians for their money, which they assured us was good, and which had no currency in this country even among themselves. They have also loaded us with an immense number of letters of exchange on the treasury of Virginia, with which we could do nothing and with which we are infected up to the present; and this after having faithfully promised us that these would be paid in gold or good merchandise at a good price, with which we could trade and make a considerable gain.

Not content, however, with having exhausted and ruined us by taking from us generally all our commodities and animals without paying for them and not wishing to permit us to export any to the other bank, that we might obtain therefrom wherewith to recover from our difficulties [?], they threatened with cruel punishments those who should do so without their consent, if
de cruelles punitions ceux qui le pouvoient faire sans leur délibération, s’il y étoit surpris et souvent se sentant fort, par la faute avec laquelle ils nous ont toujours gouverné jusqu’à présent qu’ils ont plus qu’a menacer parcequ’ils en viennent a des faits.

C’est a ce moment Mons: que nous entreprenons de vous faire le plus brievement que nous pouvons le détail des insupportables manières d’agir des Troupes de Virginie a notre Espace, nous qu’ils ne la soit de traiter d’amis et aliés fideles, ils ont droit en quelque sorte parcequ’ils ne trouvieroient point ailleur d’amis si bons ny si doux pour eux.

1. Nous commençons donc par vous rapporter icy que le Capitaine Rich’d McCarty ayant été renvoyé icy l’année derniere (après l’expedition marquée du Detroit) pour y resider en qualité de Commandant est arrivé avec une petite garnison de quarante Hommes au plus qui se sont logé dans une maison cise en ce Village assez propre et spacieuse pour y loger commodement un certain nombre de soldats (nous voyant dans l’impossibilité de faire autrement) nous nous sommes memés obligé tous unanimitment de leur procurer une quantité suffisante de farimne Mays et Viandes pour leurs substance qu’ils n’ont pas sans doute trouvé suffisante puisque les soldats ne se gennoient point pour tuer (meme devant nous) nos pourceaux et autres animaux sans que leurs Capitaines ou officiers s’empresassent à y mettre ordre quelques representations qu’on leurs fisse.

Probablement un Beouf de Charue qu’ils ont tué sur la place devant le fort appartenant a un homme pierre Roux que le Capitaine du detachment a payé mais le tort n’a pas été moins grand pour un pauvre Homme a qu’il n’etoiit pas possible d’en ravoir un autre pareille,

Une tor d’environ deux ans qu’ils ont tué a Monsieur Trotier qu’il luy ont payé avec un bon encore a estre payé.

Enfin plusieurs motifs aussi sensibles qu’ils seroit inutile de decrire dans cette narration croyant ce que nous avons rapportés suffissant pour faire voire la justice de ce que nous avons l’honneur de vous observer Monsieur et qui vous font assi voire que les Virginniens n’ont jamais eu d’autre butte que celuy de nous opprimer
they should be caught; and often feeling themselves strong on account of the ease with which they have always governed us up to the present, they are doing more than threatening, because they come to deeds.

It is now, sir, that we undertake to make for you as briefly as possible the detailed account of the insupportable manner the troops of Virginia have acted towards us, us whom they were to treat as friends and faithful allies; and they are right in a way because they would not find elsewhere friends so good and so gentle to them.

1. We begin then by reporting to you here that Captain Richard McCarty, having been sent here last year (after the failure of the Detroit expedition) to take up his residence as commandant, arrived with a little garrison of forty men or more, who have been lodged in a house situated in this village sufficiently proper and spacious to lodge there easily a certain number of soldiers. Since we saw the impossibility of doing otherwise, we unanimously bound ourselves to procure for them a sufficient quantity of flour, corn and meat for their subsistence, which they have not found sufficient undoubtedly, since the soldiers made no ceremonies about killing, before our eyes even, our pigs and other animals, without their captains and officers bestirring themselves to provide therefor, when representations were made to them.

There was a plough-ox belonging to a man named Pierre Roux, which they killed on the square before the fort for which the captain of the detachment paid; but the wrong was not less great to a poor man since it was impossible to get another like it.

A heifer, about two years old, belonging to M. Trottier, which they killed, and for which they settled with a bon still to be paid.

Finally several counts as obvious as they would be useless to describe in this narrative, for we believe that what we have reported sufficient to make you see the justice of what we have the honor to call to your attention, sir, and which cause us, also, to see that the Virginians have never had other end than that of
Changeant eux memes en la plus insupportable Captivité l’espoir dont il nous avoit flatté en entrans sur nos terres de jouir comme eux memes des douceurs de la plus paisible possession de nos bien et d’une entiere liberté et qu’ils veulent a present nous ravir.

C’est ce que nous sommes tous Capable de soutenir par les serments les plus inviolable et pourquoi nous avons en faire signe pour donner force aux presentes.

Mais nous ne devons nullement douter que le voix de france le plus grand de tous les potentas S’ignore très certainement la triste et deplorable citation ou sont a present reduits ses tres fideles et bien aimés sujets Canadiens et Creole, par la trop grande Credulité que nous avons eu en la fourberie des Trouppes Virginines et que nous avons crus ses fidelles alliés credulité si funeste pour nous et dont nous ne sommes des abuse que depuis que vous nous avez fait l’honneur de nous aider de vos sages et tres puissant Conseils.

Pouvons nous croire que notre genereux et tres bon pere le roix de france nous abandonnoit aussy a notre malheureux Sort s’il pouvoit une fois connoitre les fonds de nos coeurs, que nous sommes prêts a luy sacrifier nous nous devons croire qu’il penseroit plus advantageusement de nous et ne trouveroit de vray bonheur pour luy qu’en nous procurant a l’avenir un bonheur infinie en nous reprenant sous sa protection et nous declarant ses bien aimés sujets Esperons cheres compatriottes qu’une fois persuadé et certain de notre fidelités de coeur que non seulement il nous reconnoitra pour ses fidelles enfants et nous fournira tous les moyens et secour necessaires avec lesquels nous pouvons secouer le fardeau pesant qui nous ecressent et soutenu par un tel monarque quelle puissance a l’avenir osera entreprendre de nous subjuguer.

C’est donc Monsieur avec toute l’affection et zele que nous vous promettons que vous voudrez bien vous interesser a nos maleurs et parler en notre faveur fasse le ciel que par votre interception nous puissions parvenir un jour a ce que nous aspirons qui n’est autre chose que le bonheur et nous revoir tous francois. Nous n’avons autre chose a vous offrir en otage que la plus grande
oppressing us by changing into the most insupportable captivity the hope, with which they had flattered us on entering on our lands, of enjoying, like themselves, the sweetness of the most peaceable possession of our goods and of a complete liberty, of which they wish now to rob us.

This is what we are all capable of affirming by the most inviolable oaths and why we have caused this to be signed in order to give strength to these presents.

But we ought in no way to doubt that the public opinion of France, the grandest of all powers, is very certainly unacquainted with the sad and deplorable situation to which her most faithful and well-loved subjects, Canadians and Creoles, are at present reduced by the too great credulity, which we have had, in the knavery of the Virginian troops and whom we have believed her faithful allies; a credulity so fatal for us and of which we have been disabused since you have made us the honor of aiding us with your wise and very powerful counsels.

Can we believe that our generous and very good father, the King of France, would abandon us so to our unhappy lot, if he could once know that in the depths of our hearts we are ready to sacrifice ourselves; we must believe that he would think more highly of us and would find true happiness for himself only in procuring for us in the future an infinite happiness by retaking us under his protection and declaring us his well-loved subjects. We hope, dear compatriots, that once persuaded and certain of our fidelity of heart, that not only he will recognize us as his faithful children and will furnish us all the necessary means and succor with which we can shake off the heavy burden, which is crushing us. And supported by such a monarch, what power in the future will dare to undertake to subjugate us!

It is then, sir, with all the affection and zeal, which we promise you, that we ask you to be willing to interest yourself in our grievances and speak in our favour. May the Heavens bring it about that by your intervention we may be able to attain that to which we aspire, which is nothing else than the happiness of seeing ourselves again all French. We have nothing to offer you
fidelité de"coeur avec laquelle nous ne cesserons d'estre eter-
nellement avec un très profond perspect.

Monsieur
Votre Humbles et obissants serv'
Aux Cahos 21 Sept. 1780

Signé  F. Trottier — Philipe Gervay — A. Harmand — Le-
page — B. Saucier — F. Saucier — Langlois — Chabot — J
B Dubé — DuCharme — Gabriel Constant — Fr. Courier — J
G Mercier les Personnes qui ont signé cy dessus l'ont fait au
nom de tous les Habitants.

Endorsed: Declaration des Habitants du Cahokias à Mons:
le Colonel Balme du Cahos 21 Sept. 1780.
recu le 4me Decr 1780.

LINCTOT TO G. R. CLARK, JULY 31, 1781.

Monsieur

Toujours retenû aux Illinois par Maladie, J'attend avec im-
patience le moment ou ma Santé pourra me permettre d'aller
vous rejoindre et rendre un Compte exacte de ma mission et
de mon Sejour en ces endroits.

Un nommé Clairmon deputé avec Six autres particuliers par le
Commandant de Michilimakinac est arrivé a St. Louis chargé
d'une Lettre adressée au habitans des Cahos pour les exciter a
les recevoir et a se tenir sur la defencive contre les Espagnols;
Monsieur Don François Cruzat Lieutenant Colonel et Leitetenant
Gouverneur a St Louis, après des recherches exactes au Sujet de
Ces envoyés qu'il a fait arreter en arrivant et S'étant informé de
la Lettre mentionné cy dessus S'en est emparé, et s'est ensuite
comporté dans cette affaire comme un homme entièrement voué au
Service des Puissances Unies: Ne reconnaissant point de Maîtres
absolus aux Cahos que les Ameriquains Vainqueurs de cette
partie, il n'a pas cru devoir rendre compte a d'autres qu'au Major
Williams Ameriquain et employé pour les Etats dautant que cette
affaire lui a paru purement Militaire, en consequence après lui

1 Dr. Mss. 51175, original manuscript.
2 See pp. 95, 555, 559. As is pointed out in the Introduction, p. cv., there is reason to
believe that the Spanish commandant did not act in as good faith as this letter and the following
LINCTOT TO CLARK, JULY 1781

in hostage except the greatest fidelity of heart which we shall never cease having. With a very profound respect

Sir

your humble and obedient servants

At Cahokia September 21, 1780.

Signed:

F. Trottier, Philippe Gervais, A. Harmand, Lepage, B. Saucier, F. Saucier, Langlois, Chabot, J. B. Dubé, DuCharme, Gabriel Constant, Fr. Courrier, J. G. Mercier. The persons who have signed hereabove have done so in the name of all the inhabitants.


Received December 4, 1780.

LINCTOT TO G. R. CLARK, JULY 31, 1781.

Sir:

Still detained in the Illinois by sickness, I am waiting with impatience the moment when my health will permit me to rejoin you and render a detailed account of my mission and of my sojourn in these parts.

A man named Clairmont, deputed with six other individuals by the commandant of Michillimackinac, has arrived at St. Louis, intrusted with a letter addressed to the inhabitants of Cahokia in order to move them to receive the messengers and to hold themselves on the defensive against the Spaniards. Don François Cruzat, lieutenant colonel and lieutenant governor at St. Louis, after a minute examination in regard to these envoys, whom he caused to be arrested upon their arrival, and after being informed of the letter mentioned above, has taken possession thereof, and has, thereafter, acted in this affair as a man entirely devoted to the service of the united powers. Since he recognized as absolute masters at Cahokia only the Americans, conquerors of this region, he did not believe that it was his duty to render account to any one except Major Williams, an American and in the employ of the states, in as much as this affair appeared to him purely military.

one would make it appear. It seems almost incredible that both Linctot and Graitot should be ignorant that, at the time they were writing, two of the British agents were in Cahokia by permission of the Spanish commandant.
avoir fait part de toutes Ses decouvertes il lui a envoyé copie exacte de la Susdite Lettre: cette conduite prudente de la part de Monsieur De Cruzat na pas laissé d’occasionner des rumeurs, des propos indiscrets et d’exciter une jalousie outrée dans plusieurs particuliers tant aux Cahos qu’au Kaskaskias qui tous en particulier pretendent être absolus et les Seuls a qui lon doive rendre compte. Comme ceci pourrait occasionner de la mesintelligence et querelle entre les deux partis, il seroit bon d’établir en Ces endroits un Maître et Savoir a qui se communiquer en affair d’Importance Sans être obligé de Se commuquer a une populace ignorante, emportée, indiscrète, et Souvent partagée dans ses opignons.

Par un exprès nous venons d’apprendre que le Florida a été prise par les Espanols. Monsieur De Galvés, Gouverneur de la Nouvelle Orlean et qui Merite tous les éloges possibles par l’activité, intelligence et intrepidity qu’il a fait paroître, S’est emparé de Pensacola apres 10 jours de tranchée ouverte, Je vous envoie le detail de cette prise tel qu’on la envoyé a Mr De Cruzat Commandant en ce Poste Les Natchez après avoir été pris par le Meme Monsieur De Galvez en Son absence Se Sont revolte et pris les Armes contre les Espagnols quils en ont chassé ou fait prisonniers. Monsieur De Miro occupant la second rang a la Nouvelle Orlean les à reconquis de nouveaux. On ne Sait ce qui arrivera a Mr Bleomar auteur de cette Revolte et D’autres.

En attendant le plaisir de vous voir permettés moi de souhait a vos Armes tout le Succes possible et de me dire avec Respect

Monsieur Votre très humble & très

Obeissant Serviteur,

St Louis 31 Juillet 1781 Godefroy Linctot
Pour Le Service Public

Gratiot to G. R. Clark, August 1, 1781.

Monsieur

Je profite de l’occasion que me procure Mr. Linctot qui est ici malade, pour vous faire part des bonnes nouvelles que nous avons avons [sic] reçue par la prise de Pançacole que Monsieur De

1 Dr. MSS., 5177, original manuscript.
Consequently, after having informed him of all his discoveries, he sent an exact copy of the aforesaid letter. This prudent conduct on the part of M. Cruzat has not failed to occasion murmurs and indiscreet talk and to excite unreasonable jealousy in several individuals both at Cahokia and Kaskaskia, all of whom privately claim to be absolute and the only ones to whom account should be rendered. Since this can cause misunderstanding and strife between the two parties, it would be well to appoint in these parts some one with power and knowledge to whom communications could be made in affairs of importance, so that it would not be necessary to make communications to a populace, ignorant, hot-headed, indiscreet, and often divided in its opinion.

By an express we have just learned that Florida has been captured by the Spaniards. M. de Galvez, governor of New Orleans, who deserves all possible praise on account of the activity, intelligence, and intrepidity, which he has shown, has possessed himself of Pensacola after ten days of open trenching. I am sending you the detail of this capture as it is reported to M. Cruzat, commandant of this post. The people of Natchez, after having been taken by the same M. de Galvez, have revolted in his absence and taken arms against the Spaniards, whom they have driven out or made prisoners. M. Miro, who has the second rank at New Orleans, has reconquered them. It is not known what will be done to M. Bleomar, author of this revolt and of others.

While awaiting the pleasure of seeing you, permit me to wish your arms all possible success and to call myself with respect,

Sir, your very humble and very obedient servant,

Godefroy Linctot.

St. Louis, July 31, 1781.

for the public service.

GRATIOT TO CLARK, AUGUST 1, 1781.¹

Sir:

I profit by the opportunity which M. Linctot, who is sick, procures me to inform you of the good news, which we have received, of the capture of Pensacola, which M. de Galvez has subjected to the dominion of His Catholic Majesty. From the account which
Galvez Gouverneur de la Nouvelle Orlean a Soumise a l’obeissance de Sa Majesté Catholique, l’on peut dire par la Relation que nous avons Reçue icy que ce n’est qu’avec bien des difficultés et par une grande intrepidité de la part de ce General, S’il a conquis cette Ville et cette Province, ou il a eu le Malheur d’etre blessé en enfaissant le Siège mais par bonheur fort légerement; nous navons eû dans l’armée de Mr. De Galvez que trois cent hommes tué et blessé, mais dans celle des Anglois cinq cent ont resté mort sur le Champt de Bataille et treize cent fait prisonniers tous de troupes reglé; Jespere qu’après une prise aussi glorieuse pour les armes d’Espagne, et le desavantage des Anglois dans toute leurs expeditions, que bientot nous aurons une paix heureuse qui nous procurera l’abondance dont depuis longtems nous sommes privés.

Je ne sais cy vous aurés été informé qu’il y a quelques tems, un Nommé Clairmon envoyé avec Six hommes par le Commandant de Michilimakinac avec une Lettre adressée aux habitans des Cahos et des Kaskaskias, par laquelle il les engagoient de lever des Compagnies de Milice qui Seroient payée par le Roy D’Angleterre afin de Sopposer a leurs Ennemis, Ses hommes étant heureusement arreté a St Louis Monsieur Don Francois Cruzat Lieutenat Colonel et Lieutenat Gouverneur en ce Village les a arreté, et a envoyé copie de la ditte Lettre au Major Williams; Sans cette prudence de la part de notre Commandant je ne Sais Comment les Habitans de votre rive en auroient agi, vous Savés ce qu’est un peuple sans chef et ou tout particuliers ce croit en droit d’agir en toute liberté et Selon Sa volonté, Je Sais Seulement qu’il y en à plusieurs qui ont temoinage du mecontentement de ce que Mr Cruzat ne leur remettoit pas une Lettre qui leurs avoient été adressée, mais toute personnes qui pencerons un peu juste ne pourrons que l’en louer d’en avoir agi de la Sorte.

Depuis votre depart des Cahos l’année derniére il m’est arrivé bien des événemens, vous saurés qu’a present ja Suis resident a St. Louis n’ayant pu resté plus longtems dans un village ou il regnoit cy peu d’union par la liberté efrénee qui y regnoit alors, je me reserve a la première entrevue a vous conter tous les desagremens que jy ai essuïé, de plus depuis quelques tems jai été taxcé par trois
we have received here, it can be said it is only with much difficulty and by great bravery on the part of this general that he has conquered this town and this province, where he has had the misfortune to be wounded, while conducting the siege, but fortunately very lightly. We had in the army of M. de Galvez only three hundred men wounded, but in that of the English five hundred remained dead on the battle field and thirteen hundred were made prisoners, all regular troops. I hope that after a capture so glorious for the arms of Spain and the disadvantage of the English in all their expeditions, that soon we shall have a favorable peace, which will procure for us the abundance of which we have need for so long.

I do not know if you have been informed that, some time ago, a man, named Clairmont was sent with six men by the commandant of Michillimackinac with a letter addressed to the inhabitants of Cahokia and Kaskaskia, by which he invited them to raise companies of militia, to be paid by the king of England, in order to make opposition to their enemies. Fortunately these men stopped at St. Louis and Don François Cruzat, lieutenant colonel and lieutenant governor in this village, arrested them and sent copies of the said letter to Major Williams. Without this prudence on the part of our commandant, I do not know how the inhabitants of your bank would have acted. You know what people are without a head and where every individual believes himself within his rights in acting with full liberty and according to his caprice. I know only that there are several who have shown discontent, because M. Cruzat did not send to them a letter which was addressed to them; but all persons who think a little justly can only praise him for having acted in such a manner.

Since your departure from Cahokia last year, many events have occurred. You know that at present I am residing at St. Louis, since I could not remain a longer time in a village where so little unity ruled on account of the unbridled liberty which reigned there. I am waiting for the opportunity of the first interview to recount to you all the annoyances which I have experienced; the more so because, some time ago, I was accused by three men of
hommes de traison, d’avoir envoyé Ma Berge au Secour de Nos ennemis, je vous prie Monsr. de vouloir bien écrire at rendre temoignage de ma conduite a cette Occasion, jespere que Votre certificat pourra retablir mon honneur attaquée et donner du pois a ma justification. [Ms. illegible.] le retablissement de MrLinc- tot pour avoir le plaisir de vous voir et aller faire un tour du Côte de la Virginie.

Permettes moi de vous feliciter Sur votre avencement au Service des Etats Unis, j’espere que l’occasion de vous Signaler ne vous Manquerons pas, je Souhaitte que vos armes soyent vic-torieuse contre tous vos ennemis, et que l’on vous voye par tout avec ce courage, cette prudence et Sagesse qui ne vous a jamais abandonnée ce Sont les desirs de celui qui est avec respect Votre tres humble Serviteur Ch Gratiot

S’ Louis le 1er Aoust 1781
[Addressed] A Monsieur

Monsieur George Rogers Clark Ecuer Brigadié General des Armée des Etats Unis et Commandant en Chef du Departement de West A la Chûte

GIRARDIN TO SINCLAIR, NOVEMBER 3, 1781.

