

de 1816

Consulado

D. Colin Mitchell como apo-
derado de D. Alejandro Nimmo con-
tra la subseccion y venderse a
D. Jose de Ponce sobre

REPUBLICA DE CUBA
ARCHIVO LEGAL
284
NUMERO 5

5.
Bahama Islands

By His Honor William Vero Manning Esquire
President and Commander in Chief in and over the
said Islands, and of the Garrison there, or that
may be sent thither, Chancellor, Vice Admiral
and Ordinary of the same

To all to whom these Presents shall come, Know
Ye That James Kerr Esquire before whom the two several Affidavits
hereto annexed were taken and sworn to, and whose name is then
unto, and to the Certificate also hereto annexed, set and subscribed
and Seal of Office affixed, was upon the day of the date of the said
Affidavits and Certificate, and now is a Notary Public for and
within the said Bahama Islands; Therefore all due Faith and Obedience
is and ought to be had and given to his Certificates, Attestations and
other Proceedings as such.

In Testimony whereof I have caused this Great
Seal of the said Islands to be hereto put and
affixed at Nassau in the Island of New Providence
this fourth day of April in the year of our Lord
one thousand eight hundred and nine, and in
the forty ninth Year of His Majesty's Reign

By His Honor's Command

John Cortney Esq. Secy.

W. Vero Manning

Bahama
New

10.
6.
Be it Remembered That on Sa-
turday the first Day of April in the year
of Our Lord One Thousand Eight hundred and
Nine, Before me James Kerr Notary
Public by lawful Authority appointed duly admitted
and sworn residing in the Town of Nassau Island

Providence aforesaid appeared Personally Alexander Nimmo Mer-
chant and Tomas Porres, Trader, both of the same Island, and the said
Alexander Nimmo being solemnly sworn upon the Holy Evangelists of
Mighty God made Oath, That John Macdonald and Alexander Mac-
donald, both late of the said Island of New Providence Merchants deceased,
did in their life time carry on Business as Copartners in Trade, along with
Matthew Macalister and Roderick Macdonald of that part of Great Britain
called Scotland under the Firm of Roderick Macdonald and Company in
Glasgow in Scotland, and in the said Island of New Providence under the
Firm of John Macdonald and Company, the said John Macdonald and
Alexander Macdonald managing the Concerns of the said Company at
New Providence, and the said Matthew Macalister and Roderick Mac-
donald at Glasgow. That during the latter part of the war next preceding
the last war between Great Britain and Spain the said Firm of John
Macdonald and Company had dealings to a considerable extent with Don
Josef de Porres of Havana Merchant, and the above named Tomas Porres,
(Brother of the said Josef de Porres) resided at New Providence in the
Capacity of Agent or Factor of the said Josef de Porres, the said John Mac-
donald and Company being directed by the said Don Josef de Porres to consult
with and to receive and execute all Instructions given them by the said Tomas
Porres regarding their dealings and Concerns with the said Josef de Porres,
with which the said John Macdonald and Company accordingly complied.
That upon a Settlement of Account stated between the said Josef de Porres
and the said John Macdonald and Company, had on the Sixteenth Day of
November in the Year of Our Lord One Thousand Eight hundred and four
a Balance of Two Thousand One hundred and Twenty Six Dollars and seven
Reals remained due and owing from the said Josef de Porres to the said
John Macdonald and Company, for the Satisfaction of which he granted
them the Promissory Note or Obligation hereunto annexed and marked B, to
which the Deponent refers. And this Deponent further made Oath, That
some time in the Month of February, in the year One Thousand Eight
hundred

