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HISTORICAL MANUSCRIPTS:  
DUTCH



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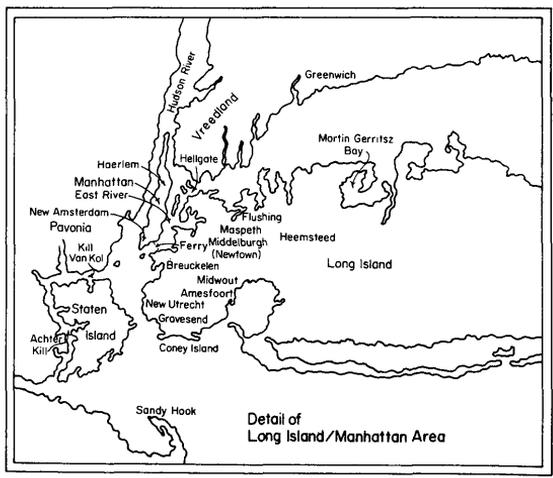
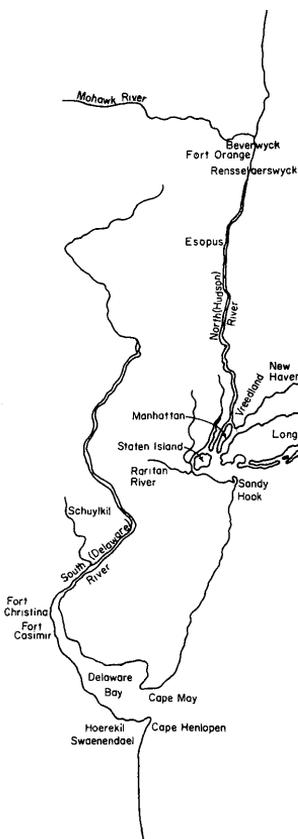
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# NEW NETHERLAND ca. 1654



NEW YORK  
HISTORICAL MANUSCRIPTS:  
DUTCH

Volume V

*COUNCIL MINUTES,*  
1652-1654

Translated and Edited by  
CHARLES T. GEHRING

Published under the Direction of  
The Holland Society of New York

*Baltimore*

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## DEDICATION

to the Prince Bernhard Foundation, whose objective in promoting interest in Dutch culture abroad became manifest in its generous support of the New Netherland translation project.



## INTRODUCTION

This volume of council minutes spans a most important period for the United Provinces of the Netherlands and the Dutch West India Company. In brief, the years 1652-1654 witnessed a series of events which tested the strength of the former and strained the resources of the latter, sending shock waves against the shores of New Netherland.

During the eighty-year struggle for independence from Spain, the United Provinces had developed into one of the greatest commercial empires of the seventeenth century. East and West India Company ships returned to the fatherland with the riches of the world: spices and porcelain from the East, and peltries and sugar from the Americas. Dutch ships had become the most common freighters of goods in the Mediterranean/Baltic trade, carrying goods even for the Spanish during the war. It has been said that the Dutch would trade with the devil in hell if they could avoid burning the sails of their ships.<sup>1</sup> However, this worldwide trading empire, which created the Golden Age of the Netherlands, also brought with it certain dependencies which proved nearly fatal during the first war with England. In peacetime the Dutch staple diet of bread and herring was maintained by the flow of grain from the Baltic states and the fishing fleets in the North Atlantic. During the first Anglo-Dutch war (1652-1654), the English blockade of the Dutch mainland was so effective that Johan de Witt, the Grand Pensionary of the United Provinces, lamented that "our dear fatherland stands . . . in a great, troubled and almost desperate state, as if it were besieged and taken."<sup>2</sup>

Coincidental to the war with England, the Dutch West India Company was having trouble with one of its principal possessions. This stock company, which was modeled after the highly successful East India Company, was chartered by the States-General in 1621 with the primary objective of carrying on the war with Spain and its vassal state Portugal in the Atlantic theater of operations. Profits were to be realized mainly from the seizure of enemy shipping, especially the treasure fleets returning to Spain from Central America. In 1628 Piet Heyn's capture of the Spanish silver fleet off the coast of Cuba renewed interest among the directors of the Company in securing a foothold in Brazil. By 1636 the WIC had established control over most of the former Portuguese colony north of the river São Francisco. However, Dutch successes in this region were short-lived. A revolt against the Dutch in 1645 was intensified in 1651 when the Ten Years' Truce with Portugal expired. Thus during the years 1652-1654 the Company was involved in a full-scale war with the Portuguese over the possession of Brazil, culminating in the fall of the Dutch stronghold at Recife and the eventual loss of the entire colony in 1654.

The effect of the Anglo-Dutch war and the war in Brazil on New Netherland was considerable. Not only did the blockade of Dutch shipping by the

English hinder the flow of goods and personnel to the colonies, but the WIC's preoccupation with Brazil forced it to neglect its North American territory. It was a critical period for New Netherland and the seriousness of the situation is reflected in these council minutes for 1652 through 1654. Fear of an invasion from New England led to preparations for the defense of New Amsterdam and the near panic of the population. The situation was exacerbated by the presence of numerous English settlers on Long Island whose loyalties lay more with the enemy than with their adopted country. If the New England colonies had been able to overcome their particular interests and unify against the Dutch, the WIC colony probably would have fallen to the English during this period of the first Anglo-Dutch war. However, Petrus Stuyvesant, who had assumed the directorship of the colony in 1647, was able to strengthen the fortifications, calm the inhabitants, and effectively deter English raiding parties on Long Island. The urgency of the moment and the euphoria over the news of peace with England are all evident in Stuyvesant's proclamation of prayer and thanksgiving issued on 29 July 1654.<sup>3</sup>

Preoccupations with shoring up the defenses against a possible enemy attack would have been enough for any commander during this crucial period; however, Stuyvesant also had to contend with internal problems stemming from a jurisdictional dispute with the patroonship of Rensselaerswyck and the chartering of the city of New Amsterdam. In addition to these distractions, he also had to contend with Swedish encroachments on Dutch territory in the Delaware region of New Netherland. Swedish attempts to establish a trading colony in this area eventually led to the capture of the Dutch trading post Fort Casimir on Trinity Sunday of 1654. Throughout these troubled times Stuyvesant exhibited the judicious sense of priorities and forceful leadership which were responsible more than anything else for the preservation of the Dutch colony.

Although a considerable amount of the council minutes concern executive decisions related to the defense and well-being of the colony in general, there are also numerous "private" cases which were presented to the director-general and high council for resolution, ranging from smuggling to sodomy. These cases reveal some of the texture of the colony's social life and add another dimension to the history of New Netherland. The high council held ordinary court sessions once a week, passing judgment on all cases, civil and criminal; however, after the city of New Amsterdam received its municipal charter in February of 1653, those cases previously adjudicated by the high council were heard by the magistrates of the city. The high council served as the city's court of appeal and continued to do so for other jurisdictions of New Netherland, such as Fort Orange and Rensselaerswyck. Relieved of the burden of holding court sessions for the rapidly growing population in the Manhattan/Long Island area, the high council could concentrate on such executive matters as making appointments, issuing proclamations, pass-

ing ordinances, replying to petitions, and corresponding with the governments of neighboring colonies.