Monsieur,

Vous serez puttetre surpris du motifte qui me fait prendre la liberté de vous ecrire cette present Lettre puisque Je n’ai dautre vue que de vous prevenir de ce qui se passe icy et des intentions de la plus grande partie des Habitans de cette Rives que vous pensé veritablement ou bons ameriquains ou bons Espagnolles bien qu’enterieurement ils ne soient, suivant ce que je puis voir ni lun ni lautre.

Vous en auriez été déjà persuadé il i a meme longtemps si les personnes que vous aviez deputé pour negocier avec vous un Traité de Commerce dans le Missisipy ou dependences des

1 In March, 1780, Gratiot and Pepin, protected by trading permits from the Spanish commandant and Colonel Montgomery, started with a boatload of goods for Prairie du Chien, at that time in possession of the British. They were associated in the enterprise with Mr. Kay, of Michillimackinac. A few leagues above Cahokia they handed the boat over to a man named Cardinal, who conducted it to its destination where he and the crew were put in prison and the boat confiscated. On escaping, three of the crew sued Gratiot for wages, and made the above accusation against him. This was later withdrawn. The statement by Cardinal is in Can. Archives, B., 97, vol. ii., p. 536. See also Dillon, Annals of St. Louis, 1, 209.
treason and of having sent my barge to the succor of our enemies. I pray you, sir, to consent to write and bear witness of my conduct on that occasion. I hope that your certificate will be able to re-establish my honor, which has been attacked and give weight to my justification.\[MS. illegible\] the recovery of M. Linctot to have the pleasure of seeing you and going to make a tour of the Virginia coast.

Permit me to congratulate you on your promotion to the service of the United States. I hope that the opportunity to signalize yourself will not fail you; I hope that your arms will be victorious against all your enemies and that you may be seen everywhere with that courage, that prudence and wisdom, which has never failed you. These are the desires of one who is with respect your very humble servant,

Charles Gratiot.
St. Louis, August 1, 1781.

Addressed To M. George Rogers Clark, Esquire
Brigadier General of the army of the United States\[\textsuperscript{2}\] and Commander in Chief of the Department of the West. At the Falls.

GIRARDIN TO SINCLAIR, NOVEMBER 3, 1781.\[\textsuperscript{3}\]

Sir:
You will be perhaps surprised at the motive which makes me take the liberty of writing to you this present letter, since I have no other than to inform you of what is taking place here and of the sentiments of the majority of the inhabitants of this bank, whom you think indeed are either good Americans or good Spaniards, although they are not all either one or the other, as I can see. You would have been long ago persuaded thereof, if the persons whom you sent to negotiate with us a treaty concerning trade on the Mississippi or in the dependencies of the Illinois [had exercised judgment].\[\textsuperscript{4}\] The treaty would certainly have been accepted, seeing that it would procure for us the advantage of obtaining our necessities in merchandise all and singular, for which we would have given in payment either our peltries or commodities. But

\[\textsuperscript{2}\] A mistake. Clark held this rank in the army of Virginia.

\[\textsuperscript{3}\] Can. Archives, B., 98, p. 87, from a copy.

\[\textsuperscript{4}\] See supra pp. 353 et seq.
islénois qui certainement auraient été accepté vue qu’il nous procur-oit l’avantage de tirer nos besoins en Marchandise généralement quelconque pour laquelle nous avions donné en payement soit nos Pelleries ou Denrees. Mais souffrez que je vous dise que vos députés si sont trop malpris pour espérer la réussite de leurs voyages. Vue qu’ils ont arrêté à St. Louis ou ils ne devaient pas, par les Espagnolles qui n’ont que de l’avarice mais très peu de con-noissance et naturellement ambitieux jaloux et mesfants quand il ne le faut pas, les ont arrêté sans raisons, et nous n’avons pu les Ravoir qu’au Moyenne de bon Caution Domiciliés de ce lieu qui ont engagé la meilleure partie de leur bien leurs Corps même pour les retirer, bien entendus qu’ils seroient garder a vue chez nous sans en pouvoir sortir sous quelque pretexte qui se peutetre sans le plein consentement des Commandants de l’une et l’autre partie. Ils auraient bien pu s’epagner cette Épocque qui nous fait un tort considerable a tous sils si etoient pris comme ils l’-auraient pus faire, mais ayant vue moi même que c’a n’etoit qu’un etouderie que cette faut ne dependoit que du peut de Connoissance qu’ils ont pour des affaires d’un telle conséquence, Je me suis chargé du soin de Monsieur Langlois qui s’est trouve icy sans nule resource auquel j’ai Procure au temps [autant?] qu’il a été en mon pouvoir le moyen de se retirer d’icy et c’est par lui-même que j’ai l’honneur de vous adresser cette Lettre, qui vous informe de la bonne intentions des Habitans de ces Lieux. Je les crois disposés pour [?] mes persuader qu’ils ne seraient pas faché de se revoir dependant et sujet a la Domination Angloise. Les Besoins les y force absolument, ils ne peuvent plus tenir is ont tous un Besoin urgent des marchandises et je pense qu’un pavillon angloise seroit bien recue chez nous si le parti n’etoit compris que de Blancs, sans qu’il y eut un seul sauvage avec eux, mais s’il y en avoit je douterois fort de l’enterpriser car tout le monde de tous les villages de ce continent sont determiné suivant les apparences a bienrendre leur vie plutot que de ce rendre a des barbares.

Les Commerçants même ne demanderont peut être pas mieut qu’a tenter l’entreprise, le grand Profit qu’il pourroit faire dans la
suffer me to tell you that your deputies have made too many mistakes to expect success from their journey; for they stopped at St. Louis, which they should not have done, and the Spaniards, who have only avarice but very little knowledge and are naturally ambitious, jealous and defiant, when there is no need, have arrested them without cause; and we have been able to get them back only by means of offering bondsmen domiciled in this place, who have engaged the better part of their property and even their bodies to release them; and it was indeed agreed that they should be kept in sight among us and that they could not leave here under any pretext whatsoever without the full consent of the commandants of both places. They might have been able to be spared this period which caused a considerable wrong to us all, if they had gone at it in the way they might have done; but since I myself saw that it was only a heedless action and that this fault was the result of the little knowledge which they have for affairs of such consequence, I have taken on myself the care of M. Langlois who is here without any resources. I have procured for him, inasmuch as he has been in my care, the means of withdrawing from here; and it is by him that I have the honor of sending you this letter, which will inform you of the good sentiments of the inhabitants of these regions. I believe them so disposed that I am persuaded that they would not be offended at seeing themselves again dependent and subject to the English Government. Necessities have absolutely forced them to it; they can no longer hold out; they all have an urgent need of merchandise and I think that an English flag would be well received among us, if the party was composed only of whites without a single savage being with it; but if there was, I would be very doubtful of the success of the enterprise; for everybody in all the villages of this continent is determined, according to appearances, to give up his life rather than to surrender to the barbarians.

The merchants indeed will demand, perhaps, nothing better than to attempt the enterprise. The great profit which can be made in trade could compensate them doubly for the expense. As for myself, if you decide to make the expedition, I offer my
commerce les pouvoit de dommager doublement de leurs fraits
pour moi si vous trouvez juste d'en faire l'expedition Je m'offre
en tout ce que je pourrait faire pour vue que je sois avertis par
quelques personnes eclairé, quelque jour avant l'arrivée des
parties ici, et j'ose me tenir fort de disposer tous les habitans a
vous recevoir librement pour vue toute fois qu'il n'y aye point
de Sauvages mele dans votre Detachment, Je ne doutte pas
qu'on ne nous accuse de Rebelles pour avoir sans resistance souff-
fert l'entre des Ameriquains etre nous mais que peut faire un
peuple abandonné que l'on aveugle par mille beaux discours dont
nous sommes encore a voir les effets joignant a cela crainte de ne
pouvoir trop vite abuser de notre Credulité les menaces de nous
nuire, si de bon Coeur nous ne consentions a leur faire un serment
inviolable il nous a don fallut pour nous menager la proprieté
de nos biens consentir a tout ce qu'ils ont voulu. Nous ne nous
croirions de ne pas engager a rien, si nous nous relevions nos
mèmes d'un serment que nous avons été obligé de faire.

Il est bon de vous observer Monsieur qu'il i aura quelques ob-
stacles pour passer aux portes que les Espagnolles occupe mais j'ai
lieu de croire qu'une fois entre che vous vous trouverez tous les
besoins de bouches qui vous seront necessaire pour en faire l'
expedition. Je ne doutte pas non plus qu'il ni en aye beaucoup
de nous qui ne se joignant a vous meme de ceux qui dependent
des Espagnolles qui comme nous reduit au plus pressant besoins de
tous voudront rester neutre ou peutetre se mettre avant.

J'espere monsieur qu'en cas que mes speculations n'ayent
aucuns Lieux et que vous ne veuillez tenter l'enterprise que ma
Lettre ne sera point communiqué a personne afin de m'epargner
ainsi qua celui qui ecrit cette Lettre les poursuittes que pour-
roit faire les ammériquains et les Espagnolles aux quelles pour-
suittes il ne vous serait pas peutetre aisé de nous sous traire.

Je suis Monsieur
en esperant votre protection
Votre tres humble et obeissant Serviteur
aux Chakokias 3 9bre 1781 (signé) Antoine Girardin
Monsieur Sinclair, Gouverneur.
services in everything that I can do, provided that I am informed by some instructed persons a few days before the arrival of the parties here; and I dare to hold myself ready to prepare all the inhabitants to receive you freely, provided there should be no savages mingled in your detachment. I do not doubt that we are accused with being rebels for having suffered without resistance the entrance of the Americans among us; but what could a deserted people do, who were blinded by a thousand beautiful speeches, of which we are still to see the results, and there was joined therewith, for fear of the impossibility of so quickly deluding our credulity, threats of destruction, if we should not consent cheerfully to make to them an inviolable oath. It was for us a necessary gift, to consent to all they have desired, in order to procure for ourselves the security of our property. We would not believe ourselves in any way bound, if we should free ourselves of an oath which we have been forced to make.

It is well to call your attention, sir, that there will be some obstacles to pass at the posts which the Spaniards occupy, but I am right in believing that once entered into our villages, you will find there all the necessary provisions which you will need in order to make the expedition. I no longer doubt but that there would be many of us who would join themselves to you, even of those who are subject to the Spaniards, who, like ourselves, are reduced to the most pressing needs and will wish to remain neutral or perhaps to take an active part.

I hope, sir, that, in case my speculations should have no results and you should be unwilling to attempt the enterprise, my letter will not be communicated to any one, in order to spare me as well as him who writes this letter the prosecutions which the Americans and the Spaniards might make, from which prosecutions it would not be easy for you to screen us.

I am, sir, in the hope of your protection your very humble and obedient servant

At Cahokia November 3, 1781. (Signed) Antoine Girardin.

[Addressed] M. Sinclair,
Governor.
ORDINANCE OF THE COURT OF CAHOIA, JUNE 11, 1783.

Lan Mil Sept Cent quatre vingt trois le onzième jour du mois de juin En vertu de la Cour tenue ce jour l'huys au nom du public, pour Deliberer Sur la quantité de terre qui reste à prendre Dans La Prairie du pond, propre pour le Culture, a été décidé par ladite Cour quil Soit fait une recapitulation de la quantité de stoven. Leurs donnant la preference a tois autres. Et quansuite il soit mentionné de la quantité de terre quil peut y avoir a prendre Sans faire toir au terrin quil convient de reserver pour la Commune Et En Suite que lon sera passer ladite cloture Commune par derriere le terrin qui appartient a Joseph Mesonville. Et de la Joindre la Coutil des liar le long de laquelle passera ladite Cloture. Jusqua la pointe a borau Et de la En gagnant La pointe de bois du Grand Coacu en Cas qui se trouve assé Habitant pour prendre des terre jusqua la. Et a Ce devant La Cloture arrêtera a la fin des derniere terre Borne Et prise par les dius habitant. Et Sont Convien En ouer que Comme Lesdites terres dans l'endroit quelles ont de Sont pas assé avantageuse Les une Comme Les autres, qui sont Dix Billet quil Sont tiré au Sort. Et que chacun qui tirent Son Billet, Sera forcé de faire Sa Cloture Suivant Son numéro: Cest a dire prendront lesdites Clotures au bout de Celle des habiant qui est deja [] labouré Dans le Cuit de Sac de la ditte prairie du pond, Conformement a leur quantité de terre. Et que totes les autres qui reste Sont tiré au sort telle qui a Esté cy devant Expliquée Et que rien qu'a rest de la prairie Sur la Droite de la ditte Coutil des liar La ditte Coutil au nom des habiant, cela Sont reservé pour le paix du Leurs Animaux La Borne de chaque terre Contrain Du mississeau au Cuit, et que Si par la Suite Il Se présentera quel qu'autre habitant qui voudrait avoir des terres Et pourroutiers plus toux. Il Sera obligé de Suivre La Ligne Directe de la Cloture marquant que le Cuit de la ditte Coutil des liar demeura toujours pour Commune aux animaux Et quansques tommes Cloture de terre Faites Celle qui resteront Sera partagé En Commune a chaque habiitant qui auront pris des terre dans ladite prairie.
ORDINANCE, JUNE, 1783

ORDINANCE OF THE COURT OF CAHOKIA, JUNE 11, 1783. ¹

The year, 1783, the eleventh day of the month of June, in virtue of the Court, held this day in the name of the public to determine the amount of land which remains to be taken up in the Prairie du Pont, appropriate for cultivation,² it has been decided by the said Court that there be made a census of the citizens, giving them the preference over all others, and that, thereafter, there be set aside the amount of land, which can be taken up without encroaching on the ground which it has been agreed to reserve for the commons; and thereafter that the said common fence shall be made to pass behind the ground belonging to Joseph Maisonville and to join there the gully of limestone along which the said fence shall run up to Butau's point and from there running to the point of woods of the Big Hill, in case there are found sufficient inhabitants to take up the land as far as that; and if not, the fence shall stop at the end of the last land surveyed and taken up by the said inhabitants. And it has been furthermore agreed that, since some of the said lands are not as desirable in respect to area as others, there should be tickets which shall be drawn by lot, and that each who shall draw his ticket shall be compelled to make his fence in the order of his number; that is to say they shall begin the said fences at the end of that belonging to the inhabitants who have already cultivated land in the cul de sac of the said Prairie du Pont and build them according to the amount of their land; and that the other tickets which remain shall be drawn by lot in the manner it has been herebefore explained. And in regard to the rest of the prairie on the right of the said limestone gully, the said Court in the name of the inhabitants has reserved that for the pasturage of their animals, the limit of each land extending from the Mississippi to the bluffs, and, if hereafter there should present themselves other inhabitants who wish to have lands and to go on farther, they shall be obliged to follow the direct line of the fence, on condition that the side of the said limestone gully shall remain always a commons for the animals; and it has been decided that after all enclosures of land have been made, that which remains shall be divided

¹ See supra pp. 153, 159.

² See supra pp. 153, 159.
du pond Car ainsi a Été Convenu Et accordé fait Et passé aux Cahos lan Et Jour que dessu Etant Signé

Antoine + Lamarche  L + Lebrun
marque            marque
sa                sa
Jos[h] + Bellefeuil  fr + Courié
marque           marque
pierre quenel  
F Saucier Greffier

INHABITANTS OF CAHOKIA TO CONGRESS, NOVEMBER 10, 1784.
Etrait du Regis du Greffe des Illinois En la Ville des Kaskaskias A L'HONORABLE CONGRES.

MESSIEURS—

Cest avec un Vray plaisir que nous habitant des Cahokias et des Villages d'alentoure, nous avons apres que par un acte de L'assemblée de la Virginie du 20 Janvier 1781. nous sommes tombé Enterrement sous la Juridictions de Votre honorable Corps, dans L'esperance que nous somes que vous nous donneré les secours dont nous avons Besoin, et accorderé la Jouissance de nos Enciennes Loix, privilege et Coutume, et que comme sujet americain nous jouiron des mêmes avantage que tous les autres habitant Jouissent; nous Etant la moyenne partie de nous autres porté Volontairement dans toutes les Entreprise qui se sont formé contre Lennemis Comuns; et même fort souvent Exposé nos familles a la brutalité des Sauvages En nous Eloignant delle et nous Etant aussi privé du necessaire pour Contribuer a l'Entretien des troupes qui on été Envoye parmis nous, et ces dans des tems que nos recolte ont tout a fait manqué, tant par les debordement du Mississipi que par les incursions que faisoient les Sauvages sur nos terres, nous avons Enfin dans toutes les occasions montré un vray Zelle pour la defence de la libertée; cest pour quoi nous Esperons, Recevoir Les Benefices de nos peines et que Vous aurez Egards aux demandes que nous faisons, et qui ne sont que trop Justes pour nous En faire douter la reussites.
among all the inhabitants who shall have taken up land in the said Prairie du Pont; for so it has been agreed and granted. Made and passed at Cahokia the year and day as above, there having signed,

his
Antoine + Lamarche
mark
his
L. + Lebrun
mark
his
Joseph + Bellefeuill
mark
Pierre Quenel.
F. Saucier, Clerk.

INHABITANTS OF CAHOKIA TO CONGRESS, NOVEMBER 10, 1784.¹

Extract of the Registers of the Record-Office of the Illinois in the Town of Kaskaskia.²
To the Honorable Congress.

Sirs:—

It is with a true pleasure that we, the inhabitants of Cahokia and of the surrounding villages, have learned that by an act of the assembly of Virginia of the 20th of January, 1781, we have fallen entirely under the jurisdiction of your honorable body; for we hope that you will give us the assistance which we need, and grant us the enjoyment of our former laws, privileges and customs, and that as American subjects we shall enjoy the same advantages as the other inhabitants enjoy; for we have borne voluntarily our proportional share in all the enterprises, which have been formed against the common enemy, and even very often exposed our families to the brutality of savages by going far from them, and we have often been deprived of the necessities in order to contribute to the support of the troops who have been sent among us; and this at a

¹ Papers of the Old Congress, XLII. V., 115, a copy by the clerk of the Kaskaskia court. The transcripts from the Papers of the Old Congress, printed in this volume, were made under the direction of the staff of the Bureau of Hist. Research of Carnegie Institution, and were collated a second time by Dr. J. Franklin Jameson.

² The petition was drawn up by the inhabitants of Cahokia in 1784, but the copy which reached Congress was made by the Kaskaskia clerk, which accounts for certain peculiarities of spelling. Labusiere, the clerk at Cahokia, who wrote the original petition, makes a final s which looks like a straight line, and this has been read by the clerk of Kaskaskia as the letter t. There are other errors which can be accounted for in a similar way, as, for instance, the spelling of the signatures. Also, the clerk of Kaskaskia has added a paragraph to make it appear that the Cahokians united with the Kaskaskians in denouncing John Dodge. The Cahokians intrusted the original petition to Major Lebrun, but he was killed before he reached the Ohio river. In 1780 the people of Kaskaskia sent a copy of it with a petition of their own to Congress. See Introduction, pp. cxxix., cxx.
PREMIÈREMENT que Vous nous accordiez le droit de Choisir parmi nous les personnes les plus Éclairés pour Magistrat qui jouront de leurs places quautant qu'il mettront la Confiante du peuple, et que En Cas de mal Versation nous ayont aussi le même droit de les déplacer pour En nommer dautres, et que tous les habitants qui Viendront establir parmi nous soient obliger de ce Conformé aux Loix qui sont deja Etabliz et sous les quelles nous avons et Eesperons Vivre En Paix.

2ème—Et que dans toutes les causses de consequence ou le bien être de quelque particulier se trouveray tout a fait Engagé, nous ayons outre notre Judicature un Endroit ou nous puissions faire appelle des Sentence que un de ces particulier ne Croiroit pas avoir été Entendue suivant toute la Justice qu'il avoit lieu d'attendre, mais que le nombre de ces Causses soient reduite a celle que vous croizé absolument necessaire pour le bien aitre de Lendroit et que les places des forts ne soient àliener à aucun particulier, comme actuellement Ledit sieur John Dodge posez a une place d'un fort et que les terrasses sont toutes faites depuis le tems que le Roy de france posdeoit la Collonie des Illinois qui est la deffence du Village de la Ville des Kaskaskias.