Three hundred and five, the said Tomas Porres, who had been for some time at Havana, returned to Napsau, and delivered to the said John Macdonald and Company the annexed Letter signed Possth, bearing date at Havana on the second Day of that Month, and now marked C, as a Letter of Credit written in his behalf by the said Josef de Porres under the fictitious Signature of Possth, and this Deponent verily and in his Conscience believes that Letter to have been written by and in the proper hand writing of the said Josef de Porres under said fictitious Signature, the said Josef de Porres having resorted to that fiction throughout the whole of his Correspondence with the said John Macdonald and Company, for the purpose of thereby avoiding a discovery to be made of his concern in a Trade prohibited by the Spanish Government, on account of the then existing War, in the event that any of his Letters should accidentally fall into the hands of Officers of that Government. And this Deponent further made Oath, That upon the Credit and Authority of the said Letter marked C, the said John Macdonald and Company again received and Considered the said Tomas Porres as the proper Agent and Factor of the said Josef de Porres, granted and conceded to him a limited Credit for the account of the said Josef de Porres, and from time to time made him such Advances in Goods and Money as the said Tomas Porres required. That on the Twelfth Day of April, in the Year One Thousand Eight hundred and Six, the Advances so made by the said John Macdonald and Company to the said Tomas Porres, upon the Credit of the said Josef de Porres, amounted to the sum of Seventeen Thousand Eight hundred and Seventy Seven Dollars, one Shilling and ten pence, for which Sum the said Tomas Porres granted them his own draft or Bill of Exchange upon the said Josef de Porres, drawn at their request in favor of Messrs Francis Weir and Company of Charleston Merchants, and dated by the said Tomas Porres at Charleston instead of Napsau, the better to conceal the nature of the Trade from those into whose hands or possession the said Bill of Exchange might come. And this Deponent further made Oath, That the said Bill of Exchange having been remitted to Havana and presented to the said Josef de Porres for acceptance, the said Josef de Porres refused to honor the same, alleging, "That he had not funds in his hands belonging to the Drawer, and had no Connection with him;" in consequence of which the said Bill was regularly Protested for non acceptance on the fifth Day of May following, by Don Jose de Salina, Public Notary at Havana, as appears from a copy of such Protest certified by the said Don Jose Salina, now remaining in the possession of this Deponent. And this Deponent further made Oath, That the annexed Account marked A, contains a true, correct and faithful statement of the Debt now justly due by the said Josef de Porres to the said firm of John Macdonald and Company, that the same has been contracted by the said Tomas Porres as the proper Agent and Factor of the said Josef de Porres, and that the said firm of John Macdonald and Company has at

no time, either directly or indirectly received any payment or Satisfaction from the said Josef de Porres for the amount of the said Debt or of any part thereof. And Lastly this Deponent made Cath, That he is well and intimately acquainted with all and every the Circumstances above set forth, having served as a Clerk to the said firm of John Macdonald and Company in the life time of the said John Macdonald and Alexander Macdonald, and Managed the Concerns of that firm since their decease, by virtue and under the authority of a Letter of Attorney to him from the said Matthew Macalister and Roderick Macdonald the Surviving Copartners. And the Deponent Tomas Porres, being solemnly sworn upon the Holy Gospels, (being of the Roman Catholic persuasion of Christian belief,) made Cath, That all and every the Matters, Circumstances and things, by the Deponent Alexander Kinross above set forth and deposed were and are true. And the Deponent further made Cath, That the annexed Letter marked C, was written by and in the proper hand writing of the said Josef de Porres, the Brother of this Deponent, and by him delivered into the hands of this Deponent at Havana on the Day of its date. That the said Josef de Porres used a fictitious Signature in all his Correspondence with the said firm of John Macdonald and Company, and this Deponent, for the purpose of evading the penalties attending a discovery of the nature of Trade in which he was engaged. That this Deponent having arrived at Nagasaki in the Month of February in the year One Thousand Eight hundred and five, and delivered the said Letter marked C to the said John Macdonald and Company, they readily and without hesitation acknowledged him as the Agent of the said Josef de Porres, and promised that upon the Credit and Authority of that Letter, his directions, Instructions and requisitions to them should be strictly complied with, upon which this Deponent wrote to his said Brother an account of his reception, in answer to which he received, on the Twentieth Day of March following the annexed Letter, marked D, dated at Havana on the fourth of that Month, likewise written by and in the proper hand writing of the said Josef de Porres, under the fictitious Signature of Possth. And this Deponent further made Cath, That the annexed Account, marked A, is correctly stated, and that the amount thereof, this Sum of Twenty three Thousand, Nine hundred and forty nine Dollars, five Reals or Shillings and two pence, is and remains justly and truly owing from the said Josef de Porres to the said firm of John Macdonald and Company, the same having been Contracted by this Deponent, as the proper Agent of the said Josef de Porres and on his Account. And I do further Certify, That the said Deponents Alexander Kinross and Tomas Porres are well known to me, that they are persons of good fame and Reputation, and to whose Testimony all faith and Credit is and ought to be given. And I do further Certify that the said Deponent Tomas Porres, being a