The provincial secretary was responsible for recording all the proceedings of the high council and maintaining the archives for future reference. The books of records were identified by a single and double lettering system, this volume of council minutes being actually a combination of record books marked "C" and "AA". In the 1860s, when E. B. O'Callaghan was given the task of organizing and describing the Dutch records kept in the New York Secretary of State's office, he rearranged the original books according to his own conception of type and chronological order. Thus book "C", which was described in an 1820 catalogue of records as "the provincial proceedings of the Governor and Council, Resolutions, Ordinances, Decrees, Sentences, and decisions of controversies, from 19th November, 1652 to 31st December, 1654;" and book "AA" as "being memorials of council and magistrates from 1652 to 1653," were combined to form O'Callaghan's Volume V, containing "Council Minutes, 1652-1654."<sup>4</sup> The earliest surviving council minutes are for the years 1638 through 1649 and comprise books "A" and "B", which were combined by O'Callaghan as Volume IV. These minutes were translated by A. J. F. van Laer in the early 1900s and eventually published in the series *New York Historical Manuscripts: Dutch* in 1974. However, it is to be noted that the council minute books have not been transmitted without loss. Minutes previous to Willem Kieft's directorship, or before 1638, were probably taken back to the Netherlands with the former directors Peter Minuit and Wouter van Twiller. There also exist considerable gaps in the later records, one of which is between August of 1649 and January of 1652. Thus over two years of council minutes are missing between O'Callaghan's Volumes IV and V. No mention is made of these records in the 1820 inventory, indicating that they have been lost for at least 163 years. Also lost is the "Book of Petitions" which is referred to several times in the council minutes. It apparently contained copies of petitions submitted to the council for resolution. The order or recommendation on each petition is recorded in the council minutes; however, the request itself is only briefly stated, if at all, because the full text of each petition would have been kept in this special book for reference purposes.

O'Callaghan's arrangement of the Dutch records has been followed in the present translation for several reasons. First, it would have been impossible to re-establish the integrity of the original two record books after they had been combined for over 100 years. In the process of rearranging the records, O'Callaghan cut each book apart, interleaved the pages chronologically, and then had them rebound in leather covers, providing each volume with an introduction and an index. After the 1911 Library fire, the leather covers, together with the front and back matter added by O'Callaghan, were discarded, leaving only what remained of the manuscripts themselves. Second, after O'Callaghan reorganized the Dutch records, he compiled a calendar

citing their contents according to volume and manuscript page number.<sup>5</sup> Because his calendar is still considered the primary access to the Dutch records by most scholars, it was decided not to destroy its usefulness as a guide.

The above-mentioned 1911 Library fire caused much damage to the "Colonial Manuscripts" in general. If the Dutch records had not been located on the lower storage shelves, and had the English records stored above not collapsed on these records, forming a protective covering, probably nothing would have survived. Of the twenty-three volumes of records only the first volume was completely destroyed, because it was on the desk of the keeper of the manuscripts, A. J. F. van Laer, the morning of the fire. Volumes V through X suffered the most damage because of their shelf location above the other Dutch records. In comparison to Volume X, which had several inches burned away at the top of each manuscript, Volume V suffered only minimal loss to the tops of the first forty pages, together with some charring along the exposed margin. The damaged areas are reflected in the present translation by the use of empty brackets, with the space between the brackets approximating the amount of material lost. Those portions of the text enclosed in brackets represent the recovery of material through translations made before the fire. The majority of these translations appear in Volumes XII-XIV of *NYCD*, edited by Berthold Fernow. Consult APPENDIX A, herein, for a key to Fernow's translations of material in Volume V. The remaining translations, which were used to recover lost material, appear in E. B. O'Callaghan's *Laws and Ordinances of New Netherland*. Fernow's translations, which comprise about one-quarter of the material in Volume V, were used only for the recovery of lost portions of the manuscripts and should be quoted with caution, especially in the transcription of proper names. The present translator has attempted to remain true to the writing style in the council minutes. Each entry has been laid out as close as possible to the form of the original, except where noted. Proper names have been transcribed exactly as they appear in the council minutes, with the index recording the variations after the most common form of the name. For the English equivalent of seventeenth-century Dutch measurements, weights, and money consult APPENDIX B. Throughout the translation the term "mile" is to be considered as a Dutch mile. The numbers enclosed in brackets represent the manuscript page numbers.

## NOTES

<sup>1</sup> C. R. Boxer, *The Dutch in Brazil, 1624-1654*, Oxford, 1957, p. 237.

<sup>2</sup> Quoted in Charles Wilson's *Profit and Power*, London, 1957, p. 75.

<sup>3</sup> See page 159 in this volume of council minutes for the text of this proclamation.

<sup>4</sup> See *New York State Legislature, Senate Journal* (1820) for this catalogue of records.

<sup>5</sup> *Calendar of Historical Manuscripts*, edited by E. B. O'Callaghan, Albany, 1865.

### *Frequently Used Abbreviations*

- LO *Laws and Ordinances of New Netherland, 1638-1674*, compiled and translated by E. B. O'Callaghan, Albany, 1868.
- MCR *Minutes of the Court of Rensselaerswyck, 1648-1652*, translated and edited by A. J. F. van Laer, Albany, 1922.
- MFOB *Minutes of the Court of Fort Orange and Beverwyck, 1652-1656*, translated and edited by A. J. F. van Laer, Albany, 1920.
- NYCD *Documents Relative to the Colonial History of the State of New York*, Volumes I-XI, edited by E. B. O'Callaghan; Volumes XII-XIV, edited by Berthold Fernow; Albany, 1865-1883.
- NYCM The "New York Colonial Manuscripts" at the New York State Archives.
- NYHM *New York Historical Manuscripts: Dutch* (Baltimore: Genealogical Publishing Company, Inc., 1974).
- RNA *The Records of New Amsterdam, 1653-1674*, edited by Berthold Fernow, 7 vols., 1897 (reprinted Baltimore: Genealogical Publishing Company, Inc., 1976).
- VRBM *Van Rensselaer Bowier Manuscripts*, translated and edited by A. J. F. van Laer, Albany, 1908.
- WIC The Dutch West India Company.