3ème—Dans l'Esperence que nous sommes quene fois le Bon ordre Etabliz parmi nous, devoir Venir tous les habitant qui Ennuyer de ce Voir Exposé a toute Sortes de danger se sont Retiré sur la partie Espagnolle outre cela les avantage qu'offre la fertilité de nos terres a ceux qui y Viendront cy Etablir nous Soiteront que vous Voulusies bien Enpecher Labus qui ce fait généralement dans tous les nouveaux pays ou il se trouve toujours quelque particulier qui font des achat de quantité de terrin sur les quelles ils nont aucun intantion de setablir que celle de les Garder quelque année pour Ensuite les revendre a des prix Exhorbitant.

4ème—Ayant lieu d'attendre que Vous nous Enverrez des troupes dont nous avons besoins pour la surté et la police de lendroit nous Esperont que Vous Voudrez bien pourvoire a ce que nous ne soient plus Exposé au même desordre et irregularité que nous avons

1 An addition to the original petition made by the Kaskaskians.
time that our crops have completely failed both on account of the overflow of the Mississippi and the incursions which the savages made on our lands. Finally we have shown on all occasions a true zeal in the defence of liberty. This is why we hope to receive the advantages of our labors and that you will give heed to the petitions which we make and which are only too just to cause us doubt of their success.

Firstly, we pray that you grant us the right of choosing from among ourselves the most enlightened persons for magistrates, who shall hold their places as long as they merit the confidence of the people, and that in case of malversation we have also the same right of displacing them in order to name others; and that all the persons who shall come to settle among us be obliged to conform themselves to the laws which are already established and under which we have and hope to live in peace.

Secondly, we pray that, for all the important suits in which the well-being of some individual shall be entirely at stake, we have, besides our judicature, a place to which we can make appeal from the judgments when one of these individuals believes that he has not been heard according to the full justice, which he had the right to expect; that the number of these suits be reduced to that which you shall believe absolutely necessary for the well-being of the place; and that the sites of the forts be not alienated to any individual, as now the said M. John Dodge possesses a site of a fort, the earth-works of which have been all built since the time when the king of France possessed the colony of the Illinois and which are the defence of the village of the town of Kaskaskia.

Thirdly, on account of the hope, which we have, that once good order is established among us, there are bound to come back all the inhabitants who, wearied with seeing themselves exposed to all kinds of danger, have withdrawn to the Spanish parts, and furthermore on account of the advantages which the fertility of our lands offers to those who shall come here to settle, we desire that you will hinder the abuse which generally occurs in all new countries, where there are always some individuals who make purchases of large tracts of land on which they have no intention of settling,
déjà Essuiez d’elle, qu’il ne soit plus aux pouvoir du Comandant de cette troupe de prendre par force chez habitant ce qu’il croira avoir besoin que cette effet vous Voulissiez bien autorisé un quelquon pour regler les Enciens Compte de ce que les habitant ont déjà fournie, et que cette même personne ou un autre soient aussiy a même de satisfaire soit En argent ou billet de Credit les habitant qu’il lui fourniront des provisions pour la troupe et qu’en cas qu’il Vienent a manquer de quelque necessaire que Lofficier comandant soient obliger davoir recour aux Magistrat de L’endroit qui se serviront des moyens les plus prond et les plus satis- fesant aux particuliers pour leurs [procurer] ce qu’ils auroient besoin.

5ème—Comme ayant parmis nous differentes personnes qui par les Correspondances qu’il Entretiennes avec les sujets du Roy d’anglettere dans [?tnt?] du Cotte de Michilimakina et du detroit et autre places aux prejudice de notre commerce ainsy qu’une Bende de mauvais sujet qui s’assemble et tienne des discours avec les sujet du Roy d’anglettere contre les Etats unies et qui insinue dans les Esprits foible que le Roy d’anglettere prendra possession de cette Colonie c’est ce qui met le trouble parmi les nations Sauvages et nous Expose Journellement dans le perille et Lorsque Voyant une Justice Etablie Enpecheroit tous les cabales de sa troupie nous Eviteroit tous dangers.

6ème—Pour dernier demande que nous regardont comme Grace special, nous Esperont que le Congré aura Egards que depuis plusieurs années consequitive nous avons Etée Exposé a manquer de tous necessaire tant par le debordement que le Misissipy a fait sur les terres que nous avions conjointement choisy et que par l’inquietude que nous a toujours caussé les nations Sauvages qui nous ont obliger a abandonner les Etablissement que nous avions deja faite ce que nous oblige de vivre tres retirées nous Esperont que vous voudre Bien nous accorder quel qu’année frenche de taxe pour nous remettre dans un Etat a pouvoir vivre et soutenir notre famelle, et que lors que nous seront obliger dans payer Vous nous accordier le droit Entre nous des personnes qui prennent

1 The meaning is not clear, since the paragraph was not finished.
but that of holding them some years in order to sell them afterwards at an exorbitant price.

Fourthly, since we have reason to expect that you will send troops, of whom we have need for the safety and the police of the place, we hope that you will provide for this, that we are no longer exposed to the same disorder and irregularity that we have already suffered from them; that it be no longer in the power of the commander of these troops to take by force from the houses of the inhabitants what he shall believe he has need of; that for this purpose you will authorize some one to settle the old accounts for the supplies which the inhabitants have already furnished, and that this same person or another be also authorized to satisfy either in gold or credit-notes the inhabitants who shall furnish him provisions for the troops; and that in case he happens to lack any necessity, the officer in command be obliged to have recourse to the magistrates of the place, who shall use the most prompt means and the most satisfactory to the individuals to obtain for him what he needs.

Fifthly, since we have among us several persons who through the correspondence which they keep up with the subjects of the king of England both from Michillimackinac and Detroit and other places to the prejudice of our commerce; and also a band of worthless fellows who assemble with the subjects of the king of England and make speeches against the United States and who are instilling into the minds of the feeble spirits the belief that the king of England will take possession of this colony, that is what makes the trouble among the savage tribes and exposes us daily to peril; and when a justice is seen to be established, it would prevent all the intrigues and by its troops spare us all danger.¹

Sixthly, for a last petition, which we regard as a special grace, we hope that Congress will consider that for several consecutive years we have suffered from a lack of all necessities both on account of the inundation of the Mississippi on the lands which we have conjointly chosen and because of the disturbance which has been caused by the savage tribes, who have obliged us to abandon the settlements which we have already made, a fact which compels
connaissance de ce qu’un chaqu’un possède pourront avec plus de quitter juger de ce que chaque particulier Doit payer nous avons espoir que nos demande Vous parezont Juste pour douter d’un seul moment que Vous ne nous les accordier pas.

M’s Le Major Le Brun de Belle Court, portee de la presente cera a même de vous donner un Etat sirconstencier de notre Situation actuelle et nous nous reposont Entierremement que Vous Voudrez bien Ecouter nos demandes et nous some tres Respectueusemess

MESSIEURS

aux Cakokias aux Illinois
cel 10 9 bre=1784

Signé sur la minute
Jean Bte. LaCroix: Dubuque
S. LeCompte: Bray
J. Jervais: P. roy
S. Pillet: S. lebrun
P:\ Poupard
Bte Baron
Bte alarie A: Beron
A: Lamarche.

N. Canada thimoté de Montbrun Comandant

ORDINANCE OF THE MAGISTRATES OF CAHOKIA, AUGUST 28, 1785.
Nous Antoine Girardin Commandant au poste des Cahos Et Jean Bte LaCroix president et magistrat au district dud\textsuperscript{1} poste. Etant necessaire de remedier au Brigendage Et vol qui se Com-

\textsuperscript{1} Chi. Hist. Soc., Cah. Rec., original manuscript. Transcription by the editor.
us to live very secludedly; and therefore we hope that you will
grant us freedom from taxation for some years so that we may put
ourselves in a condition to be able to live and support our families;
and that when we are obliged to pay taxes, you will grant us
the right [of choosing] from among ourselves persons who know
what each possesses and can with more equity judge what each
individual ought to pay. We hope that our petitions will appear
to you so just that there will be no doubt for a single moment of
your granting them to us.

Major Lebrun de Belcour, bearer of the present, will be able
to give you a circumstantial statement of our present condition;
and we fully trust that you will listen to our petitions and we are
very respectfully,

Sirs,

Your very humble and obedient petitioners, undersigned.

At Cahokia in the Illinois, this 10th of November, 1784.

Signed on the record

Jean Bte. LaCroix. Dubuque.
A. Girardin. E. Bouvet. A. Lamarche.
Germain. N. Canada.

ORDINANCE OF THE MAGISTRATES OF CAHOKIA, AUGUST 28, 1785.¹

We, Antoine Girardin, Commandant at the post of Cahokia,
and Jean Bte. LaCroix, President and Magistrate in the district
of the said post:

Since it is necessary to remedy the brigandage and theft, which
metent tant de Nuit que de jour dans les champs Ensemencées et
cultives en Bled froment, Mahis, Poids, feves, citrouilles melons et
autres legumes, ainsi que dans les verger ou jardins, ou ces memes
voleurs desolent et Ruinent entierement le travail et Labeurs des
Bons Citoyens qui Se donnent toutes les peines pour avoir leurs
subsistances et jouir du fruit de leurs travaux, Etant indispensable
d'arreter le cour dun desordre aussi pernicieux au bien public il est
tres expressement deffendû a toutes personnes de telle qualite que
ce puisse etre Soit habitant leurs femmes ou enfant et esclaves Aux
voluntaires, gabans, gens sans aveû ou autres, dentrer dans Les
champs Ensemances de grains ou legumes, qui ne leur apartien-
dron pas ainsi que dans les vergers ou jardins et dy voler ny prendre
aucune chose que ce puisse etre a peine de Cent livres demande
aplicable moitiue au bien public de lautre moitiue au denonciateur;
d'etre mis huit jours aux fers et promene dans le village des Cahos
avec Les marques de leur vol pendu au Col pour la premiere fois;
Et de plus grands Chatiments En cas de residive. il est aussi tres
expreesement deffendû de passer a traver les terres Ensemancées
Siot a chaval ou en charete, ordonnons de suivre les chemins de
ligne a peine de cinquante livres demande contre ceux qui cont-
treviendront a la presente ordonnance Et de payer le domage, Ce
qui Sera Executé Sans moderation Et la presente sera lue et
affichee a la porte de cette Eglise Et Enregistré au greffe pour y
avoir recour, aux cahos le 28 aoust 1785.

J. B H LaCroix presidan
At Girardin

Labuxiere grefier

Petition of La Croix in regard to Trade, October 29, 1785.
A Messieurs Les Magistrats Et respectable Cour du district des
Cahos
Messieurs

Jean Bte LaCroix a l'honneur de vous exposer que pour le
Bien public la Cour luy a accordé le 8. de Mars 1782 la permission
de la traite avec les sauvages dans ce village aux conditions Ex-
pliquées dans la Sentence de ladite Cour rendue cedit jour 8. mars

1 Possibly "gabans" is a corruption of vagabonds.
are committed as well by night as by day in the fields, sown and cultivated in wheat, corn, peas, beans, pumpkins, melons and other vegetables and also in the orchards or gardens, where these same thieves spoil and ruin utterly the work and labor of the good citizens who give all their toil to have their subsistence and to enjoy the fruit of their labor; since it is indispensable to stay the course of a disorder so pernicious to the public welfare, it is very expressly forbidden all persons of what quality soever whether inhabitants, their wives or wayward children and slaves, vagabonds,\textsuperscript{1} vagrants or others, to enter the fields, sown with grains or vegetables, which do not belong to them, and also the orchards and gardens and to steal or take anything whatsoever there, on pain of one hundred l\textit{ivres} fine, payable half to the public treasury and the other half to the informer, and of being put in irons for eight days and led about in the village of Cahokia with the marks of their theft hung around their neck, for the first offence, and of greater punishment in case of repetition. It is also very expressly forbidden to pass across the sown fields either on horseback or in a wagon. We command that the line of the roads be followed on pain of fifty l\textit{ivres} fine against those who shall violate the present ordinance and of paying for the damage, for which there will be execution without mitigation. And the present shall be read and posted on the door of this church and registered in the record-office in order that there may be recourse thereto. At Cahokia, August 28, 1785.

J. B. H. LaCroix, President.

Ant. Girardin.

Labuxiere, Clerk.

\textbf{Petition of La Croix in Regard to Trade, October 29, 1785.}\textsuperscript{2}

To MM. the Magistrates and the honorable Court of the District of Cahokia.

Sirs:

Jean Bte. LaCroix has the honor to set forth to you that, for the public good, the Court granted him on the 8th of March, 1782, permission to trade with the savages in this village under the conditions declared in the decree of the said Court, rendered the said

\textsuperscript{1} Chi. Hist. Sec., Cah. Rec., original manuscript, somewhat damaged by folding. Transcription by the editor.
day, March 8, 1782. The said M. LaCroix has not been troubled up to the present in his trading; but now he is in a position very prejudicial to the public and to the petitioner and which tends to cause the citizens to perish from hunger, especially at a time of such great calamity as we find ourselves in at present.

The alien merchants of Michillimackinac, gentlemen, are here and, far from contenting themselves with the asylum which we give them to sell their merchandise to the French, they are trading with the savages, who come to this village, for all the goods which the said savages bring and are taking from us in this way the means of making a living, since they overcharge us for these same commodities of trade at exorbitant prices; and to the detriment of the people they are making hords of the goods in order to transport them out of the place or to sell them at prices most burdensome to the public. Since these merchants have no right of trade in this village and since, if we have some goods to trade with the Indians, [this] advantage should belong to us and not to strangers; and since we suffer them here for convenience, after having been sent away from the Spanish bank, it is not just in us to permit these traders to carry off before our eyes what Providence offers us through the savages. But these traders are trading before our eyes and up to our very doors not only in merchandise but also in what is more pernicious, drink, and are favoring the savages at a time when one cannot be too careful. In order to avoid the evils which may result therefore, I pray, gentlemen, that you have the goodness to continue me in my trading right and that all alien merchants for the future be forbidden to participate therein in this village or to trade in anything with the savages who come here, on pain of a fine, such as it shall please you to fix, and of confiscation of that for which they shall have traded; and in return the petitioner offers to conform to the conditions of the decree of the Court of the said 8th of March, 1782, so that this branch of commerce be preserved for us in our village [and not pass] to aliens; and this is my conclusion. At Cahokia October 29, 1785.

J. H. H. LaCroix.

In view of the decree rendered by the Court of the district March 8, 1782, by which the said Court granted the right of trade
1782. ledt Sœur LaCroix na point Été troublé jusqu'a present dans Sa traite mais presentement il se trouve [en] Cas au prejudice Notable du public Et de L'exposant qui tend a faire perir Les Citoyens de faim sur tout dans d'aussi grandes Calamité comme nous nous trouvons presentement.

Les commerceans Etranger de missilimakina Sont icy Messieurs qui Bien loin de Se Contanter de Lazile que nous leur donnons pour vendre leurs marchandises aux françois traitent des Sauvages qui viennent a ce village toutes les douceurs que lesd au sauvages aportent Et nous otent par ce moyens les faculté de pouvoir vivre En nous survantant ces memes danrées de traite a des prix Exhorbitant Et En En faisant des amas au detriment du peuple pr le transporter hor de Lendroit ou Le vendre a des prix plus honereux au public comme ces commerceans nont aucun droit de traite dans ce village Et que si nous avons quelque douceur a traiter des sauvages ...[MS torn]. ... Benefice Nous appartient de droit Et non a des Etranger que nous soufr[ons] icy par Bienseance ayant Été renvoyez de la rive Espagnole il nest pas juste de Nous laisser Enlever par ces memes marchand a nos yeux ce que la providence nous offre par les sauvages; ce qui ces marchands traitent non Seulement des marchandises a Nos yeux jusques sur nos foyer mais Encore ce qui est plus pernici[euex] de la boisson Et soutent les sauvages dans un temp ou on ne sauroit Etre trop Circonspect; pour Eviter [les] malheurs qui En peuvent resulter je requiere Messieurs que vous ayez la bonté de me Continuer dans ma traite Et qu'il soit fait deffance a tous Commerceants Etranger de Sy immisser a lavenir dans ce village ni dy traiter aucune Chose avec les sauvages qui y viennent a peine dune amende telle qu'il vous plaira fixer Et de Confiscation de ce quils auront traiter sous loiffer que fait lexposant de Se Conformer aux Conditions de la Sentence de la Cour dudt jour 8. mars 1782. Et que cette Branche de Commerce nous Soit Conservée dans notre village ...[MS torn]. ... aux Etrangers cest a quoy je Conclud aux Cahos le 29, 8bre 1785.

J. B. H. LaCroix.

1 See supra pp. 125, 213.
2 The great flood of 1785.
day, March 8, 1782. The said M. LaCroix has not been troubled up to the present in his trading; but now he is in a position very prejudicial to the public and to the petitioner and which tends to cause the citizens to perish from hunger, especially at a time of such great calamity as we find ourselves in at present.

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In view of the decree rendered by the Court of the district March 8, 1782, by which the said Court granted the right of trade
Veu la Sentence Rendue par la Cour du district le 8. mars 1782 par laquelle ladite Cour a accordé la traite des sauvages aud' S' Jean B' LaCroix lequel a toujours Exercé ladite traite Sans aucun Reproche ni plainte de personne cest pourquoi la Cour assemblée a décidé Et decide par la presente sentence que led' S' LaCroix Sera continué dans ladite traite Exclusivement a tous autres pour le Bien public de ce poste Et Sera libre de traiter Laudevie aux sauvages a la reserve neantmoins Et Cas tres expressement reservé quil ne poura livrer laudevie aux sauvages que lors qu'il partiront de ce de ce [sic] village de façon quil ne Boivent point aud' village Et qu'il nen resulter aucun domage Et Sera donné une personne de Confiance par la Cour pour veiller a ce que led' S' LaCroix ne leur donne point a boire Et jusques a ce que les sauvages soit Conduit avec leurs Boisson a une lieues hors de ce village. Et led' S' LaCroix se Conformera a toutes les Conditions expliquées En la Sentence de permission du 8. mars 1782 Envers le public defandons tres expressement a tous commerceants anglais Etrangers Residants depuis peu En ce poste qui nont point de Sermant de fidélité aux Etats la traite de Lau devie sous tel pretexte que ce soit a peine de Cent livres demande Et de plus grande peine En Cas de resitive nenten . . . [MS. torn] . . Neantmoins desroger au Commerce libre des marchands Etranger pour la traite Et de . . . [MS. torn] . . des marchandises . . . [MS. torn] . . et la Cour se reserve En cas de prejudice au public de reformer la presente permission accordée aud' S' LaCroix dont elle prendra Connaissance En tems et lieux si les Cas La requiere Et le Continuons dans son privilege jusqu'a Revocation expresse de Notre part defandons a qui que ce soit de Le troubler, ni inquieter Et la Presente Sera lu publicé et affiché demain dimanche a la porte de cette Eglise a lissue de la messe dimanche donné par nous La Cour seant par M' B' du Buque Charle ducharmre fr. Courier. Et them Bredy ce dernier na voulu signer Et les autres ont signé Et aprouvé par m' trotier commandant Le 29 8bre 1785.

[Signed]

Ch DuCharme B Dubuque marque de fr courie
J B H LaCroix magistrat +
with the savages to the said Jean Bte. LaCroix, who has always exercised the said right of trade without any reproach or complaint from any one, for which reason the Court in assembly has decided and does decide by the present decree that the said M. LaCroix shall be continued in the said trading privilege, exclusive of all others, for the public good of this post; and he shall be free to trade in liquor with the savages with this reservation and condition, nevertheless, expressly reserved, namely that he can only deliver liquor to the savages when they shall set out from this village and so that they do not drink in the said village and there results no damage therefrom; and there shall be appointed by the Court a trustworthy person to see to it that the said M. LaCroix does not give them anything to drink and that the savages with their drink are conducted to the limits outside of the village. And the said LaCroix shall conform to all the conditions declared in the decree of permission March 8, 1782. In regard to the public, we forbid very expressly all English merchants, who are alien residents for a short time in this post and have not taken the oath of fidelity to the states, the trade in liquor under any pretext whatsoever on pain of one hundred livres fine and of greater punishment in case of repetition, not [intending], however, to detract from the free commerce of the alien traders for the trade and [Mss. torn] of merchandise [Mss. torn]. And the Court reserves to itself, in case of prejudice to the public, to change the present permission granted to the said M. LaCroix, of which it will take cognizance in time and place, if the case requires it; and we continue him in his privilege until express revocation on our part. We forbid any one whomssoever to trouble or disturb him. And the present shall be read, published and posted tomorrow, Sunday, on the door of this church at the close of mass. Given by us, the court in session, J. Bte. Dubuque, Charles DuCharme, Fr. Courier and Tom Brady; the last has not wished to sign and the others have signed; and it was approved by M. Trottier October 29, 1785.