Spaniard

Spaniard by Birth, his Deposition was read over to him in my presence in the Spanish Language. And Lastly I do certify that the sum of Two Thousand Six hundred and Eighty one Dollars four Shillings and five pence, charged in the annexed Account marked A, for Damages on the Amount of the Protested Bill of Exchange, has been so charged in conformity with the provisions of an Act of the Legislature of these Islands, made and passed in the forty first year of His Majesty's Reign, settling the same at Fifteen per Centum on all such Bills drawn on America or any of the West India Islands, and that the Interest lawfully taken in these Islands is Six per Centum per annum.

Attest
Thomas P. P. P.

In Testimony whereof the Deponents have subscribed their names and the said Notary have hereunto set my Hand and affixed my Seal of Office at Nassau, the Day Month and Year first above written.

James Kerr
Notary Public

Dr Thomas Jones

A

10.
8.

Dr John McDonald No

Dr

1855	July	12	To a Hat		5			
		15	10 handkerchiefs		7			
		25	Cash		15	4	28	4
Mar		27	35 ¹ / ₂ 28 ³ / ₄ Calico	@ \$10	500			
			50 ¹ / ₂ 21 ditto	" 17 ¹ / ₂	855	2		
			98 Estopillas	" 8 ¹ / ₄	612	4		
			30 doz Stockings	" 18 ¹ / ₂	555			
			100 lbs Shred	17 ¹ / ₂	212	4		
			60 ¹ / ₂ white tam'd Muslin	\$ 6 ¹ / ₂	390			
			80 doz French Pulicates	" 5 ¹ / ₂	440			
			20 ¹ / ₂ printed Muslin	" 7 ¹ / ₄	145			
			80 doz Pulicates	" 5 ¹ / ₄	440			
			21 doz 5 Tam'd Hkps	" 7 ¹ / ₄	155	2	4366	4
			Cash at different times this month				120	
April		2	2 ¹ / ₂ 28 ³ / ₄ Calico	\$ 15	30			
			1 doz Stockings		19			
			1 ¹ / ₂ Estampados		10			
			1 doz Ringa Hkps		5	4		
			2 ¹ / ₂ Lappet Spott	\$ 8	16			
			1 ¹ / ₂ Col'd brok & 1 ¹ / ₂ white do		16			
			10 tam'd Hkps		6		115	4
			2 ¹ / ₂ Cheek Muslin	5 ¹ / ₂	11			
			1 ¹ / ₂ Brok Ringa		8			
			11 Red grs Hkps		6	3	25	3
May		4	Cash		1			
			1/2 doz Irish doilies		12	4		
		10	223 ³ / ₄ doz Pulicates	@ \$ 5	1116	2		
			813 ³ / ₄ yards dimity	4 ¹ / ₂	404	3		
			733 yards Caprimons	17 ¹ / ₂	1557	5		
			47 doz 10 Ladies Hkps	\$ 5	239	1		
			70 doz 1 white Ballanours	" 7	490	4		
			17 doz Womens Stockings	" 15	255			
			20 doz Mens ditto	" 15 ¹ / ₂	310			
			73 ¹ / ₂ Calico	" 15	1168			
			70 ¹ / ₂ 1/4 Calico 10 yds ea	" 10	700		6254	3
			Amount carried forward				\$ 12906	2