## ACKNOWLEDGMENTS

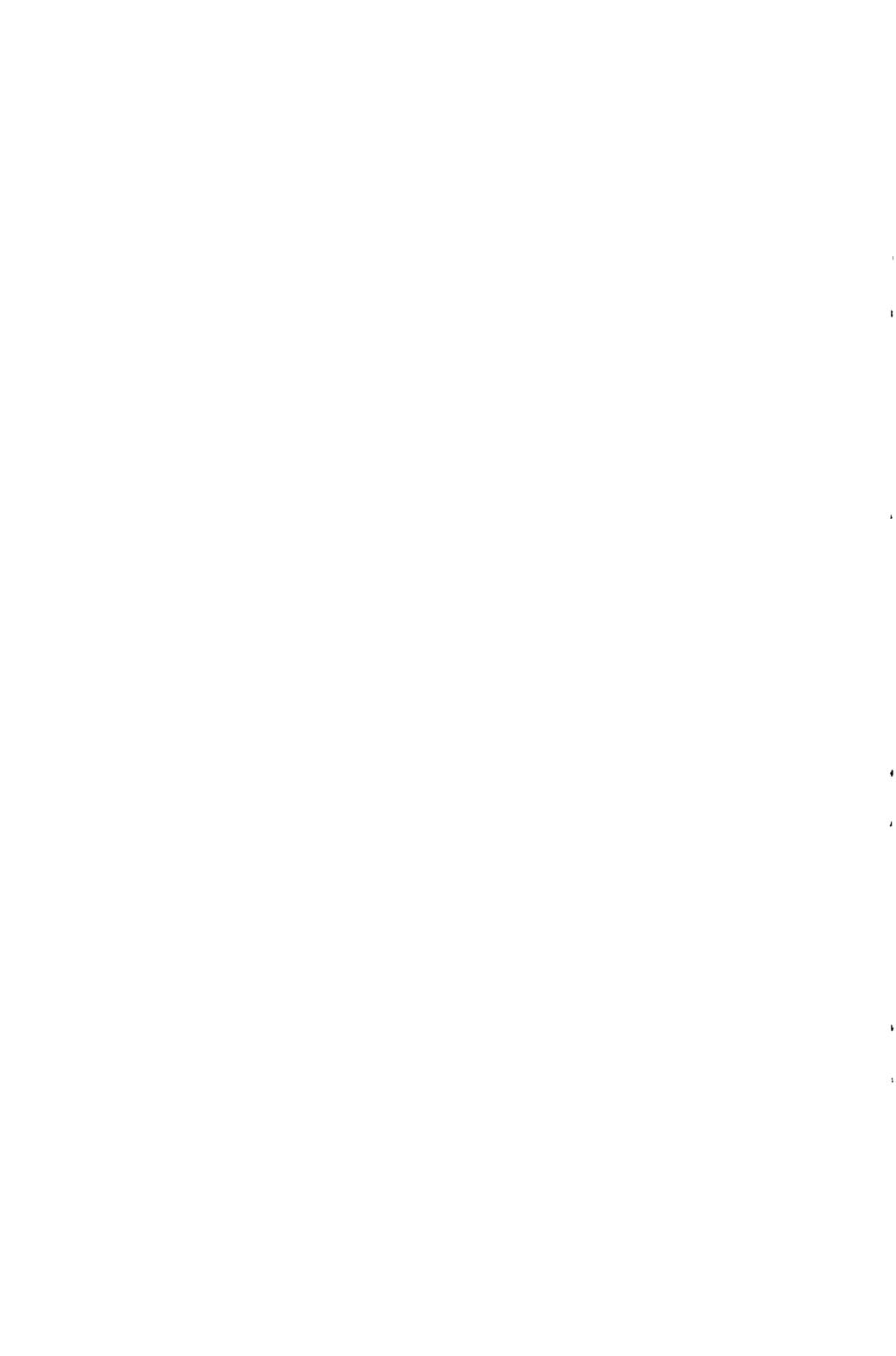
I wish to thank the National Endowment for the Humanities, whose grant made the translation of this volume of "council minutes" possible, and the following corporations and institutions for their matching-fund contributions: Prins Bernhard Fonds, P. van Leeuwen Jr's Buizenhandel B.V., Heineken, N.V., Netherlands Ministry of Education and Science, Ahold N.V., Moret & Limperg, Bredero Consulting New York Inc., Royal Packaging Industries, Van Leer B.V., Royal Smeets Offset, Loeff & Van Der Ploeg, H. W. Wilson Foundation, Inc., The Holland Society of New York, Mayfair Group, Inc., Society of Daughters of Holland Dames, The Order of Colonial Lords of Manors in America, Netherlands-America Community Association, SHV Holding N.V., and Jacob Herzog, Esquire. I also wish to express my appreciation for the generous private donations from Mr. and Mrs. Peter Douglas, Olga Elizabeth Trombetta, and Julie Sherrill Stietz. I am deeply indebted to Ralph L. DeGross, without whose dedication to the New Netherland Project the present work or the previous publications in this series would not exist. Special thanks are due to Peter J. Paulson, Director of the New York State Library, for his untiring support of the translation project; Bruce H. Bellinger, my assistant on the project, for his work on the index and all aspects of production; Mary White for typing the manuscript; the staff of Manuscripts and Special Collections at the State Library; and Keith C. Prior for drawing the map of New Netherland.

Charles T. Gehring  
New York State Library  
Albany, 1983

NEW YORK  
HISTORICAL MANUSCRIPTS:  
DUTCH

Volume V

Council Minutes, 1652-1654



[1] [ First several lines are lost. ]<sup>1</sup>

Daniel Wittet<sup>2</sup> rightfully [ ] coming to the court of justice [ ] reason he has been held here so long [ ]

The honorable director and council answer [ ] that he, Daniel Wittet [ ] obedient to the resolution and order of the director and council, about which you were informed by a letter<sup>3</sup> dated [ ] in the month of December 1651 [ ] director and council hereby as previously [ ] that if he and his partners [ ] proper obedience to the same, that they would consider his release. In case of further disobedience they would be required to do it again [ ].

P. Stuyvesant

H. van Dyck

La Montagne

Brian Newton

[2] [ First several lines are lost. ]  
. . . not to write [ ] of the village [ ] that it was found on the [ ] when Mr. Gildersleef was nominated [ ] to be satisfied [ ].

[ ] meeting [ ] the honorable director-general [ ] asking what he desired. [ ] that he was detained here and [ ] [ ] understood to be a reply [ ] the order and judgment by the [ ] he gives courage to reply [ ] nor to have been unwilling [ ] to obey the order of the honorable director.

[ Paragraph of three lines is canceled. ]<sup>4</sup>

Upon the petition of Daniel Wittheat and [ ] requesting their release from detention in order to be allowed to go to [Heem]steede to their wives and children [ ] of proper obedience, as much as they [ ] no further discard privately or in any other way, but work toward everything which promotes the peace and unity of the village; also, to return to their place of detention at the discretion of the director and council. This they promise to sign [ ] records of the notary, Provoost.<sup>5</sup> Done in council, 20 January 16[52].