[Signed] Ch. DuCharme. B. Dubuque
J. B. H. LaCroix. Mark of Fr. Courier
Magistrate.
Veu et approuvée par moi major commandant
fr. trottier
a que Cette Condissionte Labuxiere greffier
Le present Privilege Ennullé par la Sentence de ce jour sur les
registres des audiences aux cahos le 12 bré 1788
Labuxiere greffier

INHABITANTS OF CAHOKIA TO CONGRESS, JULY 15, 1786.

Messieurs des Etats unis de L’amerique tenant Le Congré.

Messieurs:

C’est avec la plus sensible peine que les habitants des cahos
aux Illinois se trouvent reduit a vous porter les justes plaintes
et vous demander vôtre protection contre entreprises que M. Dor-
sey pentacoste veut former sur terres aux cahos et les desposseder
d’un Bien qui leu[r] appartient legitimement et dont ils sont en
posession eu[x] et leurs peres depuis prés du Cicle.

La prairie du pont a appartenu de tous tems aux habitants,
tant pour la cultiver sil en avoit Besoin que] pour servir de Com-
muns a leurs Bestiaux sans laquelle il leur seroit impossible
d’En Elever d’aucune especie.

Le Sr. Gibault curé desservant la cure des Caskakias a 20
lieues de notre village s’est arrogé le pouvoir secret d’ozer
disposer de cette prairie En la Concedant a M. Le Colonel
Clark qui a revendu cette meme concession a M. Pentecoste
qui aujourd’hui veut s’en emparer et en deposseder les habi-
tants

il n’a jamais été au pouvoir d’aucun Eclesistique des ilinois
de disposer du Bien des Sujets. les loix ni leur Etat ne leur ont
jamais donné un pouvoir si arbitraire, Bien loin d’y avoir eù
aucunne authorité ni droit, leur devoir a Èté restraict a dire la
messe et a recevoir la retribution qui leur revenoit pour y cele-
brer le service divin Et jamais les pretres de ces Endroits N’ont
eù la permission ni le privilege de donner des concessions. ce
privilege n’a anciennement apartenû qu’aux Commandants Et

1 Prove. of the Old Congress, liviiii. 37. Original manuscript.

2 The concession was made by father Gibault to Stephen Trigg, one of Clark’s officers,
on April 21, 1770, and transferred by the latter to Clark on May 6 of the same year. Both
deeds were registered at Kaskaskia instead of at Cahokia. — Kas. Rec., Court Record.
MEMORIAL, JULY, 1786

Seen and approved by me, Major Commandant,

Fr. Trottier

a que cette Condissione [?] Labuxiere, Clerk.

The present privilege annulled by the decree of this day entered on the registers of the audiences at Cahokia, November 12, 1788.

Labuxiere, Clerk.

INHABITANTS OF CAHOKIA TO CONGRESS, JULY 15, 1786.¹

Gentlemen of the United States of America holding Congress.

Sirs:—

It is with the deepest pain that the inhabitants of Cahokia find themselves compelled to bring their just complaints to you and to demand your protection against projects which M. Dorsey Pentecoste is devising with respect to lands at Cahokia and by which he would dispossess them of property which belongs to them legally and of which they have been in possession, themselves and their fathers, since almost a century.

The Prairie du Pont has belonged from all time to the inhabitants, both for the purpose of cultivating it, if there was need thereof, or to serve for commons for their animals, without which commons it would have been impossible to raise any kind of animals.

M. Gibault, curé, serving the parish of Kaskaskia 20 leagues from our village, has dared to arrogate secretly the power of disposing of this prairie by conceding it to Colonel Clark, who has resold this same concession to M. Pentecoste, who to-day wishes to take possession and dispossess the inhabitants thereof.²

It has never been in the power of any ecclesiastic of the Illinois to dispose of the property of the subjects. Neither the laws nor their state have ever given them a power so arbitrary. So far from having had therein any authority or right, their duty has been limited to saying the mass and to receiving the remuneration which accrues to them for celebrating divine service; and never have the priests had the permission or the privilege of giving concessions. This privilege has formerly belonged to the command commissioners of the U. S. disallowed Pentecoste’s claim, because Father Gibault had no authority to alienate the lands of the church, and was expressly prohibited from doing so.

commissaire des lieux lors qu’ils y etoient autorisés par le Souverain Et jamais aucun prêtre.ne s’est immiscé ni n’a osé prendre une pareille autorité.

Le St. Gibault sachant qu’il avoit aucun droit ni pouvoir de concéder, mais pour se faire un mérite Et tromper la bonne foy de M. Clark luy a fait cette concession frauduleuse Et contre la bonne foy publique. aussi en a-t-il gardé le silence Et bien [renf.] n’est venu à la Connoissance des habitans jusqu’a ce jour, dans la Crainte qu’il avoit sans doute quils ne luy fussent la honte Et la confusion d’avoir trompé Mr. Clark Et En meme temps voulu s’il avoit été En son pouvoir deposseder les dits habitants de leurs Biens par une concession aussi vaine que tenebreuse qu’il a donné secretement au Mr. Clark En voulant le persuader de son faux pouvoir.

que deviendraient les citoyens de cette partie si des tromperies aussi manifestes et aussi scandaleuses avoient lieu ou seroient la sureté publique des Biens de chaque famille. il ny en auraoit plus aucune et le propriétaire ne pourroit pas assurer d’etre tranquille sur son propre foyer. cette Liberté si chere N’en seroit que lombre.

C’est pour prevenir de si mauvais dessein Et arreter le Cour des Entreprises que le St. pentecoste veut former sur nos Biens fondé sur ce vain titre ou dautres qu’il auraot pu surprendre et obtenir de Nos Siegneurs du Congrés a nous honereuses et prejudiciables que nous prenoynt la Liberté de Nous adresser Nos seigneurs Et Souverains a votre tribunal, pour vous suplier de regarder la Concession donnée par led. St cre Gibault comune une tromperie manifeste donnée par un homme non titré à ce sujet Et qui na jamais eu aucun pouvoir sur nos Biens la declarer nule Et abuzive, Renvoyer Mr. pentecoste a se pourvoir contre Mr. Le Colonel Clark Et ce dernier contre Gibault qui sera tenu de nous Exiber ses pouvoirs En vertu des quels il veut nous despoedier de nos Biens Et terres Et des quels nous sommes En pocession depuis l’establissement des cahos qui passe plus de 8o, ans: poessions que ces prédecessseurs et meme les anciens commandants ont toujours respectées.
mandants and the commissaries of the places, when they were authorized thereto by the sovereign; and never has any priest interfered or dared to assume such an authority.

M. Gibault, knowing that he had no right nor authority to make the concession, but in order to make a merit and to deceive the good faith of M. Clark, has made this concession fraudulently and against the public good faith. Also he has kept silent about it (and it didn’t come to the knowledge of the inhabitants until this day) on account of the fear, which he undoubtedly had, that they would disgrace and confuse him with having deceived M. Clark; and, at the same time, he wished, if it had been in his power, to dispossess the said inhabitants of their property by a concession as vain as underhanded, which he had given secretly to M. Clark, because he wished to persuade him of his false power.

What would become of the citizens of this part, if trickeries, so manifest and so scandalous, were allowed; and where would be the public surety of property? There would no longer be any; and no proprietor could be assured of being undisturbed in his own home. This liberty, so dear, would be only its shadow.

It is to anticipate so evil a purpose and to stop the course of the attempts which M. Pentecoste wishes to make on our property, which attempts rest on such a vain title, or to stop other concessions, burdensome and prejudicial to us, which he may undertake to obtain from our lords of Congress, that we take the liberty, our Lords and Sovereigns, of addressing your tribunal, in order to pray you to regard the concession, made by the said M. Gibault, as a manifest fraud and as given by a man not empowered in this matter and who has never had power over our property; and to declare it null and improper and to dismiss M. Pentecoste to plead against Colonel Clark and this latter against Gibault, who shall be held to show us his powers, by virtue of which he wishes to dispossess us of our property and lands, which we have possessed since the establishment of Cahokia, which is more than eighty years; possessions which his predecessors and even the former commandants have always respected.

We dare to hope, sirs, that you will set aside and annul all
Nous oûons esperer Messieurs que vous voudrés Bien casser et Énuiler toutes autres concessions au permissions que le St pentecoste auroit pû obtenir de vous tendentes anous desposerder de nos possessons et qu'il ne pouroit obtenir plus grande quantité de terres que celles que la Cour de ce district luy accordera aux Endroits qui ne seront pas Établis Et qui jusqua present nont pas Eût pris par personne, cette quantité ne pouvant exceder dix arpents de large sur la Superficie de quatre Cent quarante arpents, laquelle quantité de terre lui sera donnée aux Endroits qui ne seront prejudicia[ble] a personne.

ci inclus Nos Seigneurs vous trouverés la Copie de la procuration que le chapitre de Canada a Envoyé au St gibault dont l'original est deposer au greffe du district des Cahos, par laquelle procuration vous verés que le St Gibault n'a pû ny du le demembre ny Conceder aucune partie ni portion des terres et Bien de la mission des Cahos sans lexprès consentement des habitants dudl lieu a qui tous ces Biens sont transmis pour l'Entretien de Ladite mission ou prestre que lesdits habitants voudront y Établir. Et que par conçquant le St gibault n'ayant jamais deservy cette cure ny a Eu aucun droit ny pouvoir. dailleur on ne Crain pas de L'avancer dans le temps qu'il a donnée cette pretendue Concession secrette et hor de la Connoissance des habitants il estoit interdit par ordre de Leveque de Canada de la quelle interdiction on ignore s'il est Encore relevé, or toute interdiction Ennule tous actes Et contracts qu'il auroit pû faire pendant quelle a duré et par conçquant tous ses pouvoirs se trouvoient anéanti.

Nous vous reiterons Nos Siegneurs avec tout le respect et la soumission que nous devons a nos Souverains Et avec toute la fidelité que nous vous avons jurée, de nous accorder la justice que nous vous demandons, contre toutes les Entreprises du St pentecoste sur nos biens terres et communes, que vous ne pouvez connaitre par vous mene a moins qu'une personne Eclairée Et sans partialité ne vous en face un fidel rapport. c'est En conçquant que nous avons chargé Mf. Gabriel Ceré Negotiant des illinois parteur de ces presentes de vous donner tous les Eclair-
other concessions or permissions, which M. Pentecoste may obtain from you, which tend to dispossess us of our possessions, and consent that he cannot obtain a larger amount of land than that which the Court of this district will grant him in places which shall not be settled and up to the present have not been taken up by anyone, such concession not to exceed ten arpents in width and four hundred and forty arpents in area; which amount of land shall be given to him, where it will not be prejudicial to anyone.

Enclosed herewith, our Lords, you will find the copy of the power of attorney which the chapter of Canada sent to M. Gibault, the original of which is deposited at the office of the district of Cahokia, from which power of attorney you will see that M. Gibault neither could nor should dismember or concede any part or portion of the lands and property of the mission of Cahokia without the express consent of the inhabitants of the said place, to whom all this property is conveyed for the maintenance of the said mission or priest, that the said inhabitants shall wish to establish here; and that consequently M. Gibault, since he has never administered this cure, has had no right nor power. Besides we do not fear to advance that, at the time when he gave this pretended concession secretly and without the knowledge of the inhabitants, he was interdicted by order of the bishop of Canada, and we do not know if that interdiction is yet removed; but all interdictions annul all acts and contracts, which the one, so interdicted, may have made while it lasted; and consequently all his powers are annulled.

We ask again of you, our Lords, with all the respect and submission that we owe to our sovereigns and with all the fidelity which we have sworn to you, that you grant us the justice, for which we pray, against all the attacks of M. Pentecoste upon our property, lands and commons, about which you cannot yourselves know, unless a person, informed and without partiality, makes to you a faithful report thereof. Therefore we have intrusted M. Gabriel Cerre, merchant of the Illinois, and bearer of these presents, to give you all the necessary information so
cissements nécessaires afin de nous rendre la justice que de Bons
Et fidels sujets doivent attendre de leurs souverains pour la Con-
servation de nos Biens qui sont a la veille d'Etre en proye a la
voracité du S'r pentecoste, avide de nous depouiller de notre
patrimoine Et nous oblier nous et nos familles a faire un deguer-
pissement de tiranie pour nous oblier a Chercher un azile chez
letranger aprés avoir Epuisé notre sang a mettre nos terres En valeur
pour sa rapacité. Nous vous suplions de nous pardonner si nous
nous servons de ces Expressions La lettre qu'il Ecrit icy nous prouve
assez ses intentions de la quelle nous envoyons copie cy jointe.

Nous vous demandons Nos seigneurs d'Etre maintenus dans
toutes nos pocosssions, usages, coutumes Et loix anciennes sans
quauncune authorité y puisse donner atteinte Et que nous nayant
pas le desplaisir d'Etre soumis a aucunne autre justice des ilinois
connaissant L'incapacite, haine, Et partialité des sujets qui
pouroiroient lexercer, mais de Nous donner la permission de nous
gouverner nous memes comme nous avons toujours fait.

La cour de ce district des cahos à pris sur Elle de Conceder a
chaque particulier ameriquain ou autres Nouvellement arrivez
En ce pays Et qui veulent sy Etablir dix arpents de terre de
large, sur la superficie de quatre cent quarante arpents, dans notre
district, Nous Nexedons pas cette quantité afin de menager le ter-
rain pour que Chacun puisse En avoir et nous fortifier par le
Nombre d'habitans Et nous mettre a labry des incursions des sau-
vages Nous esperons que vous nous otorizerez a Continuer dans
notre district

Le S'r pentecoste a Envoyé icy un procureur arpenante avec
d'Emple pouvoir pour mesurer Et Borner sa concession qui con-
siste a douze mille arpents de terre ou sont comprises toutes les
notre il doit se mettre En devoir de le faire sous peu de jour. cest
a quoy nous formerons notre opositions jusqua ce que nous avons
recû vos ordres que nous esperons authoriser nos opositions Et
nous Confirme dans nos pocosssions.

Nous vous suplions Nos Seigneurs de nous Envoyer vos de-

1Printed in this volume, p. 621.
2Probably a reference to the Kaskaskians.
that you may render us the justice, which good and faithful subjects should expect from their sovereigns, for the preservation of our property which is on the verge of being a prey to the voracity of M. Pentecoste, who is eager to dispoil us of our patrimony and to compel us to make of ourselves and our families a sacrifice to tyranny by obliging us to seek an asylum among strangers after having spent our life-blood in making our lands valuable for his rapacity. We beseech you to pardon us if we make use of these expressions; but the letter which he has written here proves sufficiently his intentions, a copy of which we send joined herewith.¹

We pray you, our Lords, that we be maintained in all our possessions, usages, former customs and laws so that no authority can do violence thereto and that we may not have the distress of being submitted to any other court of the Illinois, since we know the incapacity, spite and partiality of the subjects who might exercise it;² but we pray you to grant us the permission to govern ourselves as we have always done.

The court of this district of Cahokia has taken on itself to concede to each single American or other, who has newly arrived in this country and wished to settle here, land in our district of the width of ten arpents and with an area of four hundred and forty arpents. We do not exceed this quantity in order to manage the land so that each can have some and we may be strengthened by the number of inhabitants and so sheltered from the attacks of the savages. We hope that you will authorize us to continue to do so in our district.

M. Pentecose has sent here a surveyor as representative with full power to measure and lay out the boundaries of his concession which consists of twelve thousand arpents of land in which are included all ours. He is bound to begin to do it within a few days. That is why we shall issue our injunction until we have received your commands, which we hope will authorize our injunction and confirm us in our possessions.

We beseech you, our Lords, to send us your decision on all the articles of these representations by M. Cerré, our attorney, so that we may know to what we are bound.
LABUXIERE TO CONGRESS, JULY, 1786

This is the fourth representation which we have had the honor of sending you without having received any answer. We think that if you have had the goodness to answer us, all letters have been intercepted at the village of Kaskaskia.

We expect everything from your goodness, equity and integrity.

Permit us, our Lords, to call ourselves always your humble, very obedient, very submissive and faithful subjects, the Magistrates of the District of Cahokia in the Illinois, acting for all the community of the inhabitants of the said place.

At Cahokia the 15th of July, 1786.

[Signed]
Trottier.                        J. B. H. Lacroix.
Mth. Saucier.                   A. Girardin.
of
Mark + Joseph                  B. Dubuque, Commandant.
Lapancé.
of
Mark + C. Alarie.              Mark + Louis
                                Chatel.

LABUXIERE TO CONGRESS, JULY 17, 1786.¹

To the Gentlemen of Congress,

Sirs:—

Since I had the honor of being named state's attorney at the Illinois five years ago in the place and stead of M. Girault who held this office,¹ I have taken the liberty of writing to you four times and of rendering account to you of what there was of most interest in the Illinois. Either my letters have not reached you or your answers have not been delivered to me, and I have not been able to know whether I ought to continue to perform my functions in this office. The misunderstanding of the magistrates of Kaskaskia and the extreme disorder of the business of the individuals, occasioned by some persons greedy for money, have compelled me to withdraw with my family to Cahokia, where I have found inhabitants filled with unity of peace and fidelity to the states, and a court of justice which they are careful

See his appointment, supra p. 487; also post p. 625, note 16.
si vous jugez Convenable Messieurs que je continue à exercer cette charge je vous suplie de menoyer votre commission avec les instruction que je doit suivre afin de m'y Conformer Et de meriter laplauissement Et protection de mes souverain, pour lesquels je mouray avec fidelite jay lhonneur detre avec profound respect Messieurs
Votre tres humble tres obeissant Et fidel sujet Labuxiere
aux cahos des ilinois le 17. juillet 1786
Public Notice, February 26, 1786.
Le Public est averty que ceux qui voudront prendre des terres audela de Lequiere des terres de la prairie du pont ait a Se presenter dicy a jeudy prochain deux de Mars, et Se presenteron a Mr Girardin pour les mettre En liste Et Borner les dites terres pour en faire les Closetures, passe Le temps de jeudy, elles seront Conceddes a des personnes qui Se Sont deja presente donné aux Cahos le 26. fevrier 1786 J B H LaCroix
preside
Lu publie et affiche a la porte de l'église des Cahos le dimanche 26 fer. et lundy 27 fer par moy huissier soussigné
Pier troge
Agreement between Inhabitants of Cahokia and Tardiveau, August 27, 1787.
Cotte L Invenre soixante Neuvieme.
Sachent tous par ces presente que les habitants français du village des Cahokias et Ses dependances ayant apointé Barthelemy Tardiveau ecuyer leur agent aupres du Congrés a l'effet de demander et obtenir pour eux la confirmation de leurs anciens droits, et en outre d'autres concessions de terres dans ce pays des cahokias et Ses dependances prometons et nous obligeons, jointement et Separement, tant pour nous que pour nos Enfans males, ou autres personnes que nous representons, de ceder, quitter, et abandonner en toute proprieté aud' Sr Barthelemy Tardiveau, ses

1 Chi. Hist. Soc., Cah. Rec., original manuscript. Transcription by the editor.
2 For other references to Prairie J. Pont, see pp. 153, 159, 595
3 Menard Co., Tardiveau Papers, original manuscript. Transcription by the editor
4 Notary's index number.
to administer with equity to those who ask its help. If you judge it fitting, sirs, that I continue to exercise this duty, I beg you to send me your commission with the instructions which I should follow, so that I may conform thereto and merit the applause and protection of my sovereigns, for whom I will die with fidelity. I have the honor of being with profound respect.

Sirs Your very humble and

At Cahokia of the Illinois faithful subject
the 17th of July, 1786 Labuxiere.