D^r Thomas Paus

To John McDonald Esq^r P^r

1815		To amount brought over			\$ 10,900. 2
May	21	64 doz Ktfs	c 55	320	-
		Cash paid J Henshaw Esq 110 days boarding		124	7 6
		do paid Domingo freight of Goods to Havana		82	-
					524 7 6
June	11	Cash		1	-
		afes Murgueto Lann & aso Braces		6	4
	21	Cash		30	-
		Ditto		7	-
	24	171 doz 4 pullicats	c 55	942	2 8
		41 ps Callies 28 Yards ea	10	656	-
		27 doz 4 Gentlemens Sarsd Ktfs	6 1/2	177	5 4
		5 doz Stockings	10	80	-
		44 ps printed Y. Callies	10	440	-
		288 Yds white Manseilles	c 10	285	-
		54 ps Harnes Muslin, Allover & Spigs	12	648	-
		10 ps Callies	17	170	-
		6 Umbrellas 27 Inch	6	36	-
		8 Empty trunks	2 1/2	20	-
	25	a piece Stampados		10	-
		a Hat		6	-
					3524 4
Aug.	29	afes Cambuch Callies			15
Sept	21	Cash to procure licences			68 5
Nov	19	Ditto paid John Henshaw Esq for 153 days board			188 1 2
					15,227 3 8
		Amount of Joseph Paus's Note due 1 Apris last			2,126 7
		Interest p ^r Statement to 11 th Apris 1806			522 7 2
					\$ 17,877 1 10
1806		Cr			
Apris	12	By your Bill of this date favor of Francis			
		Weir Esq @ 10 days sight	for		17,877 1 10

D^r Thomas Jones

To John McDonald & Co.

10.
9.

1806					
Apr ^l	29	To Cash paid back for Licences	\$	18	5
July	21	By Bill dated 12 th Apr ^l last on John de Pous Havana returned under protest for Non payment	\$17577. 2.		
		Damages on the above Bill 15% C ^t	2681. 4. 5	20558	6 5
		Paid & Wm O'Co expenses of Protest		16	4
Oct ^r	29	Paid for a Licence		5	
1807					
Feb ^r	12	Ditto Ditto		4	2 6
May	15	Ditto Ditto		4	2 6
June	24	boat hire going on board the Elmo and passport for the Crew of the St. Agustin		2	4 6
Aug	21	a pair Muslin hand by Uguet		8	
Nov.	8	a Hat		2	4
1808					
March	30	Counsel fee to Wm Kerr, King vs Bond for Brig Concepcion		23	6
1809	Mar. 23	Interest on the above Account to this date at 6% per Annum		3305	2 3
			\$	23949	5 2

Know all Men by these Presents, That we
Matthew Macalister of Roskill and Roderick Macdonald of the City of
Glasgow in that part of Great Britain called Scotland, Merchants, Copart-
ners carrying on business along with John Macdonald and Alexander
Macdonald of the Island of New Providence Merchants, lately deceased,
under the Firm of Roderick Macdonald and Company in Glasgow, and in
the said Island of New Providence under the Firm of John Macdonald
and Company. Whereas in consequence of the Death of the said John
Macdonald and Alexander Macdonald managing partners of the said Firm of
New Providence, and the necessity of having some Person or Persons to manage
and wind up the said business carried on under the said Firm of John Mac-
donald and Company Have and each of us Hath, made, Nominated and
Constituted, and by these presents make, Nominate, Constitute and appoint,
Messrs Alexander Kinnin, Laurence Craigie and Thomas Barr of New
Providence, or any or either of them to be our true and lawful
with full power to them or him for us in our Name
of the said John Macdonald and Company to ask,
or and receive of and from all and every Person
cutors and Administrators, in the said Island of
ny Island, Colony or place in America or the West
or Foreign, who now are or may be Indebted to the
and Company. All and every such Sum or Sums of
Money, Debts or Demands whatsoever, whether by open Account, Bond,
Bill, Mortgage or otherwise from and by any person or persons whatsoever
in the said Island of New Providence, or in any of the Places aforesaid,
and upon recovery and receipt of such Sums, Debts and demands or any
part thereof by them or him, and in our Name to make execute and deliver
all such Releases, Acquittances, Assignments, Surrenders or other good
and sufficient discharges as shall be judged requisite and proper for the
same, and in case of Refusal or Non payment to Commence and prosecute
with Effect all such Action and Actions, Suits at Law, or in Equity, and to
have use and take all lawful ways and Means as shall be judged neces-
sary and requisite, for the recovery of such Sum and Sums of Money,
Debts and demands, and for us the said Matthew Macalister and Roderick
Macdonald as Surviving Partners aforesaid and in our behalf to accept,
receive and take such Satisfaction or Security - or to Compound or agree for
all and every such Sum and Sum and Sums of Money Debts and Demands
whatsoever or any part thereof, as to our said Attorneys or Attorney, shall
appear conducive to the Interest of the said Company. And also for us as
partners