[3] On 24 January 1652 the director-general and council read a certain petition submitted by Abram de la Noy requesting permission to sell all kinds of wine by the small measure.

The director and council grant the petitioner's request and have resolved to rent him the city's tavern for the benefit of the Company, if he requests permission thereto.

[4] The director-general and council of New Netherland, to all who may read or hear this read aloud, send greetings:

Whereas we have several times been informed by the former commissary, Charles van Brugge,<sup>6</sup> as well as by his successor, Johannes Dyckmann, and whereas other private complaints have been made about the impertinent, unbearable and unchristianlike tyranny of the present commander or, as he styles himself, director of the colony of Rensselaerswyck,<sup>7</sup> Brant Arissen van Slechtenhorst,<sup>8</sup> in refusing permission to and forbidding the officials of the honorable Company and their good and faithful servants at Fort Orange<sup>9</sup> to cut firewood in the free and open woods for their use and subsistence, except in a certain thicket where the wood is unsuitable and the roads are almost impassable during the winter, or at least very rough and difficult; and whereas we are further informed that the farmers and laborers who have wagons and horses have been prohibited and forbidden to haul firewood for the Company's servants and inhabitants of the aforesaid fort, so that both the officials and servants of the Company are compelled to carry the firewood, which they have begged from him, on their shoulders as slaves, through thick and thin, ice and snow, for the amusement of this overbearing commander and his merciless associates, to the disregard, indeed, contempt of the honorable Company, its officials and good servants; and whereas the aforesaid commander and some of his officers have so far forgotten the teachings of Christ and their neighborly duties by insolently responding on 11 January of this year to the last request<sup>10</sup> of our commissary and inhabitants of the aforesaid fort as follows:

"Nevertheless, desiring to show ourselves more accommodating and moderate than others, we shall allow the people of the aforesaid fort and the colonists the convenience of firewood, provided that everyone apply to the director of his magistrates according to the ordinance,<sup>11</sup> under the condition, [5] which his honor has proposed, that the people of the fort cut down the aforesaid thicket during the winter or have it cut down at their own expense. Signed: By order of the court of Rensselaerswyck, Anthony de Hooge, secretary."

This sufficiently proves both the prohibition against cutting firewood and the unbearable tyranny by compelling the inhabitants of the fort, who desire to cut firewood, which is as necessary to them during the winter as bread, to clear away the thicket and brush or have it done at their expense, which neither the officials nor the free and good subjects of the honorable Company are obligated to do.

THEREFORE, in order to obviate the many complaints against the aforesaid unchristianlike and unneighborly tyranny, and desiring to maintain the officials of the Company and the inhabitants of the fort as well as other free subjects in what the

honorable Company and the privileges of New Netherland have granted them, which they heretofore have never been denied by other neighbors, we herewith annul and repeal, by this our proclamation, everything concerning this matter previously published by the commander, Brant Aris van Slechtenhorst, without our knowledge, indeed, against our orders and instructions; and we give permission to the officials of the honorable Company and the free inhabitants at Fort Orange that they, as well as the settlers in the Colony may cut, haul or have hauled and use for their benefit all the required firewood and building timber in the unfenced and public woods, except that they must avoid cutting the aforesaid firewood or timber within the bounds of any fenced-in farms, gardens or plantations unless they have permission from its owner or his representative; and we also herewith give permission and request that all farmers and laborers accommodate and serve the inhabitants of the fort, as well as the settlers in the Colony, in hauling firewood and building [6] timber for reasonable wages, annulling and voiding all contracts, ordinances and oaths made or taken in this manner as unchristian, unneighborly and unlawful, promising by this proclamation, signed by us and sealed with our usual seal, to indemnify and keep free from persecution and damages all inhabitants and colonists against all attempts, intentions and executions which the commander, Slechtenhorst, or his associates may undertake to carry out in this matter; and we direct our aforesaid commissary to publish this proclamation in Fort Orange and to request that the commander and council of the colony of Rensselaerswyck publish it in the Colony, or, in case of refusal, to publish and affix it himself in the Colony so that no one may be able to plead ignorance. Thus done and resolved in council at New Amsterdam, 24 January 1652.

P. Stuyvesant

H. van Dyck

La Montagne

Brian Newton

Whereas we have been informed that in spite of several warnings, summons and interdictions issued during the time of our commissary, Charles van Brugge, in the years 1649 and 1650 to Brant Arisen van Slechtenhorst and his associates in the colony of Rensselaerswyck concerning the construction of new buildings under the wall of the honorable Company's Fort Orange [7] or nearer to it than the distance of a musket shot, unless it can be proved that they do it by order of the honorable Company or other high authority or unless they have special permission, our aforesaid warnings, protests, directions and orders have not only been disregarded but absolutely despised and disobeyed by the surveying, selling and granting of several parcels of land and the eviction by private parties of several houses on the north and west sides of the aforesaid fort, obstructing and hindering the same; and whereas we have been further informed by the present commissary, Dyckman, that they have again laid out lots still nearer and closer to the aforesaid fort, and distributed and sold them to several private parties to build on, without regard to the warning, protest and order entered and

issued by our commissary under high authority, which lead to contempt for the government of this province, to the destruction of the honorable Company's charter, prerogatives and privileges, and, in particular, to the obstruction and hinderance of the aforesaid fort, which was located there and fortified before Mr. Renselaer chose that territory for his colony, and consequently before one house of the same colony stood there.<sup>12</sup>

THEREFORE, we, the director-general and council of New Netherland, authorized by the commission and instructions conferred by their High Mightinesses, the lords States-General, our sovereigns, and by the honorable directors of the Chartered West India Company, as lords and patroons of New Netherland, and, by virtue of the same, obligated to maintain their rights and privileges as well as good order and justice, find ourselves compelled to annul and make void, by this our resolution and [8] proclamation, all allotments, cessions or sales of land lying within 600 paces or about 250 Rhineland rods<sup>13</sup> from the fort, which land we, the director-general and council, declare, until otherwise directed by the honorable Company, to be under the jurisdiction of the fort, to be used by its garrison and inhabitants, who, however, be they servants of the honorable Company or formen, shall not be allowed to build on the land so as to weaken, obstruct or hinder the fort, but to use it only for gardens, plantations with low palisades, and for low and light summer houses which can be easily moved or torn down, provided that they have first informed us and received our consent, and that the director and council shall have the discretion to remove them when necessary. We therefore warn and direct everyone who has or who may come to possess any parcel of land within the aforesaid jurisdiction of the fort, either by purchase, lease or cession from the aforesaid Commander Slechtenhorst or any of his officials, before or after the publication of this, not to enter upon the same, much less fence it in or build upon it in any manner, under high penalty and demolition of the structure. Let everyone be warned in order to avoid loss. Thus done and resolved in council at New Amsterdam, 29 January 1652.