PUBLIC NOTICE, FEBRUARY 26, 1786.¹

The public is notified that those who wish to take up land beyond the section of the lands of the Prairie du Pont must present themselves between now and Thursday, the second of March, and they shall present themselves to M. Girardin to be put on the list and to have the said lands surveyed for making the fences thereof. After Thursday, the lands will be conceded to the persons who have already presented themselves. Given at Cahokia February 26, 1786.² J. B. H. Lacroix, President.

Read, published and posted on the door of the church of Cahokia, Sunday, February 26, and Monday, February 27, by me, the undersigned huissier.

Pierre Troge.

AGREEMENT BETWEEN THE INHABITANTS OF CAHOKIA AND

TARDIVEAU, AUGUST 27, 1787.³

Know all men by these presents that [we], the French inhabitants of the village of Cahokia and its dependencies, having appointed Barthélemy Tardiveau Esquire, our agent at Congress for the purpose of petitioning and obtaining for us the confirmation of our ancient rights and furthermore of other concessions of lands in the country of Cahokia and its dependencies, promise and bind ourselves jointly and severally as well in our own names as in behalf of our male children or of other persons whom we represent, to cede, quit and abandon in full ownership to the said M. Barthélemy Tardiveau, his heirs or assigns the tenth part of all the grounds and lands, which he shall cause to be conceded in our favor, other than those which are ours
heritiers ou ayans causes, la dixième partie de tous les terres et terres quil sera conceder en notre faveur, autre que ceux qui nous Sont acquise et dont nous Sommes En posession par les quatre lieues en quarre et sur chaque face qui ont eté anciennement con-
cedé a la mission et paroisse des Cahokia par Mme de Boisbriant et des hursins gouverneur et Commissaire depute par le Roy de france En ce pays Suivant la concession que nous en avons en datte du vingt deux juin mil sept cent vingt deux Lequel dixieme Sera pour lui tenir lieu de payment de ses peines et Soins, frais de voyage ou autres; quil fera pour obtenir les dites nouvelles Concessions; a la condition que, S'il n'obtient Rien, il N'aura Rien a repeter enver nous pour Ses dites peines, frais, et Soins. il est Entendu que led1 s^r Barthelemy Tardiveau ne pourra pas prendre le dixième des terres qui lui est accordé pour son paye-
ment dans l'Etendue des quatre lieues en quarre ci dessus men-
tionnés Et qui apartiennent de plain droit a la mission des cahos et aux particliers. ce qui est Stipulé par clause express mais que le dit dixieme lui Sera donne pour les nouvelles concessions qu'il obtiendra pour Les habitants, dans un ou deux emplacements faisant partie de la concession generale quil pourra obtenir; pourvù neantmoins que ledit ou les dits emplacements Soient a peu prés egaux en qualité de terroir et Situation au reste des terres ainsi obtenues. En foi de quoi Nous les magistrats Et principaux habitants du village des Cahokias et Ses dependances avons Signé le present concorda Et a icelui apposé le Scau de Notre Cour. fait unanimement aux Cahokias le vingt septiesme jour d'Aoust L'an mil Sept cent quatre vingt Sept.

[Signed]

At. Girardin. f. saucier.
Pierre La fleure. Henry Byron.
Pierre Laperche. jh BelCOUR.
and of which we are in possession, in extent four leagues square, which were formerly granted to the mission and parish of Cahokia by MM. de Boisbriant and des Ursins, governor and commissary appointed by the king of France in this country, according to the land-grant, which we have, dated June 22, 1722. This tenth part shall be understood to take the place of payment to him for his labor and pains, costs of travel and other expenses, which he shall incur in order to obtain the said new concessions; on condition that, if he obtains nothing, there shall be no cause for action against us for his said labors, costs and pains. It is understood that the said M. Barthélemy Tardiveau cannot take the tenth of the lands, which is accorded him for his payment, in the extent of the four leagues square mentioned above which belongs in full right to the mission of Cahokia and to individuals, and this is stipulated by express clause; but that the said tenth shall be given as payment for the new concessions which he shall obtain for the inhabitants, in one or two pieces of ground making part of the general concession which he shall obtain; provided, nevertheless, that the said piece or pieces be nearly equal in quality of soil and situation to the rest of the lands thus obtained. In faith of which we, the magistrates and principal inhabitants of the village of Cahokia and its dependencies have signed and thereto set the seal of our Court. Done by unanimous consent at Cahokia the twenty-seventh day of August, 1787.¹

[Signed.]

Philippe Engel. [Seal, three fleur-  Aug. Dubuque.
de-lis with crown  Henry Biron.
above]                Joseph BelCour.

¹ In this same collection, the Tardiveau Papers, there are similar agreements made with the inhabitants of Vincennes and Kaskaskia and with the American settlers.
Monsieur

Nous avons reçu les pièces que vous nous avez adressées. Nous Ne sendons Et ne sommes Convenus avec vous que de vous donner le dixième sur les terres qui nous seront nouvellement Concedées par le congré pour nous et nos Enfants males, mais non pas dans les terres dont nous sommes déjà En possession qui Sont Enclavés dans notre Seigneurie des Caires, dont nous avons un titre Suffisant de la dite Seigneurie de quatre lieues en quadré Et de laquelle nous ne Crions pas avoir Besoin d'autre Confirmation. c'est pourquoi nous Exceptionnons ce dixième sur les quatre lieues de ladite Seigneurie qui nous appartient par le titre que nous En avons et que nous croyons pouvoir pas Besoin d'être confirmé, tant qu'aux nouvelles concessions hors de notre Seigneurie que vous voudrez Bien nous obtenir nous sommes toujours d'accord Et Convenons de vous en donner le dixième dans un Endroit où deux pour vingt toises que cela Soit hors de notre Seigneurie par conventions expressées hors renonciations pas payer aucuns droits rentes redemptions ni impôts sur les terres que nous nous abstenions du Congré cela nous deviendrait trop lourds par la suite.

Nous nous prions déposer dans la procuration les pouvoirs que nous avons donné à M. Ceris que nous ressentirions point Ennulier et qui ne concerne que la possession de notre Seigneurie et commune y ét mois autres pretentions pour données par nous, pour les desavantages comme tout Et ayant Est intérêts hors de notre Seigneurie. Nous ne trouvons que ce changement a lieu dans le procèvement Et dans la procuration y tenu qui concerne les pouvoirs données à M. Ceris.

Nous avons l'honneur d'être respectueusement et avec amitié

Monsieur

Votre très humble et très
nécessaire serviteur

[Signature]
LETTER TO TARDIVEAU, SEPTEMBER, 1787

INHABITANTS OF CAHOKIA TO TARDIVEAU, SEPTEMBER 1, 1787. 1

Sir:

Page 7, inventory seventy-four. 2

We have received the documents which you have sent us. We intend and have agreed with you to give you only the tenth of the lands which shall be newly conceded by Congress to us and our male children, but not of the lands, of which we are in possession already and which are included in our seigniory of Cahokia, for which we have the sufficient title of the said seigniory for four leagues square and for which we do not believe that we have need of other confirmation. This is the reason that we except this tenth from the four leagues square of the said seigniory, which belongs to us by title-deeds which we have and which we believe have no need of being confirmed. In regard to the new concessions outside of our seigniory, which you wish to obtain for us, we are always in agreement and do agree to give you the tenth in one or two pieces, provided, nevertheless, that it is outside of our seigniory. By express convention we do not undertake to pay any duties, rents, dues or imposts for the lands which you obtain for us from Congress. That would become too onerous in the end.

We beg you to except in the power of attorney the powers which we have given to M. Cerré, which we do not intend to annul and which concerns only the ownership of our seigniory and commons. 3 As for all other powers, claimed to be given by us, we disavow them as false and as having been fabricated without our knowledge. 4 We find only this change to make in the agreement and in the particular power given to M. Cerré.

We have the honor of being respectfully and with attachment,

Sir

your very humble and very

obedient servants.

4 A reference to the agent of the French party of Kaskaskia, Parker, who had been given a copy of a former petition of the people of Cahokia without consulting them. See Introduction, p. cxxx, and also p. 897, n. 2.
[Signed]. aux cahos le 7 èbre 1787.

f. saucier. DuCharme.
A. Girardin. Phillippe Engel.
fr trottier.

Nous ne vous prions de faire En sorte dobteneir les terres, prenant depuis la rivierre de Laigle En remontant le mississippdy du Costé du Nord-Est.

nous avons refait la procuration ainsi que le concorda que nous esperons que vous agreerez.

Nous vous prions de nous Envoyer au recu de la procuration et du concorda, a moins que vos occupations ne vous permettent de nous En Envoyer un double.

[Addressed: A Monsieur
Monsieur Tardiveau
Commissaire pour le Congré du present
aux Caskaskia.

ADDRESS BY ROBERT WATTS. SEPTEMBER 14. 1787.

Adresse Fait a la Cour des Cahos. Scance tenant par Robert Watts Commandant nomé par icelle au Lieu apéié le Grand Passee dans Sa dependance & District.

Messieurs:

Ce c'est Point ma propre Cause qui me traduit aux pieds de votre auguste assemblée ... C'est Celle de votre sûreté, votre justice & bien mieu Encore celle de votre Supreme autorité que peut ne devoir lier au échecement. & c'est Cependant Messieurs Cecro que l'ecritoire ment d'emmancher

Si vous êtes commission pour accueiller votre justice en ceau pour vous Sur la Sureté publique & Sur le repos et des démarches de cette poepee d'habitants qui Compose & forme le petit Eilage de Grand Passee. Je ne dois pas vous laisser.

The present copy is different from the original manuscript. The copyist used a different handwriting and made some errors. This is the first paragraph of a letter. The letter is to the Grand Passee to express their concern. The letter is in French, and it is signed by Robert Watts.

The text is a copy of the original manuscript. Transcription by the editor. There is a copy of the same in the Archives of Illinois.
At Cahokia, September 7, 1787:

[Signed]

F. Saucier. DuCharme.
Fr. Trottier.

We do not pray you to act so as to obtain the lands which extend from the Eagel River up the Mississippi on the north-east side.

We have remade the power of attorney and also the agreement, which we hope that you will accept.

We pray you to send us notice on receipt of the power of attorney and agreement, provided your work does not permit you to send a duplicate thereof.¹

[Addressed] To Monsieur Tardiveau
Commissioner to Congress
at present at Kaskaskia.

ADDRESS BY ROBERT WATTS, SEPTEMBER 14, 1787.²

Address made to the Court of Cahokia in session by Robert Watts, Commandant, named by the Court, at the place called Grand Ruisseau, in its dependency and district.

Sirs:—

It is not my cause which calls me into the presence of your august assembly ..........³ It is that of your security, your peace, your justice and far better still that of your supreme authority, which nothing should alter or disturb; and yet, gentlemen, it is that which disorder is about to bring forth to-day.

If you have commissioned me to sustain your justice in watching for you over the public security and over the tranquility and activities of this handful of inhabitants who compose and form the little village of Grand Ruisseau, I ought not to allow you to remain ignorant a longer time, gentlemen, that there is among us one whose would-be pretentions are directed towards weakening and diminishing your authority,.....that authority which has always maintained peace and harmony, that which the estates of Virginia even have deigned to respect in giving it their
Ignorer plus longtemps Messieurs qu'il en est parmi nous dont les prétentions Soit disant, se portent à affaiblir et diminuer votre autorité, . . . . . elle qui a tourjou Maintenue la paix et L'harmonie, elle que les etats de Virginie même ont daigner respecter en l'aprouvan déslois, elle que ces mêmes états reconoi- tront toujours Pour Cooperer a la gloire des états unis.

De quel œil après des droits aussi bien Cimentér et emanér Pourés vous voir Messieurs l'atentat et l'infraction que L'on Comet aujourd'hui sur vos pouvoirs.

un Sieur piquet, Come chef de parti dans la Cabale du Grand ruisseau, vient de me dévêtist des titres & qualités Donj'étois honoré par votre respectable Cour, & sur l'enquête que je me suis haté de faire des Causes d'un procedé Pareil, un Certain roger home sans nom & sans honneur aurout vilainement abuse tout Ce qui émane de votre autorité au moment ou mon devoir m'oblige-coit de prendre la défence de votre auguste Cour dans la Con-
servation de ses droits & de ses privilèges.

Passerés vous sous silence Messieurs, des Iniquités qui vont jusqu'à blesser L'autorité la plus respectable: . . . . . Ce n'est plus la votre dont Il est question en ce moment, c'est Celle Mes-
sieurs des états de Virginie que vous devez defendre. C'est elle qui est offencé dans le Corp respectable qui vous assemble ici. Car vous n'êtes a Cet égard que L'image de Leur Justice Come Je ne suis au votre que l'électricité de vos Volontés.

Si tant d'Insubordination devenoit Inpunissable que Devien-
droit par la suite votre Sureté, vos droits inaltérables vos Familles & vos biens; ne vous rendris vous Comptable Envers diue envers les homes, vous en qui chaque Cytoyen doit placer sa Confiance par la sureté qu'ils établissent dans les droits qui vous appartennent & que loin de laisser oisifs, deves au Contraire dans des besoins aussi pressants faire éclater d'une Maniere propre a étouffer dans sa naissance le danger évident de voir chaque Cytoyen et vous même Messieurs, devenir le jouet d'une Seit disante Cour Créée & Innové sans autorité & sans pouvoir dans le lieu de la belle.

For the history of Grand Ruisseau and Bellegarde, see Introduction. · core · iwm · ari · jacc · 186 · 2 · 2 · 178 · 307
approval thenceforth, that which these same estates recognize always as co-operating to the glory of the United States.

With what eye, after rights so well strengthened and emanated, can you see, gentlemen, the outrage and infraction, which is being committed to-day on your powers?

A certain M. Piggott, as party chief in the cabal of Grand Ruisseau, has just divested me of the titles and qualities with which I was honored by your honorable Court; and at the enquiry, which I hastened to make in regard to the causes of such a proceeding, a certain Rogers, a man without name and without honor, has villainously abused all that proceeds from your authority at the moment when my duty obliged me to take up the defence of your august Court in the preservation of its rights and its privileges.¹

Would you pass in silence, gentlemen, iniquities which go as far as to wound the most honorable authority?.... It is no longer yours which is in question at this moment; it is, gentlemen, that of the estates of Virginia which you ought to defend. It is that which is offended in the honorable body which assembles you here; for in this respect you are only the image of their justice, just as I am for yours the electricity of your wills.

If such insubordination were to be unpunishable, what would in consequence become of your security, your unalterable rights, your families and your property? Would you not render yourselves accountable to God and to men, you in whom each citizen should place his confidence through the security, which they establish, in the rights which belong to you, and which far from permitting ease, you ought on the contrary in needs so pressing to make blaze out in a manner calculated to destroy in its birth the danger, obvious to every citizen and to you also, gentlemen, of becoming the sport of a would-be court, created and innovated without authority and without power in the locality of Bellefontaine, where the assemblies must be convoked in order to judge definitely on all that shall be carried before their would-be tribunal.²

Is there not therein a formal defiance made to the most sacred authority? Is that not a violation of the submission which is due to

¹ Commandant Watts' knowledge of French is not always equal to his Ciceronian oratory, and the result is at times obscurity of meaning.

² Commandant Watts' knowledge of French is not always equal to his Ciceronian oratory, and the result is at times obscurity of meaning.
fontaine & ou les assemblés Doivent Se Convenir pour Jurer définitivement sur tout Ce qui Sera porté a leur Soussigné Conclave.

N’est ce pas la un mepris Formel fait a l’autorité la plus sacrée n’est ce pas entraver la soumission que l’on doit au Souverain le plus Saint. n’est ce pas abuser ouvertement de la Constitution Fondamentale des États-Unis, ou est le droit des Gens et est La Sureté publique, ou est l’amour de la patrie ou est Enfin cette autorité absolue qui appartient a notre métropole, de la part des Messieurs En arret Le Cours …… Je vous le demande.

Craignez cet orage qui croque déjà sur vos âmes, Craignez le fix dangereux dont vous devez redouter les éclatès, Craignez vous dit Je Messieurs, Cet attentat aux lois & à l’ordre, Nous vous verrons bien ou reposant sur chaque individu la Justice que vous leur devrez au moment venu où chaque frise, Croyez bien sa voix & qu’il s’adresse à vous pour aider vos ennemis sur les malheurs que l’insensé toujours le Désordre & L’insubordination.

Oui Messieurs Je vous reproche vos rapports Furtifs sur des Événements qui nous touchent toute en particulier la santé de nos souverains est bien basse. Je vous en avertir Le danger d’une Conspiration aussi ingratitude dans une pays qui d’habitude, qui n’est pas déshonoré de vous demander un avertissement lorsque leur propre patrie était soumise a leurs besoins, je vous vois d’ici Je remarque le silence de rejeter le Commissaire nommé Empereur du Crime de l’état que votre justice se manifeste de qu’elle échappe à Ce Sera pour vous une augmentation a la gloire que vous devrez aux États de ce moment a vos hommes mais il sera même honteux de leur soumission a leurs ennemis, vous verrez bien Facher aux pieds vos ennemis de votre absence.

C’est pourquoi Messieurs qu’autrop avoir que Sous vos yeux La position, Fate d’une éminente dangereuse. Je leur bien d’espérer Ne savoir parmi particulier des représentation que J’expose a votre Place mais Comme Charge de le part De marble Ceux qui respecter vos droits a vos beneficiaries avance pour la Preuve de faire transpérer Le St Piquer maintenant sous votre discrétion du grand musées pour le rejeter dans les demarches, lui défendre d’entrer & De S’approcher en Soussigné Magistrat et
the most sacred sanctuary? Is that not an open abuse of the fundamental constitution of the United States? Where is the right of the people? Where is the public surety? Where is the love of country and where finally is that absolute authority which belongs to our metropolis? Ought you not to stay its course? I demand it of you! Do you fear this tempest which rumbles already over our heads; do you fear the dangerous fire, the sparks from which you ought to dread; do you fear I say, gentlemen, this outrage on the laws and the estates; and we shall see you soon answering to each individual for the justice which you owe him, at a moment especially when each faithful citizen is raising his voice in appeal to you to attract your benevolence to the evils which are always fomenting disorder and insubordination!

Yes, Gentlemen, I catch a glimpse of your looks favorable to the events which affect us all and severally, and the results of which could be only fatal; I see you stay the danger of a conduct so irregular in a handful of erring beings, who have not disdained to ask of you an asylum and retreat, when their own country was deaf to their needs; I see you, say I, break the silence and repress the sinful, bold crime of high treason. Let your justice be made manifest and let it blaze forth and there will be for you an increase in the glory which you owe the states and a monument to your benevolence; but if this same benevolence should pass in silence such outrages, you would soon see your rights and your justice trampled under foot.

That is the reason, gentlemen, why, after having placed before your eyes the fatal position of a dangerous event, I have every reason to hope, not as a particular member of the representation which I am setting forth to your Court, but as intrusted by all those who respect your rights and immunities, that you will determine to cause M. Piggott, inhabitant in your district of Grand Ruisseau, to be transported in order to restrain his activities, and to forbid him to exercise the duties of and set himself up as a would-be magistrate and justice of the peace in the whole department and dependency of your Court, on pain of being treated as an insurgent and rebel to the United States and of being from now
Juge de paix Dans tout le ressort & depende peine d'être traité comme Infraactaire & r
D'être même dès a present regardé comme ti & Constitutions, morigerer & molester en ta
Nomé benjamin roger habitant au même lieu
pour avoir méprisé & mal parlé de la Cour i
sequence Le faire transporter par devan vo
L'en faire rétracter & lui en faire Demand
Excuses Suivant L'exigence du Cas ou telles
que Jugeres convenables pour la Satisfact
apartien a votre Cour, après quoi Messieurs
ordoner reparation Envers Moi de la Guiev
dans les moments Surtout ou Mon devoir m'a
le droit l'honneur & l'intérêt de votre auguste
et pour qui les choses ayant tout L'effet qu
a lieu d'attendre de vos bontés, prendre Conois
motifs qui ont donné lieu aux habitants de la
nover une Cour independante de la votre,
effet, sans droits sans soumission sans reserve
(triste présage Messieurs lorsque le Germe de
d'une loy plus pressante & plus proche que la
eclore), ....................... ou bien Me
prendre chacun Son essort ou bien encore est
votre Justice & vos droits, ou plutot Messieus
Centre de votre autorité gravitante, est ce pe
& mepriser les bontes que vous avés en tou
chaque Individu; voila les effets de la reco
offrent ceux que la nature avare a transplan
puissés vous Messieurs en developan vos
torité, faire Germer, dans tous les Coeurs,
terables qu'inspirent le respect & l'attach
votre auguste Cour; C'est bein Celui Mes
De vous dire Combien Je ne Cesserai Jam;
Celui qui vous apartien
Messieurs Le plus humble et le plus affecti
Aux Cahokia le 14 de 7bre 1787.
on regarded as a traitor to your will and constitution; and to reprimand and punish, in so far as there is need, the named Benjamin Rogers, inhabitant of the same place of Grand Ruisseau, for having defied and badly spoken of the Court here present, and consequently to have him brought before your said Court in order to make him retract and to make demand of him therefor and to cause him to make his apology according to the exigences of the case, or to do such other acts of sumbission as you shall judge suitable to satisfy the respect which belongs to your Court; after which, gentlemen, that it please you to order him to make reparation to me for the heinousness of his insults made at the moment specially when my duty obliged me to sustain the right, honor and interest of your august Court.