Partners forsaid, and for Our behalf to sell and dispose of all Goods, Bonds, Tenements, Slaves, Hereditaments and other Real and Personal Property, belonging to Us as Surviving Partners of the said Company - With full power and Authority to Our said Attornies or Attorney, duly to Execute, according to the Laws of the different places where such Property may be situated, all such Deeds of Conveyance and other Instruments as shall be necessary for the Sale of Our said Property - And in general to do, perform and execute, all and every such farther and other lawful and reasonable Acts, Deeds, Matters and things whatsoever needful and requisite for the purposes herein before mentioned, as fully and effectually as we, the said Mathew Macalister, and Roderick Macdonald, as Surviving Partners of the said Company of John Macdonald and Company, might or could do if personally present - With full power to the said Alexander Nimmo, Laurence Craigie and Thomas Barr or any or either of them from time to time to Name, Substitute and appoint one or more Person or Persons under them or him to act in all or any of the places before mentioned, where Property or Debts belonging to the said Company may be situated, or where it may be necessary to do diligence against the said Company Debtors, for Executing the powers hereby vested in the said Alexander Nimmo, Laurence Craigie and Thomas Barr, or any or either of them, and at pleasure to revoke and renew such Substitutions - Thereby ratifying and Confirming all and whatever Our said Attornies or Attorney, or those to be appointed by them, or him, to act as their or his Substitute or Substitutes shall lawfully do or cause to be done in and touching the Premises by Virtue of these Presents - Our said Attornies or Attorney always accounting to Us from time to time for all their or his transactions in the Premises, and keeping regular Books and rendering from time to time just Statements and Reports of their Transactions. In Testimony whereof we have hereunto Set Our Hands and affixed Our Seals at Glasgow aforesaid this Twenty third Day of December in the Year of Our Lord Eighteen and Seven, and of the Kings Reign the Forty Eighth Year.

Signed, Sealed & delivered
before and in presence of us

John Park Fleming

Thomas Christie

M Macalister. (L.S.)

Roderick Macdonald (L.S.)

Thomas Christie of the City of Glasgow in the County of Lanark in that part of Great Britain called Scotland Gentleman, maketh Oath and Saith, That he along with John Park Fleming of the said City of Glasgow also Gentleman one of the Subscribing witnesses to the execution of the paper Writing or Letter of Attorney hereto attached was present and did see the therein named and designed Mathew Macalister and Roderick

Macdonald

Macdonald, Sign, Seal, execute and deliver the said Letter of Attorney as and for their and each of their true and genuine acts and Deeds, and that the said John Park Fleming and this Deponent Subscribed their names as Witnesses thereto and in the presence of each other - And that the names "M Macalister" and "Roderick Macdonald" appearing set and Subscribed opposite to the seals on the said Letter of Attorney as of the Parties executing the same, and the names "John Park Fleming", and "Thomas Christie", Subscribed below the Probate to the Execution of the said Letter of Attorney as of the Parties Witnessing the execution thereof are of the true and genuine hand writing of the said Matthew Macalister and Roderick Macdonald, and John Park Fleming and this Deponent respectively - So help him God.

Thomas Christie

Sworn at the said City of Glasgow the Twenty third Day of December Eighteen hundred and Seven Years, Before me James Mackenzie Esquire, Lord Provost and Chief Magistrate of said City.

James Mackenzie

To all to whom these Presents shall come I James Mackenzie Esquire Lord Provost and Chief Magistrate of the City of Glasgow in the County of Lanark, in that part of Great Britain called Scotland, Do hereby Certify and attest, That on the Day of the date hereof personally came and appeared Before me Thomas Christie the Person named in and Subscriber of the Affidavit written upon the preceding Page, being a Person well known of good fame, and to whose Testimony faith is and ought to be given, and by Solemn Oath which he took before me on the Holy Evangelists of Almighty God, did testify and Depose to be true the matters and things mentioned and contained in his said Affidavit.

In Testimony whereof I have hereunto set my Hand and caused the Incorporation Seal of the said City to be hereunto affixed at Glasgow aforesaid this Twenty third Day of December Eighteen hundred and Seven Years.

James Mackenzie

(L.S.)