P. Stuyvesant

H. van Dyck

La Montagne

Brian Newton

[9] On the 29th of January, the director-general and council, having read the petition of Jan Janssen St. Obyn, direct that he satisfy the fiscal according to the judgment passed this week, and further order that he deliver to the fiscal an authenticated copy of the indemnity which Brant van Slechtenhorst issued to him on account of the arrest and detention of his person.

Copy of a certain letter<sup>14</sup> sent by Brant Arissen van Slechtenhorst to the honorable director-general and associated councillors.

To the honorable court of the colony of Rensselaerswyck:

Brant van Slechtenhorst, director of the aforesaid colony, respectfully makes known that a few days ago he received a judgment passed by the court at Manhattan against Jan Janssen St. Obyn which condemned him to pay a fine of two hundred and fifty guilders for having transported me from Manhattan to this Colony. This is unheard of for a harmless skipper, a regular freighter plying his trade for the honest support of himself and his family - a man who has never obstructed the authorities nor anyone else; and considering that the urgency of my departure was not only expressed by me but also in public petitions and letters by the gentlemen empowered and commissioned thereto.

Where has it ever been heard, seen or practised among Christians in a land of law, especially from Christian neighbors of the same religion and under the same sovereignty: that such proceedings are instituted against anyone, as against the aforesaid director, who in his position is not only commissioned and authorized, but also was called upon by General Stuyvesant in his letter of 18 February 1651<sup>15</sup> to offer advice on important affairs of state for the common good and welfare. I maintain that it is unheard of for such a person to be arrested and detained for a long period of time without examination or decision, as the director, in his official capacity, was detained from the first of May until August without once having received any justice; not withstanding the submitting of written protests and complaints about it, as well as the hopeless and useless attempts to gain release of him, he was not able to receive justice; all of which has been clearly shown and demonstrated before the court of the aforesaid Colony.

When the aforesaid van Slechtenhorst, in his stated capacity, arrived in Manhattan, they simply summoned him to appear on the first of May by the court messenger, without any notice or citation; and the gentlemen of the court then passed down the sentence of the aforesaid date which was a complete contradiction [10] of everything, [and held him so long as a prisoner that he has lost all legal claims to his person and position. In due time it shall also be proved, by impartial judges, that more of his goods were confiscated to pay for the fees of the arrest, which were very small, than was necessary. Would a person be punished in the fatherland, be he ferryman or skipper, for carrying a man, of whom theretofore he had no knowledge or of whom no one had told him that he was detained by order of the court contrary to the ordinances?] But some receive impressions in their dreams which they seem to utter in their daily deeds, either with or against the laws of our country. Such unheard of and unbearable proceedings as against Slechtenhorst, in his official capacity, and against others, may well eventually ruin this blessed and fruitful country or bring it to a sorry condition and turn the laws into public nuisances, which God may forbid.

Therefore, the aforesaid director, ex officio, protests and appeals against all these aggravations and injuries inflicted upon the aforesaid Slechtenhorst, in his aforesaid capacity, also against what has been done to Jan Jansz, the skipper, and Jacob Jens Stol without law or right, and contrary to the privileges of the Colony. He protests before God Almighty, their High Mightinesses, the States-General, our merciful sovereigns and lieges, and the lords patroons and co-directors of the aforesaid Colony, against this public violence and compulsion; he protests further against the five soldiers and five sailors whom Mr. Stuyvesant

sent in the Company's sloop in 1648 to the Colony and fort for fourteen days. With his own written authorization they threatened him, Slechtenhorst, several times not to continue the construction of buildings on the Patroon's land and in the village, otherwise he, Stuyvesant, would have the aforesaid buildings demolished; and then incited [13 or 14] brigands at the aforesaid fort to stand ready under arms for the aforesaid undertaking, which, however, Slechtenhorst and his people were able to prevent. Unable to accomplish their mission, they invented pretexts and had Slechtenhorst summoned three times to Manhattan with the following statement: "The complaint which we as officers and fiscal of New Netherland have against Brant van Slechtenhorst, officer in the colony of Rensselaerswyck, he shall hear and see when he appears before the court in obedience to this summons." Slechtenhorst's response to this summons was that if the officers and fiscal of New Netherland had any complaints against him as a private or public person, they could [ ] him, Slechtenhorst, in his [ ], and make their complaint at his place of residence. These needless summonses and harassments of a similar nature were repeated daily; and the aforesaid director in his authorized capacity protests once again against all losses and injuries already suffered or which he may hereafter have to suffer; also, against all the harm and injury suffered by him personally and in his official capacity - everything cum expensis - and the aforesaid director, in his aforesaid capacity, offers as security for the foregoing action in appeal, all property belonging to and claimed by the patroons from the honorable Company; also, the horses and grain delivered to Mr. Peter Stuyvesant himself from the Colony, and requests [to give a similar security in order to execute the sentence hereafter under the foregoing appeal. Done at the colony of Rensselaerswyck, 25 September 1651. B.V. Slechtenhorst, director of the aforesaid Colony.]

Concerning the detention of the honorable director: whereas some members of this court, the principals of the colony of Rensselaerswyck, had been arrested in the time of the honorable director-general, Willem Kieft, which he not only maintained were not subject to arrest but also was followed by their release, stating that the Colony was accountable for them, the court of this Colony declares that the aforesaid decision should hold good now as before. Done in council, 25 September 1651.

Acknowledged by me,

A. de Hooges, secretary.

[11] Derrick van Schelluyne, notary public, hereby declares that the foregoing letter, directed to the court messenger, Claes van Elslandt, has been in his charge until the 27th of this month of January 1652, without having at any time previous been called for or delivered. Done at New Amsterdam, 29 January 1652.

Signed: D.V. Schelluyne

Today, 29 January, the court messenger delivered a sealed letter which proved upon opening to be a petition drawn up and signed in the colony of Rensselaerswyck by Brant van Slechtenhorst, director of the aforesaid Colony, on 25 September 1651 and directed to the aforesaid court of Rensselaerswyck, with the aforesaid court's decision written in the margin on the previous page next to the letter as follows: "Concerning the detention of the honorable Director: whereas some members of this court, the principals of the colony of Rensselaerswyck, had been arrested in the time of the honorable director-general, Willem Kieft, which he not only maintained were not subject to arrest but also was followed by their release, stating that the Colony was accountable for them, the court of this Colony declares that the same decision should hold true now as before. Done in council, 25 September 1651.

Acknowledged by me,

Anthony de Hooges

After proper examination and discussion, the above decision was found to be ambiguous and obscure; and the director-general and council resolved to order the court of the Colony, as they do hereby, to free the aforesaid decision from ambiguities and obscurities, and to explain themselves thoroughly.

First, by stating the names of the principals of the Colony who were arrested during the time of Director Kieft. Secondly, by stating in whose name and why the aforesaid principals were arrested. Thirdly, by stating whether the members of the court are declaring null and void the arrest of Slechtenhorst for disobedience and contempt of the order issued by the director-general and council of New Netherland, from which arrest he stealthily escaped. This intent appears to be expressed in their decision. Whereupon a categorical reply is requested of them.