And in order that the affair may have all the effect which the public has the right to expect from your benevolence, I hope that you will take cognizance, gentlemen, of the motives which have caused the inhabitants of Bellefontaine to inaugurate a court independent of your own, without authority to do so, without rights, without reserve and without pleas, (sad omen, gentlemen, when the germ of honor has need of a law more urgent and nearer than yours to make it develop)... or indeed, gentlemen, it remains for each to make his own flight, or indeed, again, to violate your justice and your rights, or rather, gentlemen, drawing away from the center of your weighty authority, to shake off the yoke and defy the benevolence which you have at all times diffused for all persons; such are the consequences of the gratitude, which those whom miserly nature has transplanted into your climate, are offering you.

May you be able, Gentlemen, by developing your rights and your authority, make germinate in all hearts the unalterable sentiments, which inspire the respect and attachment which are due your august Court! It is indeed that, gentlemen, which obliges me to tell to you how I shall never cease to be in all that which appertains to you,

Gentlemen, the most humble and affectionate of your citizens,

At Cahokia September 14, 1787. 

Robt. Watts.
SENTENCE AGAINST PIGGOTT AND ROGERS, SEPTEMBER 17, 1787.

La cour du district des Cohos assemblée Sur les représentations a elle faites par le Sr Robert Wath commandant Etabli par ladite Cour, au grand Ruisseau en datte du quatorze de ce mois par laquelle il nous declare et nous previent de L’attentat et insubordination qui tend a une Conjunction populaire de la part des habitants americains du grand Ruisseau et de la ballefontaine tendante a Se Soustraire a la justice de cette Cour et L’anéantir par la suite, En Sarogeant Sur nos terres un droit d’indépendance Et Envahir notre autorité et privileges Et Nommement le nommé Jacques piquet habitant du grand Ruisseau En la dependance de ce district acusé de S’etre immisé En magistra et juge de paix en celle pretendue Soit disante jurisdiction au mepris de notre cour, Et le nommé Benjamin Roger aussi habitant dud lieu du grand Ruisseau pour avoir meprise par termes desplacés la personne du Sr Wath que son devoir obligeoit de Soutenir nos interest et les droits de notre Cour, et avoir voulu avilir nos ordres. Le tout examiné Et consideré la Cour defend tres expressément aud piquet de Sassembler dorenavant a la bellefontaine pour y tenir aucune Seance ny former aucune justice ny milice independante de la Cour des Cohos a peine d’Etre Chassé de ce district et Ses Biens Conquis à qui il apartiendra. Et pour avoir accepté dans ladite assemblée tenure entreux Sans permission ny autorité la place de magistra Et juge de paix la cour la condamné a Etre mis aux fers En ce village pendant l’espace de vingt quatre heures Et condamne a pareille peine led Benjamin Roger pour son manque de respect tant Enver notre Cour. que enver led Sr Wath Lesquels Seront a la garde de notre huissier a leurs frais Et fera led Benjamin Roger excuses Convenables la Cour presente aud Sr Wath ce qui sera executé donne En Cour le dix sept Septembre mil sept Cent quatre vingt Sept. Signé - pierre Laperche - Bte Saucier - Philepe Engel - ducharme - fs Saucier presidant.

Labuxiere grenier.

La presente Sentence a Eté Executé le meme jour
Cotte L Invre soixante quinzieme

1 Menard Col., Tardieuau Papers, original manuscript. Transcription by the editor.
THE COURT'S JUDGMENT, SEPTEMBER, 1787

THE SENTENCE AGAINST PIGGOTT AND ROGERS, SEPT. 17, 1787.¹

The Court of the District of Cahokia assembled, on the fourteenth of this month, to hear the representations made to it by M. Robert Watts, commandant established by the said Court at Grand Ruisseau, in which he makes accusation in informing us of the outrage and insubordination, which tend to a popular conspiracy on the part of the inhabitants of Grand Ruisseau and Bellefontaine, in order to escape from the jurisdiction of this Court and to annihilate it finally, by arrogating to themselves a right of independence on our lands and by encroaching on our authority and privileges; and he has accused especially the named James Piggott inhabitant of Grand Ruisseau, in the dependency of this district, of having thrust himself into the office of magistrate and justice of the peace in this pretended and would-be jurisdiction to the defiance of our Court; and the named Benjamin Rogers, also inhabitant of Grand Ruisseau, of having scorned by offensive terms the person of M. Watts, whom his duty compelled to support our interests and the rights of our Court, and of having wished to dishonor our orders: after all was examined and considered, the Court forbids very expressively the said Piggott to call assemblies henceforth at Bellefontaine for the purpose of holding any session there or of devising any justice or militia independent of the Court of Cahokia, on pain of being driven from this district and of the confiscation of his property, for whom it shall concern; and for having accepted the position of magistrate and justice of the peace in the said assembly, held by the people without permission or authority, the Court has condemned him to be placed in irons in this village for the space of twenty-four hours; and it condemns to a like punishment the said Benjamin Rogers for his lack of respect both towards our Court and towards the said M. Watts; and they shall be in the custody of our huissier at their own expense; and the said Benjamin Rogers shall make in the presence of the Court suitable apologies to the said M. Watts; for which there will be execution. Given in Court the seventeenth of September, 1787. Signed, Pierre Laperche, Bte. Saucier, Philippe Engel, DuCharme, Fr. Saucier, president.

Labuxiere, Clerk.

The present sentence has been executed the same day.

Page L, inventory seventy-five.
ORDINANCE OF THE COURT OF CAHOKIA, JULY 5, 1789.

De la part de la Cour du district des Cahos.

La Cour ayant examiné que les circonstances où se trouve ce village par les mauvaises intentions ou Sont les Sauvages contre nous qui Se manifestent depuis longtemps, tant par l’assassin de plusieurs personnes aux Environs de ce village que par l’Enlèvement continuel de nos chevaux et autres insultes commises par ces Barbares aux quelles il nous est presque impossible de nous oposer par le manque de force; nous trouvant continuement exposés a la fureur des partis qui viennent journallement sur nos terres et sur les chemains, pour y tuer et enlever les chevaux ce qui expose les habitants a être massacrez en faisant leurs travaux Et nous met hors d’état de pouvoir Sortir Sans courir les Risques de la vie.

C’est pour prevenir les dangers ou nous sommes exposez par les sauvages qui viennent en ce village Sous le voile de l’union et de L’amitié et qui en S’en retournant, tuent, pillent, et Enlevent les chevaux que la cour cherche les moyens de Remédier aux malheurs qui nous Environnent.

a cette fin par deliberation de laditte cour elle fait expressément defences a toutes personnes de telles qualité et conditions et profession quelles soient et Sous tel pretexte que ce puisse être Sans pouvoir aleguer aucunes raisons; de vendre traiter ni debiter aucunes Boissons Enivranates aux Sauvages qui viendront au poste des Cahos Soit tafia ou autres liqueurs que ce puisse être, faisons aussi defences de leur traiter de la poudre, Balles, munitions et armes non pas meme en present a peine de cent piastres demande payable contant Sans moderation, de confiscation des Boissons, poudre, munitions et armes qui Se trouveront ches eux pour vendre Et d’etre chassez de ce district à perpetuite Sans esperance de pouvoir y revenir Enjoint ladite Cour a tous ceux qui auront connoissance des contrevenants de nous en avertir ou de les declarer au greffe a peine de se rendre complice Et ceux qui reserveront des Sauvages ches eux seront amenus den avertir le commandant a peine de prison aussi tost leur arrivée que qui sera execute et la presente sera lue publiquement et
ORDINANCE, JULY, 1789

ORDINANCE OF THE COURT OF CAHOKIA, JULY 5, 1789.¹

On the part of the Court of the District of Cahokia.

The Court having considered that the circumstances in which this village finds itself on account of the evil purposes which the savages have against us,² which are shown, since a long time, both by the assassination of several persons in the neighborhood of this village and by the continual stealing of our horses and by other insults committed by these barbarians, to whom it is almost impossible to make opposition on account of the lack of military force; and finding ourselves continually exposed to the fury of the parties, which come daily on our lands and roads for the purpose of killing persons there and of stealing the horses, which exposes the inhabitants to being massacred while at work and makes it impossible for us to go out without risking our lives:

It is to prevent the dangers to which we are exposed from the savages who come to this village under the veil of union and friendship and who, on returning, kill, pillage and steal the horses, that the Court seeks means to remedy the evils which surround us.

To this end, by resolution of the said Court, it is expressly forbidden all persons of what quality, condition and profession soever and under any pretext whatsoever, without the possibility of excuse, to sell, trade or sell at retail to the savages any intoxicating liquors of any sort; we forbid also trading with them in powder, bullets, ammunition and arms or giving them even as presents, on pain of one hundred piastres fine payable in cash without mitigation and of confiscation of the liquors, powder, ammunition and arms, which shall be found at their houses for sale, and of being driven from this district forever without hope of being able to return. The said Court enjoins all those who shall have knowledge of offenders to inform us thereof or to denounce them at the office, on pain of rendering themselves accomplices; and those who receive savages at their house shall be held to notify the commandant thereof as soon as they arrive, on pain of prison, for which there will be execution; and the present shall

¹ Chi. Hist. Soc., Cah. Rec., original manuscript. Transcription by the editor.
² At the close of this period there was almost continuous Indian war.
affichée demain dimanche à la porte de l'église aux Cahos le 5 juillet, 1789.

Sa 
Louis + Chatel
marque
DuCharme

hBi
Philipe Engel
Pierre Laperche

fr Trottier
At Girardin.
ORDINANCE, JULY, 1789

be read, published and posted to-morrow, Sunday, on the door of the church of Cahokia, July 5, 1789.

[Signed]

his

Louis + Chatel hBi F. Trottier.
CASCARA DOCUMENTS

[Document content not legible in image]
Dr Sir,

It gives me Pleasure to Inform you of the bravery of the Volunteers at this Place that after application was made to them for their Assistance, in less than twenty four Hours turned out A Company larger than the other who hath Chosen Mr Langto for their Capt'n they with a few others that are Ingag'd for Bullock Driveing &c amounts to forty odd men notwithstanding twenty odd of the Last Company of Volunteers are Away, that had not that been the case I wood have asured You 60 men at Least. It was with great difficulty I Could Restrain maney of the old Married people from turning out With us as I New the Circumstance of their families would Not Permitt them to be absent. I think you may depend on fifty at aney Rate; At first I was afraid Captn Langto's Appointment would Interfear with his other busines. but — As he seams desireous to take his Rout by way of the Isilinois River and to meet us at Ouiaws on the wabash in order to Recruit more men I think it wood answr Every purpose we could Requir, which Rout I hope youl grant him unless you should think it Quite Inconsistant. He farder purposes to purchase about forty Horses on his way for the state which will be wanting in case the waters Should be lown, the Horses mought be purchased to a — Considerable Advantage. if so he will Require some goods And Tafig for his Voyage; he has furnisht us with some pelteries which is Apply'd for the use of purchasing provisions &c. he will wait upon you to Receive Your Orders. In order to Direct himself Accordingly he brought down five or Six Horses with he has Delivered to Captn Shannon but None that would answer you so well as your Own, As to a state of Provisions &c; you'll be inform'd by Captn Shannon; If nothing Particular should Call for me I shall wait your farder orders, as my Presence here will be much require'd with Regard to forwarding Every thing from this Place — If aneything Else should be Requir'd you'll be Please'd to Acquaint me, the measure I am Oblig'd to, At Present does not altogether agree with my Constitu-

1 Dr. M.S., 49146, original manuscript. Preparations were being made for the proposed expedition against Detroit.
tion for you may depend upon it that I have Not been Idle, I have
Inclinc'd you a Copy of the Inventory of Every article that I have
taken out of the Contine tle [M.S. imperfect] Store at St Louis
which I drew from my Rec cts [M.S. imperfect] & afterwards
Presenting of it to Mr Bosalee he Refused to take it, for what
Reason I know not.

My Compliments to Col° Mongomery and the Gentlemen
Officers Likewise to the Volenteers and am In hopes to find them
all in Readiness for a march.

I am Dr S'r your most Obd' friend & Humb' Se
Jo° Bowman

[Addressed]
Col'n G. R. Clark Esqr.
Commander in Cheif of the western Department
Kaskaskias

Received 31st of May 1779

Bowman to G. R. Clark

Kahous June 3d. 1779

Dear Sir

By the bearer Mr . . . . . . . . . . I have Just received the following Inteligence from Micha' M'anoy who Informs me that he left that the 8th of April Last with permission to go as far as Labai
with orders to Longloid & Gouchey from Maj'r Depoister forbiding
them from Raising aney more Indians against the americans that
Maj'r Depoister has but forty men and 100 at Detroit by Report,
the Indians Informs them of our armey beeing near Detroit that
in two days they Can fetch in a scalp from our People, he on his
way here Receiv'd the kindest treatment from the Indians who seam
Intirely dispo'sd in our favor he has brought with him a large
Quantity of goods that was Conceald to him by Mr Bentley who
was to start in ten days after him in case he could obtain A permitt
otherways he wood make his Escape the best way he could

I begin to be Impatiant to start and am In hopes by Next mon-
day to make a move with Everything from here with hoops of

1 M. MAN., 4040, original manuscript.
2 M's hillimackinac.
finding you all in Readiness for a start which I make not the least doubt of; if in case your purchasers has been as buis [MS. torn] Imployd as we where. I expect Mr Shannon back Every hour. The weather begins to grow warm & the waters Low so that no time Ought to be lost with reguard to preparing Every Necessary required for our Expedition, pray make Every officer Exert himself as I have been obliged to do, as much depends on Industry, their is maney Thanks to be paid to the Inhabitants here, as they have Spaired their Cattle & Horses past Expectation they have furnishd Every fifth head of Cattle instead of the tenth, which amounts to 80 odd 40 odd Horses & 15000 1b of Flower with [MS. torn] ing to press one thing.

The reason of not getting more Flower from this Place is owing to the scarcity, as their has been sold out of this town since your Departure from here between twenty and thirty Thousand weight I am afraid that Unless you send up a boat for the flower I shall be disappointed I have had the offer of severl Bark boats but none of them in order, or strong Enough to trust A Load in,

My respects to the Gentlemen officers whilst I remain Dr Sir your most Obd flutter & Humble Servant

Jo Bowman

NB in my letter instead of orders forbidding the Indians to be raisd against the Americans they are cauld for to Micha1 M*a*noy to a counsel.

[Addressed] Col9 George Rogers Clark
Commandr in cheif of western Deprt
pr Mr provoe Kaskasias
Received 5th June 79

BOWMAN TO G. R. CLARK.1

Kahous June 6th 1779

Dear Sir

I Expected to start from here tomorrow but finding that the man who was appointed by Mr. Lacroix to Brand all the Cattle as they were Purchased had done it in such a manner that out of Eighty head their does not appear the Brands of above twenty so

1 Dr. MSS., 40135t, original manuscript.
that we shall now have near as much money I shall have from the different Plantations as is Practicable of them at first. Also Mr. Stow is not Kethmany according to Promise as well as the want of a Boat to bring in provisions, the lower town here has disappointed me likewise. I should be glad you would let me know where they you intend to send in order that I may be able to forward everything accordingly. I should at least want to be at Congress before these Days before I enter in order to settle my accounts & Con-

sultations of my Company.

Mr. Pursuit addresses himself to me in order to go with us in the Expedition, observing that he seeing a Couple & the Employment as well as not having sufficient provisions for an account of his Employer not having Merchandise Sufficient for trade as to afford him better wages.

But at the same time his Employer seeing willing to advance as the said Pursuit a Quantity of Liquors are provided. You would grant him permission to act as a settler to the Ridgesmen as well as your perfection afterwards. I have therefore recommended him to you to know whether you will Grant him that Permission or not.

I have furnished him with one of the state Horses which you will be pleased to keep and let him have another to return with if you should think proper. I have also sent another state Horse by Battist Alvery which is to be delivered to the Packhorseman.

I am Dr. of your most Obd: friend & Humb' Sr.

Jo: Bowman

McCARTY TO TODD, SEPTEMBER 18, 1779.:  

Sir

I am under the Necessity of informing you of what Party of the Inhabitants of this Village hath been Guilty of in Destroying a Part of my Stock the Quantity I cannot Ascertain; having been called out on the Service of my Country in January last and always since been Obliged to attend the Service, to the prejudice of my own; I could not lay in a Sufficiency of Provisions &c. for the Subsistence thereof unless let run in the woods about my Settle-

Dr. MSS., 40372, original manuscript.
ment Six Milles Distant from this town, the People of this Village have Sowen Grain out in the open fields & meadows without Any fence or inclosure to preserve it as I am at Such a Distance from this Village it cannot be Supposed that I have any Connections with them in the Town Laws Concerning their Commons, as I am Quite on the other Side of them. It would be very Rediculous to Suppose that If any Person Should take it in their heads to Sow Grain in any Part of the Lands between this and Post Vincent without any inclosure and have a Right to Shoot any mans Cattle hogs &c. should they find out such a field and Enter it.

I dont see yet through the Designe of a few Dispicable Inhabitants who say they are authorized by you, to parade themselves in the fields Destroying My property when there is Numbers of other hogs in the Same place that are as faucious as Mine Whither it is because I command a party of of the State Troops hear or not, perhaps they want us away. Indeed unless there is Soon a Change made for the Better me nor my Soldiers will have no Buissiness hear, Neither can we Stay half Naked, what we are paid with Call’d down by the Civil power; with what can we get our Necessaries of Life; as long as I had any thing in my hands I furnished it for the Service, but at this rate it will not be long in my power to Subsist, when my Stock is Shot down in the Open fields and no redress to be had in this Country; Neither do I kno’ the Laws you have Established. I am Sir with Respect Your most obed° & very Hum° Serv°

Cahos 18 7\text{br} 1779

Richard McCarty

To

Col°. Todd

McCarty to Montgomery, Sept. 19, 1779.

Sir

Since you left us my men Desert dayly. they are Continually with me to Cloath them or give them there Discharge, that they may Cloath themselves I have trouble enough with them and have thought could we Contrive a Method by the intermission of Mr Bourgard to Satisfie them for the present for If Something

\footnote{Dr. MSS., 40J71, original manuscript.}
is not done, they will all leave me Except my English who are
the least Clamourous, yet they Complain, and Colo. Todds
Residence here will Spoil the people intirely for the Inhabi-
tants no more Regard us then a Parcel of Slaves. Neither
do I chuse to do any thing yet Soldiers & people Disatisfied,
you may think what a poor life your humble Servt hath. My
Schem is to purchase as much Strouds as will make a short jacket,
and a pair of long Trowsers to each man, the jacket to have a
red Cuff turned up by which they will be uniform it will take 2½
Ells to each man and there is no Hats we can make them caps.
for Shoes we must Shift with Mogasins. Mr Ceres has linnen
two Suppos we furnish each man with one Shirt untill Better
turns out — Mr Ceres asks 15 lb in Pelettes per Ells, 15 lb dt Pr
Shirt &c. It will be A Terrible Price to the State but yet it will
be perhaps better to pay that then have in a few days no Soldiers
which I think will Shortly be the Case If Some Such Method is
not taken.

Mr Perault will tell you our Situation and what the Result
would be in case of an attack.