I Thomas Graham of the City of Glasgow in that part of Great Britain called Scotland, Notary Public by lawful authority duly Admitted and Sworn, Certify and attest, That James Mackenzie Esq^r whose Signature appears at the Affidavit of Thomas Christie hereto attached

and

and also at the bottom of the Certificate endorsed on the said Affidavit and who in the said Certificate is designed to be Lord Provost and Chief Magistrate of the City of Glasgow is really and truly the Lord Provost or Chief Magistrate of said City, before whom all Affidavits taken, and by whom all Certificates granted are probative and bear legal Evidence. And I further Certify that the name James Mackenzie appearing at the Probate of the said Affidavit and bottom of the said Certificate are of the genuine hand writing of the said James Mackenzie.

In Testimony whereof I have hereunto set my hand and affixed my Seal at Glasgow aforesaid this Twenty third Day of December Eighteen hundred and seven Years.

Lucas Attestor

Thomas Graham

X. P.

(L.S.)

B. Islands
ance J. P.

April 1st 1809.

I James Kerr Notary Public by lawful Authority appointed, duly admitted and Sworn residing in the Town of Nassau Island of New Providence aforesaid, Do hereby Certify the preceding three pages

and fourth page to contain true and faithful Copies of their Originals that the same have been this Day transcribed from, and duly collated by me with the said Originals. In Testimony whereof I have hereunto set my hand and affixed my Seal of Office at Nassau the Day, Month and Year above written.

James Kerr
Notary Pub.

86.
Bahama Islands

I know all Men by these Presents, That
Alexander Nimmo of the Island of New Providence Merchant, by
virtue of the power and Authority to me given by Matthew Macalister and
Roderick Macdonald of Glasgow Merchants the Surviving Copartners
of the late firm of John Macdonald and Company of New Providence -
aforesaid in and by a certain Deed or Letter of Attorney Sealed and duly
delivered, bearing date at Glasgow aforesaid on the Twenty third Day of
December in the year of Our Lord One thousand Eight hundred and
Seven, (a true copy of which Letter of Attorney is hereunto Annexed,)
Have made, Substituted and appointed, and by these Presents do make
Substitute and appoint Colin Mitchel, of Havana in the Island of Cuba,
Merchant, to be the true and lawful Attorney of the said Matthew Mac-
alister and Roderick Macdonald, Surviving Copartners as aforesaid, to
ask, demand, recover and receive of Don Josef de Torres, now or late of
Havana, Merchant, his Executors, Administrators and Assigns and
all and every other Person and Persons in the said Island of Cuba, all
and every such Sum and Sums of Money, due and payable, or in any
wise belonging to the said Matthew Macalister and Roderick Macdonald
as Surviving Copartners as aforesaid - And to give Receipts and Ac-
quittances for the same, and to do transact and perform all the matters
and things in the premises needful to be done, as fully as I could do,
or the said Matthew Macalister and Roderick Macdonald could do, if
personally present: Giving and Granting to the said Colin Mitchel all
the power and Authority given to me the said Alexander Nimmo in and
by the said Letter of Attorney of the said Matthew Macalister and Roder-
ick Macdonald. In witness whereof I have hereunto set my Hand
and Seal at Nassau, Island of New Providence aforesaid, the first
Day of April in the year of Our Lord One thousand Eight hundred and
Nine, and in the Forty ninth Year of His Majesty's Reign.

Signed, Sealed, and delivered

In the presence of

Charles Callan

Thomas Jones

James Kerr
Notary Public

Alex. Nimmo

(Bahama)

Bahama Islands
New Providence } p.

Be it Remembered That on
Saturday the first Day of April in the Year of Our Lord One Thou-
sand Eight hundred and nine, Before me James Kerr Notary
Public by lawful Authority appointed, duly admitted and Sworn, residing
in the Town of Nassau, Island of New Providence aforesaid, appeared
Personally Alexander Nimmo of the same Island Merchant, and
Acknowledged that he did make, Sign, Seal and deliver the within
Letter of Substitution for the purposes therein mentioned. And I
Notary do Certify that the words or Name, "Alex^r Nimmo", set and
Subscribed to the said Letter of Substitution, as the party executing the
same were and are written by and in the proper hand writing of the
said Alex^r Nimmo.

In Testimony whereof I the said Notary
have hereunto set my Hand and affixed my
Seal of Office at Nassau, the Day, Month
and Year first above written.

James Kerr
Notary Public