Jochem Kuyter requests, by way of petition, a patent of his land which was granted to him by former Director Kieft in July of 1639, and was recorded by Mr. Montagne and the secretary.

The director and council recommend: whereas the petitioner requests that a copy of his patent be made from the record book of patents, in which the director and council believe it is recorded, and if it is not the case, then he shall be given preference before others and issued a new patent for his land, provided the petitioner is still inclined to maintain the promise to improve the land. Done at the meeting of the director and council, 29 January 1652.

[12] [ First several lines are lost. ]

[ ] P.S. Henricus van Dyck [ ] Montagne and  
Brian Newton.

We have considered the nominations submitted to us by the commonalty and have [ ] therefrom:

Jochum Pieterssen Kuyper  
Paulus Leenderssen  
Pieter Cornelissen

Thus done and confirmed by the director-general and council on 2 February 1652.

Today, the 2nd of February the following persons:

Jochem Pieterssen  
Paulus Leenderssen

Pieter Cornelissen Molenaer, have taken the oath of allegiance to the director-general and council of New Netherland.

[13] [ First several lines are lost. ]

Appeared at the meeting, Mr. Koo, Mr. [ ] Daniel Witheat, on behalf of the village of Heemsteede [ ] having a dispute with the others.

The director and council order Daniel Witheat to give a copy of his complaint to the others in order [ ] to respond in due time.

Extract from the Resolution Book  
of the director-general and council  
of New Netherland.

WHEREAS on the 21st of this month, being Saturday, was brought up here before this place, New Amsterdam, by order of the fiscal without our knowledge and expectation, the galliot, de Bruyt, upon which was Skipper Isaac Abrahamsen, sailing out of Enckhuysen, being the same skipper, as the witnesses testify, who was accidentally killed in the seizure of the aforesaid galliot; and Governor Wintrop of Boston has informed us by bills of sale and transfer that the aforesaid galliot last [ ] November was sold and transferred to certain English merchants at Boston and New Plymouth, namely, Robbert Schott and Jan Coeck, which, when Jan Coeck examined the bill of sale more closely, he declared and maintained that the galliot was legally purchased by them and paid for, and he offered to post a security in case it might be proven otherwise. THEREFORE, we, the director and council, considering the posted security, [acknowledge] the ownership of the aforesaid galliot, with the sole provision that the bills of sale and transfer of the aforesaid galliot are proven to be legitimate. Done at the meeting in Fort Amsterdam, 25 August 1649.

Agrees with the Resolution Book,  
attested by the clerk, Jacob Kip,  
in the absence of the secretary.  
1640/9/22

[14] Henricus van Dyck [ ] New Netherland humbly shows how on the 21st of August [ ], in his official capacity, he brought up a certain galliot, de Bruyt, on which the skipper was Isaac Abrahamson, sailing out of E[nckhuysen]; it was anchored at an improper roadstead where smuggling and other frauds were practiced. [ ] appeared to be the anchorage before Staaten [ ] where Cornelis Melyn calls himself patroon. Whereas, by the resolution dated 25 August 1649 it was recorded [ ] that the aforesaid galliot, de Bruyt, was brought up before Manhattan by the petitioner without your honors knowledge or expectation; also, that the skipper, Isaac Abrahamson, was accidentally killed in the seizure of the aforesaid galliot. [ ] two points to which the petitioner takes exception. Concerning the first, because the petitioner was acting in his official capacity in the seizure of the aforesaid galliot, and the words "without our knowledge or expectation," used by your honors, could be interpreted in a detrimental way, it should be noted that the petitioner was acting in his official capacity, not as a private person; and concerning the second point, because it can be clearly seen in the depositions that the accident was caused by Adriaen Janssen, pilot of the aforesaid galliot, when the helm sprang from his hands. It is therefore requested that the aforesaid incident, for the petitioner's peace of mind, be described in more detail; that your honors be pleased to revise the resolution and to replace the words "without our knowledge etc." with "in his official capacity"; also, [to insert] that the accident, according to the depositions, was caused by the pilot when the helm sprang from his hands. Finally, to protect the petitioner against any slander and reproach which because of this might be directed toward him either here or elsewhere. Thus done [ ].

signed:

H. van Dyck, fiscal.

The director and council declare, upon the remonstrance of the fiscal that the words "without our knowledge or expectation" refers to him [ ] in the judgment, that it was unknown to us to anchor such a vessel in an uncommon roadstead, as it is not usual that any vessels coming in from outside come around below Staaten Island without the permission of the director and council, as prescribed in the Company's regulations [ ]. Therefore the director and council hereby declare that the bringing up of the aforesaid galliot was done in an official capacity and judged by us as well done [ ].

[15] [ Three lines are lost. ]

Done the 6th of February 1652 [ ] director-general and council of New Netherland.

P. Stuyvesant

La Montagne

Brian Newton

## ORDINANCE for the REGULATION of the MILL.

Whereas for a long time now we have received many complaints concerning the inconvenience to which the inhabitants are subjected because they cannot get their grain ground or if ground, then improperly done; and for which reason the inhabitants are subjected to using curses and threats; and in order to prevent subsequent disorders, and to provide as much as possible for the better accommodation of our good inhabitants, a suitable person will be appointed at a yearly salary to oversee the Company's windmill upon the following conditions and regulations to be observed by everyone:

## 1.

The miller shall be bound to be of service, as far as the mill is concerned, to all inhabitants without distinction of person; and wind and weather permitting, either by himself or by another qualified person, to serve them as much as he is able, both by night and day, as the opportunity may present itself, according to the proverb: "First come, first served." No one shall be given preference, except for the Company when it has 70 or 80 persons to provide with bread.

## 2.

None of the inhabitants, be they servants or freemen, shall be allowed to bring any grain to the mill, or shall the miller be allowed to accept the grain in the mill without first having obtained a permit from the store's office, upon which the quantity and quality of the grain appears.

## 3.

In order to make the clerk more willing to accommodate the public, he shall be paid one stiver for a permit of three skipples and above, and one half stiver for under three skipples. For each skipple, a grinding fee of three stivers shall be paid in silver money, well-strung sewant, or goods agreeable to the miller.

## 4.

[16] [The miller shall register the permits received in order to render an account of the grinding fee, whenever required by the director and council, which will then be compared with the clerk's register or account book; and he shall not give credit for grinding, except at his own risk.]

## 5.

Whereas the income from the grinding fee, in addition to the miller's yearly salary, ought to defray the expenses for maintaining and improving the mill, for which good pay is required, no one shall bother or annoy the miller by words, much less deeds, in case he should refuse poor or unsorted sewant but let the proverb apply: "Many can carry more than can one."