I think it would be a happy thing could we get Colo Todd
out of the Country for he will possitively Sett the Inhabitants
and us by the Ears. I have wrote him a pretty Sharp Letter on
his Signing a Death Warrant against My poor hogs for Runing
in the Oppen fields. I hear inclose a Copy of it—on Some Com-
plaints by the Inhabitants the other day he wished that there
was not a Soldier in the Country I wish so two provided we were
any where else to do Something for we are but poor fellow’s now.
If you approve of this I beg you will give me an Answer as Soon
possible for perhaps If two days Retarding may even put it out
of our power to even procure this I have never Seen the people
of this place So Mutinous as they are by the Encouragement of
Colo Todd, for they even begin to threaten to turn my men out
of Doors and god knows what I shall do If they do for we are not
Above 20 Strong and them Sick that I could depend on So they
may Starve us if they like I am Sir with Compliments to the
Gent Your Most Obedt and very Hum Servt

Richard Mc. Ca [MS. torn]
Ca 19\textsuperscript{th} Sep	extsuperscript{r}. 1779

[\textit{MS. torn.}]

My People just are come in and give me an acco\textsuperscript{t} of fourteen Hogs killed & wounded. four of which they have brought to town and Sold amongst them there are Several Sowes Just ready to Pig. at least my loss is Estimated at 1400\textsuperscript{b} in Peletries.

\[Addressed\]

To

Colo\textsuperscript{1} Jno. Montgomery Command.g

the Illinois &c &c &c at

By favour of

Fort Clark

Lt Perault

\textbf{Todd to Gratiot.}\textsuperscript{1}

Falls of Ohio, Decr 19th, 1779.

Sir:

I am safely arrived here without Occurrence of moment.

Wishing you Health & Appetite for your Girl & Glass I pro-
ceed to explain the Business of this Letter.

I expect to return again to the post in Feb. or March & perhaps to Cohos & request you to purchase upon the best terms you can any Quantity of Lead not exceeding 5000 lb & send it to Capt. Winston to be lodged with him one half) & the other sent to me at the commanding officer at the Falls by the first Oppy. I will satisfy you for your Trouble & repay you — pray do not be scru-

culous concerning the payment of debts contracted in behalf of the State. Rest assured that rewards are in store for the spirited patriot who will act nobly in her cause — I hope your future conduct will tally with your past & you need not the Favor of Government.

I sincerely wish you Happiness & am your Mo. Obedt Servt

Compliments to the officers, Jno. Todd Jr.
military & Civil, & all friends,

J. T.

\[Addressed\] Charles Gratiot, Esq., of Kohokia.

\textsuperscript{1} In possession of Mrs. Armand Peugnet of St. Louis, Mo., a descendant of Charles Gratiot. Original manuscript. Transcription by Miss Mary Louise Dalton of Mo. Hist. Soc., St. Louis.
McCarty to Clark.¹

Cascakia 14th Octo'r 1780

Sir

I have so many things to Inform you of I dont kno' Rightly where to begin; being an Intire Stranger to the Intentions and designes of Government, for this Country; however as I imagine, what has and is going on hear Regards you in Part I think it my Duty to Inform you thereof as far as comes to my knowledge; and this by way of Journal—

Extract from MrCarty's Journal. Cascakia.

"The 27th July Mr. Bentley arrived from Au Post,² and Say's there is a french Officer arrived there call'd Colo¹ Dela Balme ³ and that he Said the french intends fighting Both the English & Big knife, he Said to the Inhabitants why dont you drive these Vagabonds away, Speaking of our Troops; that the Best way to get Quit of 'em was not to furnish them any Provisions &c. in a a Council with the Indians had told them he Recommanded there Sending immedeat advice to the Shawnese that Colo¹ Clark was going against them, and that If he was a Little Bird, we would flye and tell them; Colo¹ Montgomery being at Cahōs and only Capt. Rogers and myself hear, we waited on Mr. Bentley and beged of him a Circumstantial acco⁴ of this man in writing that Colo¹ Montgomery might be assured of what was going on, which Mr Bentley said he could not give having it only from hearseay But that Mr Dalton had wrote to Colo¹ Montgomery an acco⁴ thereof.

Capⁿ Roger's & Self went up to Cahōs arrived the 29th and Informed Colo¹ of it & Delivered Daltons Letter; The Inhabitants presented a petition to Colo. Montgomery to be eased of a part of the Troops, and to have them equally devided in the Other Village, Colo¹ M. Refused to devide the Troops and will Evacuate the Country intirely I with Several Other Officers de-sire a Council thereon before done but were Not harkened to.

¹ Dr. MSS., 50166, original manuscript.
² Vincennes.
³ For an account of De la Balme, see Introduction, pp. bxxix. et seq.
McCARTY’S JOURNAL

Colo† went off to Cascakia 30th Gave orders to march in 8 day’s Our men are very near all Sick, Some dies &c.

Sunday 3d Lt. Girault arrived from Cascakia with News that Camp Jefferson was besieged and with Orders for All the Troops to March for to give it Succour, we have only one Boat of the State hear and that impossible, for it to Swim up Unless Mended, no Pitch nor Oak’um, Major Williams gave orders Munday the 4th for me to go with all the Men able, to its Succour. I got Boat mended with old rags as well as could be, but was obliged to have it Sunk to try to make it tight, the 5th had the Boat loaded but was obliged to unload her, it Sinking and was obliged to Press all the Little Boats to the N° of five to Carry Men & Provisions and Sett of about 2 O’Clock camped at Marramack to wait for the rear; all came up at Sundown No Ma [M.S. torn.] Night boats Small & Mississippi low. the 6th passed Missere† Mr Valley gave my people 22 loaves of Bread, obliged to Leave Seven Sick Men not being able to help themselves, and Sent word to Kennedy at Cascakia to have them taken care of, the State having a Store there; 23 Indians from Missere followed me without being asked, & we were 33 men & officers Capn Keller very Sick the 8th met Mr Sarpys Boat at the Ohio, all well-Indians Gone &c. Got into the Mouth of Chanel of fort Jefferson at 3 O’Clock afternoon Mr Dalton arrived about 2 hours after me from auposte having Evacuated it. The whole people here are Sick a General Murmur Children Dieing fast, Numbers of the Inhabitants going off, the Enemy having Dstroyed their Corn pumkins, Cattle horses &c. Colo† Montgomery and Sundry of the Officers desired me to draw up a writing Setting forth the Situation of the place &c.

the 11th held a Council where it was Generally desided to Change the Situation of the place or to export all State Stores &c. up to the Illenois Untill things Should be Better prepared for the Establishing Said Place

The 13th; Sett of to Return to Illenois, and I endeavoured to Bring up What Boats I could of those pressed at Cahos but was

† Ste. Genevieve.
hinderd, we have nothing to eat but Corn without Grece or Salt Much Murmuring Amongst the Troops, arrived at Cascakia the 20th Myself very Sick, Colo Mont & Dodge &c arrived a day before by Land Colo Dela Balme is Arrived hear from auostpe with an Escorte of 30 men french and Indians and is now at Cahos & St Louis he arrived from Cahos did not wait on Colo. Montgomery nor Colo Montgomery on him the People in General Seem to be Changed towards us and Many things Said Unfiting. Mr Dodge hath discoverd that he has dined (he says) with this Colo at Philadelphia at the french Ambassadors and in Consequence from having him put in Irons, pay's Great Court to him, the two Colo has not at Yet Met. My Men have been three days without Provisions, and can not procure Any for them they have killed hogs in the Commons this Creates Bad Blood &c. and Some of My Men as well as Cap Kellars have deserted I am informed, the 27th in the Evening had a dispute with G Dodge on acc of his not getting Provisions &c. tho' he has orders therefor from Colo Montgomery to purchase; and that Some of our poor Soldiers Died purely for want of Subsistance. Next day he complained to Colo Montgomery who arrested me, thos jarret Williams whoreswhiped Dodge & Complained yet Colo Montgomery Never arrested Williams.

got a Permision in writing from Colo Montgomery to go to Cahos & St Louis on my Private Buisinness the 30th Sett off for Cahos arrived Sunday 1st Octo 2d went to St Louis to See My Uncle came back the 4th; when I found Colo dela Balme Raising a Party for Detroit of Voluntiers with those from Cascakia Captn. Plassy at their Head, Our Little Doctor Ray with them the 5th Sett of, My Serj Villiers is goeing with them & Many Others of my Men but I only Saw him, I informed Serj Meryweathers of the Light horse that he was a Soldier of My Co and had State arms and that he was a Deserter, myself being under an Arrest had no orders to give, Serj merwether took Said Villiers & Confined him, Capt Plassy Gave orders and the Little Doctor at the Head of a Rabble went and Rescued him from the Guard and
have taken him along with them, they Amount to About 40 men, with their arms &c. each man fournishes every Necessary—40 days Provisions two pounds powder & Led. I Suppose they have 30 horses or near that n° with them they are to be joined at Ouias by the poste People, I am also informed by one of the Inhabitants of Cahos that the people, (that is a Sett of them) of Auposte, Cascakia & Cahos have Sent by this Colo¹ dela Balme to Congress or the french Envoy, a Circumstantial acc⁴ of all their Supposed Grievances and Enormities Committed in this Country by our Troops much Exagirated; but I must Confess Many things has been done which Should not; a Sort of Combined Trade Between Dodge & Bentley for the purchasing the Certificates from the people have raised their hatred of us to Such a Pitch that they will not suffer no Troops hear, and Desire we all March of Either by fair means or otherwise &c this Colo¹ dela Balme the Morning he left Cahos told the Indians by Tom Brady wife Interpreter that they should be & Remain Quiet for in the Spring they would See french Troops hear.—the Spanish Commander hath given him no Countenance whatever and is Surprised he is Suffered on our Side he being Authorized by no State or Power in America to do what he does in Short as things are now the people in General are allinated and Changed from us there must be a Reason for it, had Colo¹ Clark been hear or an officer to Second him this would not have been. MⁿCarthy

Copy of Colo¹ Montgomerys Answer to My Letter viz
Sir
you are Permitted to Go and do Your Bisniss & be a Shured I was Much a Ganst the Arest But his Complaint Compeled me to it and I am Sir as Before your Humble Serv⁴

(Signed) Jnⁿ Montgomery

To Magor Mⁿ Cartey

(Draper MSS. 50 J 68.)

PENTECOSTE TO LACROIX, NOVEMBER 16, 1785.¹

On my return Home from your part of the Country I Purchased from Generall Clark the Grant made to sir Stephen Trigg adjoining the lands I bought of Mr Gerardine, and by Sir Stephen

¹ Papers of Old Congress, xlvii., 55, from copy. This copy was enclosed in the memorial printed on p. 381.
Conveyed to the Said Genl. Clark Including the Caskaaid and the
feilds [sic] Adjoining between the Abbee Springs and Caskaaid and
the Mills, this grant is ten Arpents extending out from the line of
Common. Easterly one half Arpent North of the Caskaaid and
thence down the Missisipi with the said Line of Common 21
arpents in Depth and as those Expressions in the Original Lan-
guage means Different from yours of the Kanadian Customs I am
apprehensive some of the people will be dissatisfied, but it cannot
be helped, for for [sic] it includes upwards of Twelve Thousand
Acre s our measure, which will Extend down the River Near Four
Miles, therefore it is not my Intent to disturb any person either
settled within the bounds or that tend feilds [sic], Captn, Peterson
will give them Leases for ten years without rent subject to the tak-
ing Care not to make waste and to keep up the fences, and any
person that may have built in the bounds shall have their buildings
and a Suitable piece of Land adjoining thereto without paying me
any thing for which this shall Serve as an Obligation, and I Expect
you will Assist Captn Peterson in Negociateing this business. I
enquired at Congress Relating to grants of your Country made by
your Preists [sic] or Vicar Generals under his Lordship the Bishop
of Quebeck, and the United States Agree they are Valid and Can-
not be Controverted, which is one of the Titles I hold by, and it
may be pleasing to your Setlers to know their property is secure to
them — the Post Vientsent People seems to be on a Diferent footing,
but it seems the Kaskaskias and your people have a Quite different
authority to grant Lands.¹ I saw the Generall Clark in Phila-
delphia Last summer who told me as soon as the Late Indian Treaty
was Completed that he would Come down to your town and Lay
out my lands agreeable to Patent but if he should not be down
this summer please to assist Captn Peterson in doing it as he has a
Copy of the deed with him with the Engles and Calculations
agreeable to which it must be done, the Original deed is recorded
in the Office for Recording Deeds in the Village of Kaskaskias in
book or Folio No 172 Pages 122: 123 and 124 to which reference
may be had.²

¹ With few exceptions, the courts of Kaskaskia and Cahokia confined their grants of land
within what they claimed as their commons.

² This volume is in Chester, Ill.
PENTECOSTE’S CLAIM

Copy of Part of A Leter Wrote by Collonell Penticost to John Baetiest [sic] Lacroix Dated Washington County November 16th 1785 No. 1.
July 18th, 1786

je Souissigne procureur des Etats unis de lamerique aux ilinois resident aux Cahos Certiffie a tous qu'il apartiendra que l'extract cy dessus a Eteé tiré de la veritable lettre du Sr pentecoste que foy doit y etre ajoutée comme a l'original qui a resté en mains du Sr La Croix Magistra du dt district en foy de quoy j'ay signé le present et a iceluy apose mon Cachet ordre aux Cahos le dix huit juillet mil sept cent quatre vingt six.

Labuxiere pt des Etat

[Translation of the certificate]. I, the undersigned state’s attorney at Cahokia of the Illinois of the United States of America, certify to all whom it may concern that the above extract has been copied from the very letter of M. Pentecoste and that faith should be given thereto as to the original which remains in the hands of M. LaCroix, magistrate of the said district. In faith of which I have signed the present and set thereon my seal, at Cahokia the eighteenth of July, 1786.

Labuxiere, State Attorney.
| Name                        | Father/Son | Relationship
<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
<td>Mr. François Trotter pere</td>
<td>Etienne</td>
<td>1</td>
</tr>
<tr>
<td>ses enfants</td>
<td>Nicole</td>
<td>1</td>
</tr>
<tr>
<td>françois Trotter</td>
<td>Deshayes</td>
<td>1</td>
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<tr>
<td>Clement</td>
<td>Lagrave</td>
<td>1</td>
</tr>
<tr>
<td>joseph</td>
<td>Philip Le Bœuf</td>
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</tr>
<tr>
<td>auguste</td>
<td>Joseph</td>
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<tr>
<td></td>
<td>Lachanse</td>
<td>1</td>
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<td>1</td>
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<tr>
<td></td>
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<td>1</td>
</tr>
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<td>Charle Lefevre pere</td>
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<tr>
<td>Charle Lefevre</td>
<td>Brisson</td>
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</tr>
<tr>
<td>auguste</td>
<td>son fils</td>
<td></td>
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<tr>
<td>Louis</td>
<td>Cadron pere</td>
<td>3</td>
</tr>
<tr>
<td>alexis</td>
<td>Charle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ses fils</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Etienne</td>
<td></td>
</tr>
</tbody>
</table>

1 Papers of the Old Congress, lviii., 380, original manuscript. This census was made after Harmar’s visit to Illinois, and was used by Barthélemy Tardiveau in his petition to Congress for grants of land. There are similar lists of the inhabitants of Vincennes, of Kaskaskia, and of the American settlers. The last gives the date of the arrival of each in Illinois.

For the following notes I am greatly indebted to Mr. Benjamin Suite of Ottawa, Canada, who has traced for me the families from France to Canada, and, when possible, from Canada to Illinois. The chief sources of information have been Tanguy, Dictionnaire Genealogique, 7 vols., Mr. Suite’s own notes, notes of Hon. Walter B. Douglas of St. Louis, Mo., the documents printed in this volume and a collection of marriage contracts belonging to the Cah. Rec. in Belleville, Ill. Identification is made very difficult by the common usage among the French of two names, the regular surname and a second name given for some peculiarity of character in an ancestor or taken from place of origin or habituation. In the documents of the time either, or both, of the names is used.

2 The family was in Canada as early as 1647, some members of which moved to Detroit at an early date. In 1758 François Trotter married at Cahokia Louise Laroche. Reynolds (Pioneer History, 35) says that there was a Joseph Trotter in Cahokia in 1775, who carried on an extensive commerce with New Orleans. I have found only one reference to him.—Supra p. 459. François was very prominent after the coming of Clark, was made the commandant of the village and was elected justice both of Clark’s court and in 1779 of that of the district of Cahokia.

3 Lefevre or Lefevre called Courier. The family is a large one in Canada, but I have not been able to follow this particular branch to Illinois. There was a Lefevre acting as judge in the Illinois under the French in 1765. It is possible that Charles is descended from him.

Charles married Françoise Nicole September 19, 1761. It is probable that the other Couriers of the records were also Lefevres.

4 Correct spelling Nicole. Probably a son of the Etienne Nicole who was poisoned by the negroes. See supra, p. 13 et seq.

5 Deshayes called St. Cyp. The family settled near Three Rivers, Canada, in 1672.

6 Three families of this name settled early in Lower Canada.

7 Callot called Lachanse. Probably the son of Nicolas Lachanse of Kaskaskia, who had a son of this name.

8 Langlois is a common second name in Canada, and is found both in Cahokia and Kaskaskia used as a surname. A Clement Langlois was a justice in 1780, but what his relation to these two was I do not know.

9 Born at St. Pierre-les-Bœufs near Three Rivers, Canada, March 6, 1746, he married at Cahokia Julienne Locat, widow of Pierre Roy, on September 14, 1789. As the preceding pages show, he was of a lawless character and gave the authorities much trouble.

10 From Lower Canada.
CENSUS, AUGUST, 1787

<table>
<thead>
<tr>
<th>Name</th>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>Joseph Bellecour</td>
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</tr>
<tr>
<td>Joseph Labuixiere</td>
<td>16</td>
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<tr>
<td>Louis</td>
<td></td>
</tr>
<tr>
<td>Antoine</td>
<td>4</td>
</tr>
<tr>
<td>Ses fils</td>
<td></td>
</tr>
<tr>
<td>Joseph Cecire pere</td>
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<td>Ses fils</td>
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<tr>
<td>Joseph son fils</td>
<td></td>
</tr>
<tr>
<td>Francois</td>
<td></td>
</tr>
<tr>
<td>Jean Lapensée</td>
<td>1</td>
</tr>
<tr>
<td>Jean Bte. Lalande</td>
<td>1</td>
</tr>
<tr>
<td>Francois Lapensée</td>
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</tr>
<tr>
<td>Antoine Lepage</td>
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<tr>
<td>Andre Becquet</td>
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<tr>
<td>Charles Becquet</td>
<td></td>
</tr>
<tr>
<td>Phelipe Gervais</td>
<td>19</td>
</tr>
<tr>
<td>Louis</td>
<td></td>
</tr>
<tr>
<td>Ses fils</td>
<td>4</td>
</tr>
<tr>
<td>Antoine Boyer</td>
<td>1</td>
</tr>
<tr>
<td>Ignace</td>
<td></td>
</tr>
<tr>
<td>Augustin Dubuque</td>
<td>15</td>
</tr>
<tr>
<td>Pierre Lajeunesse</td>
<td>1</td>
</tr>
</tbody>
</table>

11 His signature reads Belcour. This was a very common second name among the French. I have noted it as given among the Cahokians to a Saucer and a Lebrun.

12 Cesire in Canada and Casire according to the signature of his father. The family was at Lachine, Canada, in 1679. Antoine, the father of this Joseph, was in Cahokia as early as September, 1733, at which time he married. He was the most important citizen of Cahokia in 1778. He died in 1770. His son, Joseph, married on February 9, 1777, Marie Alarie. He was one of the justices in 1784. On August 8, 1785, he married Marie Louise Levy, widow of Michel Monet.

13 The name given here was probably the correct spelling, but since this member of the family was the only one who could write and he preferred to spell the name Lapanc, I have followed that spelling throughout the volume. The name was the second name of the Roy family. Jean Roy, his father, emigrated from Lachine, Canada, to Cahokia before 1732, for he was married there in that year to Marie Pancrasse. Joseph Roy called Lapancé was evidently an important citizen, since he was twice elected to the office of justice, in 1783 and 1786. He married on February 8, 1784, Catherine Cezirre, daughter of Antoine Cezirre.

14 The Lepages of Cahokia probably came from Canada, where several families of that name settled between 1664 and 1740. A Joseph Lepage was elected justice in 1780, but whether he was this one or the father of these four I do not know.

15 The Dubuques came from St. Pierre-les-Becquets in the district of Three Rivers, Canada. The most important of the family was Julien Dubuque, after whom Dubuque, Iowa, was named. It has been said that he was at Cahokia for a time, but I have found no evidence of his presence there.—Tudor, Les Canadiens de l’Ouest, 230 et seq. What is known about Augustin Dubuque will be found in this volume. See Index.

16 Not Labussiere or Labuscire, as it is sometimes written. Billon, Annals of St. Louis, 27, says he came from Canada, but no trace of him has been found there. He became notary-clerk in the Illinois in 1757 and served the French government till 1765, when he went to St. Louis, where he received the first grant of land in the new settlement. Here he continued to exercise his functions under the government of the interregnum. After the Spaniards took possession he served as notary till about the year 1783, when he went to Kaskaskia and was appointed state’s attorney and notary. See supra p. 487. On account of the disorders of the village, he moved to Cahokia, and, as the preceding pages show, gave the community able service. He died April 29, 1791.—Missouri Reports, IV, 343.

17 See supra, note 13. This is probably J. Pierre Roy called Lapancé. He was elected a justice in 1784. In 1784 he married Marguerite Lefebvre, daughter of J. Marie Lefebvre and widow of J. B. Lalande.

18 Francois Xavier Roy called Lapancé married Therese, daughter of Pierre Godin, January 28, 1786.

19 The family was from Canada.

20 This second name belongs to 36 different families in Canada.
nicholas Surgeon 31 1
Bte. Mercier 32 1  
jean Bte. Cadieu 27 1
Julien Mercier  1
Antoine Lamarche 28 2
Hubert Mercier 1  
jean Antoine son fils 2
Pierre Troje 33 1
Antoine son fils 1
Louis Pilet 24 1
Pierre Courville 29 1
Charle Pilet 1
Jean dorion 41 1
Michel Pilet 1
Jean Bte. Dumay 31 1
Michel son fils 2
Pierre Sicart 33 1
Jean Bte. charley aussi son fils 1
Charle Butard 1
Michel Charly 36 2
Pierre Lecomte 54 1
Francois Dion 34 1  
Bte. Saucier pere 35 1
Jean Bte son fils 1
Martel 1
Mathieu son fils 3

31 The family emigrated to Canada in 1645 and has spread to all regions.
32 The family came to Montreal in 1638.
33 This as it is written is not a Canadian name, but it may be Troche called Lafleur, a name found in Montreal in 1748. The name of Lafleur was common in Cahokia, as in Canada, Pierre had moved across the river to St. Charles by 1797. — Census of St. Louis in Mo. Hist. Soc. Library of St. Louis.
34 Family at Boucherville, Canada. in 1680. Some of the family were early settlers in Detroit, and it is probable that these Pillets came from there. Louis Pillet was a Justice in 1784.
35 Charly called St. Ange. Family from Montreal, where the first Charly in this country settled in 1653.
36 Transformed from Guyon. From Canada.
37 Perhaps Cadieu, as it is written in Canada, but the Cahokia clerk spell it very carefully Cadieu. In Amer. State Papers, Public Land, ii., 164. Cadieu is given as a scond name to Pierre Roy. It is possible that one branch of the Roy family was called Lapancé and another Cadieu. See supra, note 23.
38 From Canada.
39 Second name of nineteen families in Canada. He was the son of Antoine Lamarche of the Montreal district, and married April 17, 1784, Madégaleine Buayt. He was a justice in 1783. On October 19, 1785, he married Marie, daughter of J. B. Becquet.
40 I find this as a second name of the Cadieu family, but see supra note 27. He was born about 1770.
41 Family in Lower Canada since 1684. J. Marie Dorion was son of J. Marie Dorion of Quebec, and married Marie Magdelaine Buteau, widow of Alexis Bissette of Cahokia, November 19, 1773.
42 Also Dumest, Dumets, Dumais, Dumers. Family in Canada as early as 1640. J. Bte. Dumay's father, Jacques Dumay, was killed by an Indian at Detroit in 1760, the year the son was born.
43 Better Sicard. Family from Canada.
44 Second name belonging to many families.
45 Saussier in France: The family is descended from a line of merchants who lived in Ordeans, France. J. Bte. Saucier, the founder of the Illinois branch, became a military engineer and was sent to the Illinois. Here he planned Fort de Chartres in 1753. When the country was surrendered to the British he retired to Cahokia. Snyder, Captain Jean Baptiste Saunier. The story of the lives of his sons, J. Bte., Françoise, and Mathieu, is found in these records. They were important men in the community and were frequently elected to office. François was the first clerk of the Court of the District of Cahokia and Baptiste was one of the first judges. Like many other Frenchmen, François and Matthieu withdrew to the Spanish banks on account of the immigration of the Americans. The former was appointed
<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pierre Martin</td>
<td>3</td>
<td>Paul Son</td>
</tr>
<tr>
<td>Hyacinthe</td>
<td></td>
<td>Paul Son et fils</td>
</tr>
<tr>
<td>Joseph Bissonet</td>
<td>1</td>
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<tr>
<td>Joseph Giroux</td>
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</tr>
<tr>
<td>Louis Roy</td>
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<tr>
<td>Francois Roy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathieu Saucier</td>
<td>2</td>
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<tr>
<td>Jean Bte. Melot</td>
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<tr>
<td>Louis Lebrun</td>
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<tr>
<td>Louis Batiste</td>
<td>3</td>
<td>Francois Saucier père</td>
</tr>
<tr>
<td>Baptiste Son fils</td>
<td>2</td>
<td>Jean Chauvin</td>
</tr>
<tr>
<td>Michel Beaulieu</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Commandant at Portage des Sioux and was given a large tract of land by the Spanish government in 1709. His brother, Mathieu, received a grant the next year. — 24 Cong., 1st Sess., H of Rep., Doc. 59, pp. 72 and 181. François was living in 1817 and was about eighty years old.

Old and large Canadian family. Pierre was a justice in 1770.

Noiset called Labbé. His father was Nicolas, who married at Cahokia January 16, 1758, Marie St. Yves. The river Labbé, in Cahokia, was evidently named after the family, which had a mill on the stream.

See supra, note 35.

Fifteen families of this name in Canada. His father's name was Joseph Lebrun. He himself married Marie Louise, daughter of François Trottier, February 13, 1776. He was a justice in 1782–1784.

From his marriage contract with Marie Lachevêque, widow of Charles Le Bœuf called Laframme, of June 8, 1779, it is learned he was a "native of New England of the ville of Maryland," which doesn't agree with Reynolds' statement (Pioneer History, 68) that he was a native of Pennsylvania. He was a member of the De la Balme expedition against St. Joseph, and was captured. He afterwards escaped and returned to the Illinois. See Introduction, p. 28, and Mason, Chapters from Illinois History, 285. His connection with this expedition proves that his interests were with the French party in the Illinois rather than with the American. He was for a time Indian agent at Cahokia.—Cah. Rec. In 1785 he was one of the justices and for several years acted as assessor.

He was the son of Jean Bissourrette, a native of Canada, and married the widow of Michel Girardin, June 12, 1776. In 1784 he was one of the justices.

From a large and old Canadian family.

Probably Milka. A family from Montreal.

See supra, note 35.

Second name of the Desjardins. There was a Charles Desjardins at Detroit in 1761.

The Illinois Chauvin were probably members of a Detroit family of that name. There was an important branch of the family at Kankakee. I have found nothing of this Jean Chauvin.

The full name is Paumier called Beaulieu. The father of these, Michel Beaulieu, was one of the Justices of Clark's court and was elected Justice of the Court of the District in 1779.
Bazile Beaulieu............. 1 Claude Chesnier pere 66}
Louis Beaulieu............. 1 joseph 67

Nicolas Boismenou 64........ 1 jean Batiste 68

 henry Biron 69............. 1 Louis deslouchamps 6a........ 2
Charle son fils............. 2 Louis son fils............. 2


Pierre Christien 6a............. 1 Charle ducharme 6b............. 1
Pierre Laperche 6c............. 1 Louis gaud 67
Louis Rele 6a............. 2 joseph ses fils
Clement Rele............. 2 Jean Bte ses fils

auguste lecompte............. 1
francois theophile............. 1
joseph Poupar pere 6a........

joseph............. 3 pierre Lafleur pere 6b............. 2
Paul............. 2 pierre son fils.............

but he died shortly afterwards. His wife, and the mother of these Beaulieus, was a member
of the Chesner family, her father being a municipal officer at St. Philippe. She was educated
at Quebec and was "Director General in moral and medical sciences" at Calasps.—Reynolds' Amner History, 305. She lived to an advanced age and died in 1206.

66 This is the second name of many families in Canada. Nicolas was the son of Andre
Boismenou of Montreal. He married Margaret Palmier called Beaulieu, daughter of Michel
Beaulieu, on January 28, 1786. He was a member of the De la Haute expedition against St.
Joseph.

67 The family was from Canada. Henry Biron was one of the justices in 1788 and served
till 1790.

68 Two families in Lower Canada of this name.

69 Laperche called St. Jean. The family was in Boucherville, Canada, as early as 1694.
He was the son of Pierre Laperche, and married Therese Chesnes, February 25, 1786. He
was one of the justices in 1787 and served till 1790.

70 Also Rele, Real, and Riel. The name is still found in the province of Quebec.

71 The family was in Boucherville, Canada, in 1680.

72 Also Chesner. The family was in Quebec in 1649.

73 Deslouchamps, the second name of the Hubert family, which settled in Lower Canada
as early as 1645.

74 The name is found in Montreal at an early date. The family is famous in the town of
Dominique, Joseph, LaVerne, and Paul. Charles De Chesner is a hitherto unknown member of the family. He was one of the most prominent inhabitants of
the village, and served twice as justice.

75 This name is probably not Canadian. He married Charlotte Lowval September 6, 1775.

76 Grandmont is the proper spelling. Second name of the Houés, who lived near Three
Rivers, Canada, as early as 1670. He was the son of Pierre Grandmont, and married Catherine,
daughter of Joseph Clermont, February 16, 1784.

77 If the identification in note 73 above is correct, the name is Troche called Lafleur. The
name Lafleur, however, was and is as common in Canada as Smith with us. Pierre was son
of Paul Lafleur, and married Marie Amable, daughter of Fr. Lowval, February 6, 1784.
Bte. Baron 60 .......... 1  jean Bte dubuque 67 ....... 1
Louis Clemont 61 .......... 1  hyacinthe Cecire .......... 1
pierre Clemont .......... 1

pierre Butau .......... 1  Louis compte 68 .......... 1
alexis tabeau 62 .......... 1  Louis {  jean Bte ...
jean Bte Kaire .......... 1  ses fils .......... 3

Louis harmand 63 { freres 3
francois harmand ...
jean Bte. harmand ...

antoine Lacource 64 {  freres 2
antoine son fils .......... 1

Pierre durbois 65 .......... 1  andre merleau 71 .......... 2

francois courier 66 { freres 2
pascal courier .......... 1

francois { ses fils ..
paul .......... 1
Gabriel merleau .......... 1

60 Uncertain whether from Canada or not. His wife was Domitilde Rolet. He was one of the justices in 1782. He died some time before 1789.

61 Correct spelling, Clermont. The name is common both as surname and second name in Canada. Louis was killed on the Cumberland River in 1793.

62 Family from Lachine, Canada. Alexis died before 1789.

63 Full name Harmand called Sansfaçon. The family is from Canada. These are probably the sons of Antoine, who plays such an important part in the court record.

64 Second name of three Canadian families.

65 Durbois, or Dubois. The family is from Canada. He was the son of J. Bte. Durbois, and married Catherine, daughter of Fr. Lefebvre called Courier.

66 Probably Lefebvre called Courier. See supra, note 3; but there were two families of Couriers in Canada from the end of the 17th century. François was twice elected justice, in 1780 and 1783.

67 See supra, note 35. Jean Bte. was the son of André Dubuque, a native of Montreal, and married Suzanne, daughter of Antoine Coste. His influence in Cahokia was equal to that of François Trotter or of Antoine Girardin. He was a justice in 1781, again in 1785 and in 1788, when he served till 1790. He was acting as commandant in 1787.

68 See supra, note 34. Native of Terre Bonne of the province of Montreal. He married Marie Lemarche, widow of Joseph Langdoc, January 27, 1775.

69 There were four families of this name settled in Lower Canada between 1665 and 1759.

70 See supra, note 2. Probably a nephew or cousin of François Trotter.

71 Called both Petit and Lamarie. The family came from Lachine, and was in Cahokia as early as 1761.

72 Also Bin. From parish of St. Pierre-du-Mont-de-St. Michel, Normandy. He married Suzanne Alarie, widow of Louis Bissonnette, October 25, 1775. His father was a justice in 1781 and died about 1784.
francois oubreman .......................... 1 ignace grondine 78 .......................... 3

jean Bte milot .......................... 1

jacques son fils .......................... 2

Joseph grondine .......................... 3

Charles la Croix .......................... 1

Joseph Poirier .......................... 3

Joseph Laplante .......................... 1

Louis chatel pere .......................... 1

Paul de St. pierre .......................... 1

Louis son fils .......................... 2

hameau de la prairie du pont paroisse des cahos.

[Translation: Hamlet of Prairie du Pont, Parish of Cahokia.

Laurant amelin pere .......................... 1

Gabriel telier .......................... 2

Louis ses fils .......................... 1

Joseph Lambert .......................... 3

Charles germain .......................... 2

Charles son fils .......................... 1

francois hamelin .......................... 1

etienne ardouin .......................... 2

78 He was born at Pointe Claire, near Montreal, and married Francois Pillet at St. Louis, January 15, 1761.

79 Poirier called Denoges. The family settled at Lachine, Canada, in 1705.

80 The family settled near Quebec in 1660, and has spread in all directions. Although illiterate, Louis Chatel was an influential man in the community, and was a justice in 1784, 1786, and in 1788, serving the last time till 1790.

81 The name of a seer forty miles below Three Rivers, Canada. The Hamelins were missionaries, and since Hamelins lived in Cahokia these men probably were of the same stock.

82 Second name of fourteen different families in Canada.

83 Father Pierre de St. Pierre was a native of Germany or Holland. He became a Catholic, served as priest in France, and came to America as chaplain in Rochambeau's army. He was sent by Prefect Apostolic Carol as missionary to the West. In February, 1785, he was in Louisville, Kentucky, and then went to Cahokia, where he resided as parish priest till 1790. He was very popular with the people, and they built for him a new parochial residence and a new church. The latter is still standing. His relations with Father de Gédoux, who was priest at Vincennes till 1794, were very pleasant; but the ecclesiastical peace of the Diocese was disturbed by the appearance of Father de la Valinie as vicar general of the province. The latter made many enemies against Father de St. Pierre, but the people of Cahokia upheld their priest. Like the other priests of the Diocese, Father de St. Pierre was permitted by the Sandwich to cross the river, and was put in charge of the parish of St. Germaine, where he officiated till 1790. Where he went then I do not know, but from 1804 till his death on October 15, 1806, he was parish priest at Pointe Campbly, whence he was regarded as one of the most remarkable priests that ever administered St. Gabriel's church.

84 See above note 70.

85 Probably he came from France to Detroit, where he married Marie Jeanne Lucienne, January 1, 1767. He may, however, have descended from the Hardison family of Canada.

86 See above note 70.

87 Three different families in Canada of this name.

88 Six families of this name in Canada in the 17th century. He was son of Charles Germaine, and married Catherine, daughter of Ignace Germaine, October 12, 1768.
<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
<th>Quantity</th>
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<tbody>
<tr>
<td>Pierre Cabassier</td>
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<td>Joseph Cabassier</td>
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<td>Baptiste Cabassier</td>
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<td>Xavier Cabassier</td>
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<td>Charles Cabassier</td>
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<td>Antoine Cabassier</td>
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<td>Joseph Lacouture</td>
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<td>Amable Chartran</td>
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<td>Baptiste Chartren</td>
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<td>Toussaint Chartren</td>
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<td>Thomas Chartren</td>
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<td>Joseph Biguer</td>
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<td>Louis Gau</td>
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<td>Baptiste Alary Père</td>
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<td>Joseph</td>
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<td>Jean Godin</td>
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<td>François Godin</td>
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<td>Pierre Godin</td>
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<td>François Bracanda</td>
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<td>André Bracanda</td>
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<td>Baptiste son Fils</td>
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<tr>
<td>Alexis Labecasse</td>
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<td>Joseph Desloges</td>
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<td>Joseph Son Fils</td>
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<tr>
<td>Izidore Savoy</td>
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<tr>
<td>Philipe Engel</td>
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<tr>
<td>Antoine Angel</td>
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<tr>
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<tr>
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<tr>
<td>Louis Perian</td>
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<tr>
<td>Baptiste Perian</td>
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</tbody>
</table>

The family was in Lachine, Canada, about 1668. There was a family of this name in Detroit in 1752.

Joseph Chatigny called Lacouture. The family is from Canada.

Family in Montreal before 1668.

Biquier called Grosé. He came to Cahokia from Prairie du Rocher. The family came to Canada in 1755.

Gaud. See supra, note 57.

Also Alarie, which is the way the members of the Illinois family wrote it. The family was in Canada in 1698. He was the son of Bte. Alarie, and married Catherine Laviolette, widow of Pierre Godin, April 16, 1781. He was a judge in 1782.

Godin called Trépanier; also spelled Gaudin. The family was in Canada in 1651. The father of these three, Pierre Godin, was one of the prominent inhabitants of Cahokia in 1778. He served as justice in Clark's court, but he died shortly after being elected as one of the justices of the Court of the District of Cahokia in 1779.

Possibly Spanish settlers.

The family was at Three Rivers, Canada, in 1658.

Labecasse. Possibly not from Canada.

See supra, note 74.

Also Savoy and Savoie. Many families of this name settled in Canada between 1747 and 1779. In 1791 Izidore Savoy was in Spanish St. Charles.—Census of 1791, in Missouri Hist. Soc. Library of St. Louis.

Native of the Duchy of Darmstadt, Germany. He married Marie Josephte Rochelot on August 13, 1783. He was elected a justice in 1785, 1787, and 1788, when he served till 1790.

This may be either a surname or a second name, both of which are found in Canada.
I, Jean Bte. La Croix père, Louis Giroux, Baptiste la Croix, François La Croix ses fils, Louis La Croix, Michel Peltier, Gabriel Baron, Michel Clermont, Pierre Clermont, Auguste Clermont, François Renoux, and Antoine Girardin.

I, the undersigned Commandant at Cahokia in the Illinois, certify the present census to be correct, amounting to two hundred and thirty-nine [40?] male persons residents and inhabitants in the two villages, all French, both men and male children. At Cahokia the ninth of September, 1787.

[Translation: I, the undersigned Commandant at Cahokia in the Illinois, certify the present census to be correct, amounting to two hundred and thirty-nine [40?] male persons residents and inhabitants in the two villages, all French, both men and male children. At Cahokia the ninth of September, 1787.]

---

Also Gérome. Probably a second name. He was the son of Jean Gérome, and married Marie Louise Lemire, widow of Louis Giroux and also of François Biguier called Grosid. Pelletier called Antaya. The family was among the early arrivals in Canada. About 1665, one of the family married an Indian woman, from whom came the name Antaya. The family was in Cahokia as early as 1751.

A family of this name settled near Quebec as early as 1664, but this Cahokia family may have come directly from France. Antoine was one of the most prominent citizens of the community. He bought in 1704 the plantation and mill belonging to the mission of St. Sulpice at Prairie du Pont. — Reynolds, Pioneer History, 54. He was justice in Clark's court, and was elected a Justice of the Court of the District of Cahokia in 1770, 1785, and 1789, serving till 1790. During the last years he was president of the Court. He was commandant of the village of Prairie du Pont. After the establishment of the county of St. Clair he was appointed Judge of the Court of Common Pleas as well as of Quarter Sessions, and he held other important positions. He died about 1802. — Smith, St. Clair Papers, ii, 185.

The name is a most common one in Canada. His full name was J. Bte. Hubert LaCroix. He was son of Pierre Hubert LaCroix of Quebec, and married Catherine Aubuchon, widow of Joseph Clermont. He is probably the LaCroix referred to in Clark's letter to Mason. — English, Conquest of the Northwest, i, 443. He was one of the justices in 1780, 1784, 1785, and 1786.

See supra, note 60. He was a son of J. Bte. Baron, and was born at Cahokia December 17, 1753. He married, first, Marie Louise Buteau, and, on June 15, 1789 Marie Harmand, widow of Alexis Tabeau. He was a justice in 1772.

From an old Canadian family.
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