## 6.

In order to prevent frauds, suspicions and especially backbiting, weights and scales shall be placed in the mill at the proper time so that those so inclined may deliver their grain in at the scales and have it returned according to the regulation formerly enacted or hereafter to be enacted according to circumstances.

## 7.

For the convenience of raising and lifting, no one shall be allowed to bring more than three skipples in one sack to the mill, and no grinding fee may be charged for one skipple.

## 8.

Finally, in order to prevent any disputes, the miller, upon his word and promise, is entrusted with the grinding of everything at the stated rates, with which everyone is to be satisfied; however, if on a special occasion someone requests that the grain be ground very fine and ground twice, and if it can be done without great inconvenience to others, he may be accommodated at the discretion of the miller, with one or two runs upon payment of three pennies per skipple. Thus done and enacted the [blank] February 1652 at the meeting of the director-general and council of New Netherland.

P. Stuyvesant

La Montagne

Brian Newton

[17] [Monday the 12th of February 1652 at Fort Amsterdam, present: the director-general, La Montagne and Brian Newton.

The board of nine men came into the council chamber and requested of the presiding officer that the honorable council please forbid the shooting of hogs on the walls of the fort and for this reason that the fort be enclosed with clapboards or in some other convenient way.]

The director-general approves the request of the commonalty and promises to have the necessary forts cut and furnished by his own servants or Negroes, with the commonalty bearing the expenses of putting up the palisades enclosing [the fort].

Dirrick van Schelluyne, plaintiff, on behalf of Jacob van Couwenhoven, against Jacob Curler; default by the defendant.

Jan Peeckt, plaintiff, against Cornelis Jansz, defendant; default by Cornelis Janssen.

Sergeant Casper, plaintiff, against Jan Peeck, defendant; the director orders that the plaintiff have his complaint, which is in English, translated into Dutch for the next session of the court.

Thomas Baxter, plaintiff, against Eckbert van Borssum; Thomas Baxter requests that Eckbert van Borssum make the house, which he is renting from him, wind and water tight or he shall be removed from the house.

The director and council order that the tenant pay the rent for as long as the tenant has lived in the house.

Marritje Claesz, plaintiff, against Aucke Jansz, carpenter, defendant; Marritje Claesz demands fulfillment of the contract made with the defendant concerning carpentry work in a house. The defendant declares that he began the work but when half finished became sick. He further declares that the plaintiff had at that time discharged him from his work.

The director and council order that it be postponed till the next session.

Henrick Gerritse, plaintiff, against Pieter Andriesen, defendant; the plaintiff demands the return of a canoe which the defendant borrowed from the plaintiff.

The director and council order that the case be prosecuted after the aldermen have made a decision.

[18] [Adriaen Keyser, auctioneer, against Augustyn Heerman; plaintiff] demands preference of payment from the estate of [Pieter] Anthony, deceased, or from his administrators.

The director and council order that the petitioner has to come [ ] with the other creditors or by default to [ ] the security.

The administrators of the estate of Pieter Anthony, deceased, request by petition that commissioners [be appointed] for the debtors of the estate.

The director and council order that the aldermen be appointed at once as commissioners, to [ ] and decide in the presence of Mr. Montagne, as is usual.

The deacons request by petition that the money due for the purchased land be balanced against the Company's account for the sum of f1850.

The director and council order the sum to be so balanced.

The surgeons request by petition that they alone be allowed to shave.

The director and council respond that shaving is actually not in the domain of surgery, but is only an appendix to it; and that no one can be denied this service to himself or doing it out of friendship for another, with the condition that it is done out of courtesy and without receiving payment for it or keeping a shop to do it in, which is hereby forbidden.

With regard to the last petition: we proclaim this regulation concerning the surgeons and the public health and about which [ ] have decided, that whereas last summer two or three serious mistakes were made by the inexperience of some ships' barbers; therefore, the director and council hereby order that such ships' barbers shall not dress any wounds, bleed, or prescribe any drinks for anyone on land without the knowledge or special consent of the petitioners or, at least, of Doctor La Montagne.

[19] [ First seven lines are lost. ]

Domine Johannes Megapolensis requests by petition that Anna Smits, Anabaptist, should be restrained from using slanderous and blasphemous expressions against God's word and his servants.

The director and council order that the aforesaid Anna Smits shall appear on the following Wednesday at the school of David Provoost, where the aldermen are accustomed to meet, and that the director and council, together with the petitioner and church council, shall appear there in order to hear what the aforesaid Anna Smits has to say against the teaching of the petitioner.

Adriaen van Thienhooven, Samuel Megapolensis and Jan de la Montagne request by petition that a pew be erected in the church at this place.

The director-general and council resolve to take it into consideration.

Copy of a letter written by the director-general to the aldermen.

Honorable and dear friends:

We have many times communicated to the board as a whole, or to some aldermen in particular, the orders and instructions of their High Mightinesses and lords-directors, our patroons,

concerning construction on Fort New Amsterdam, which were put forth in vain repeatedly to previous aldermen with requests for their assistance. Nevertheless, with the few Negroes and Company's servants, I began the highly necessary and urgent work. During the last two summers ('50 and '51), because of our meager assistance and strength, we made indifferent progress; we would have enclosed the fort on all sides and put it into good shape if the service of the Company and welfare of the country had not drawn my servants and those of the Company to the South River, who remained there for the better part of last summer laying out and constructing a new fort in order to maintain and defend the Company's rights and boundaries.<sup>16</sup> For the meantime, it is to our great sorrow that, through failure to execute and maintain the ordinances and orders issued by us, the newly raised earthworks are being trampled down and destroyed by horses, cows and hogs, which can still be observed daily, to are great scandal and shame. We have made known to some of you on the board from time to time about the discontent and strife caused by seeing our new earthworks which were raised without the community's assistance, rooted up, trampled down and destroyed by the community's hogs, cattle and horses, turning all our efforts into ashes.

[20] [It is true that the negligence and connivance of the fiscal has caused this, as he did not enforce or execute our twice or thrice renewed proclamations.<sup>17</sup> We are therefore compelled to leave the fort, to our shame and the detriment of this place, as we found it, and to suspend all work on it or to execute and enforce our orders and proclamations, now already three or four times published and posted; namely, to impound the horses, cows and hogs henceforth found on the fort and to confiscate them for the benefit of the honorable Company. Otherwise it is impossible to keep the new construction in good order and to do what has yet to be done. Before taking extreme measures, at the risk of being blamed for it, and to prevent all excuses of ignorance and all reproaches, we have thought it best for our own sake, first to inform the board of aldermen of our intentions and to warn, through them, the community, which has paid no attention to our former orders, against the impending losses; it is disgraceful for this place, dangerous for the inhabitants in time of need and for ourselves disgraceful and unbearable to see the fort destroyed, and our good intentions and hard labor frustrated and wantonly trampled under foot.] Waiting here for the written response of the aldermen, I am and remain,

Honorable and dear friends,

your devoted friend,

P. Stuyvesant

[21] [ First several lines are lost. ]

[ ] van Borssum, plaintiff, [ ] the plaintiff requests that he [ ] from the rent [ ] .

The director-general and council order [ ] to pay for the delivery of the key. ]

Thomas Backster, plaintiff, against Henrick Hermensen [ ]  
 ] Jeurjaen Fraddel and Jeurjaen Casparssen;  
 the plaintiff demands the payment of f23.

David Provoost, as administrator of H. Hermens' estate;  
 [ ] Harrix promises to [ ] the aforesaid f23.

He further demands a sum of money [blank] from General  
 Kiefft's estate, resulting from dislocation in the war.

The director and council respond that he can try to [ ]  
 ] and the account shall be settled.

Caspar Stymets, sergeant, plaintiff [ ] Marritje [ ]  
 ]; the plaintiff demands payment of f37 as appears in  
 the defendant's bond.

The director and council order the defendant to post  
 security with the court until the arrival of Daniel Wittheat.

Burger Jorisz, plaintiff, against Lysbet Pietersz. [ ]  
 ] the plaintiff.

Adam Brouwer, plaintiff, against Machiel Janssen, de-  
 fendant; the plaintiff demands proof that he had grain to sell,  
 because he, the defendant, would have said so, and that he, the  
 plaintiff, would have taken it from the mill.

The director and council order the plaintiff to prove that  
 the defendant said so, or to pay the defendant's expenses.

Pieter Segersz, plaintiff, against Jan Vingee, defendant;  
 the plaintiff complains that he was beaten by Jan Vingee.

The members and president of the [court], having examined  
 the case, find that the plaintiff well deserved the beating he  
 got (for the curse words directed at the old woman); and if he  
 does it again, he shall be punished.

[22] [ First several lines are lost. ]

David Provoost again requests the proof of the [ ]  
 ] Machiel Jansz from the previous court session, together  
 with [ ] .



The director-general and council order Isbrant Dircksen to pay his signed bond.

Burgert Jorisen, plaintiff, against Lysbet Pietersz for the house rent which she [ ]; the defendant acknowledges the debt.

The director and council order the defendant to pay [ ] between now and the first of May under pain of punishment.

Marritje Claesz, plaintiff, against Aucke Jansz for fulfillment of an argument which the defendant made with the plaintiff.

The director and council order that [ ] shall appear by the next court session.

4 March 1652, Monday, in Fort New Amsterdam; present: the director-general as president, H. van Dyck, Dr. La Montagne and Brian Newton, clerk.

Jan Peeck, plaintiff, against Cornelis Jansz de Zeuw for the sum of f61, 19 stivers.

The plaintiff is ordered to pay on a specific account of the defendant in order to respond to it on the next court session.

[24] [ First several lines are lost. ]

Geurt Coertten, plaintiff, against Gisbert de Langheboer [ ] defaults.

Paulus Leenderssen, plaintiff, against Willem Bredebent for the poor [ ] defaults.

Maria Claesz, plaintiff, against Aucke Jansz; declares not to have released the aforesaid Aucke Jansz from the agreement made between them.

The defendant claims to have been released from the aforesaid contract.

The director-general and council order Aucke Jansz, defendant, to pay within one month to the aforesaid woman, plaintiff, a sum of thirty guilders in negotiable money.

[            ] Kristman, plaintiff, against Adam Brouwer for  
 {            } of f43.

The director and council order Adam Brouwer to pay in [            ] days.

Jacobus van Couwenhoven, plaintiff, against Jacob van Curler, defendant; the defendant defaults.

Claes Ripsen, plaintiff, against Hendryck Hendrix Kleermaecker for the sum of f41, 15 as the balance due for carpentry work on his house.

The defendant first demands fulfillment of the contract.

The plaintiff asks to see the contract, which he declares he wrote in his own hand at the defendant's house and left it there in his presence, and said accordingly that the contract had been made.

The defendant responds that the plaintiff took the contract with him and promised to have it copied as soon as possible, and to place a copy in his, the defendant's, hand; which he has not seen as of today, but he produced a contract drawn up by himself and [signed] by the plaintiff's partner, which the plaintiff rejects and [            ] of witnesses.

[25] [            First several lines are lost.            ]

Tuesday, the 5th of March 1652.

The director-general and council of New Netherland to all who shall see, read or hear this read, greetings; be aware that we have before now several times informed and warned the commander at the colony of Rensselaerswyck not to shut in and obstruct the honorable Company's Fort Orange with new buildings and houses within the aforesaid fort's liberty, estimated to be 600 geometrical paces or 1200 steps, about a salute gun's shot distant. This order and warning was communicated to the aforesaid commander and to the court of the colony on 23 July 1648 by the director-general, orally as well as in writing, with the verbal request, as stated in the written propositions, not to allow the erection of any more new buildings within the liberty

of the aforesaid fort, unless he, the commander, has previously obtained and could exhibit a special order, or at least consent, either from their High Mightinesses, our sovereigns, or from the lords-directors of the Chartered West India Company as masters and owners of the province of New Netherland; because, outside of the aforesaid limits of the fort's liberty, above and below the fort, there are sites more suitable for building purposes. Although these orders have been communicated several times to the aforesaid commander by our respective commissaries and by our letters, he, the commander, has ignored them; yet for the sake of accommodation and neighborly communication between the fort and the colony's village and in order to be in a better position to assist one another in time of need, we allowed ourselves to yield to the request of respectable and peaceful inhabitants, so far [26] [as to suspend provisionally, after a visual inspection and until further orders from the lords-directors, their rights to the aforesaid boundaries, reserving the right to pull down the houses, if hereafter demanded by necessity] or so ordered by the honorable directors. The aforesaid commander, not being satisfied with that, has, propria autoritate, without recognizing any higher prerogative in this province, gradually begun to distribute the lots nearer to the fort not only for quitrent but also, as we have been informed by good authority, in fee simple, which is an absolute sale; so that for the maintenance of the privileges of the fort and the honorable Company and their jurisdiction and authority in this province, we were finally compelled and obliged to defend and publicly proclaim their rights and the boundaries of the fort. This proclamation, having been communicated to the aforesaid commander, with an order and directions to publish the same in the Colony; he, to the disparagement of ourselves and our official positions, of the high and sovereign authority of our fatherland, which we represent here, and to the special affront of the lords-directors, the patroons of this province, most insultingly and indecently dared to tear it out of the hands of the clerk or assistant and throw the seal of the province to the ground. Whereas the aforesaid commander has, by this insult and affront to the supreme government, violated all neighborly obligations and our previous accommodating moderation, provisionally not to enforce the claim to the boundaries of the fort's liberty until further orders were received from the lords-directors, we are now by that unwarranted action and their derisive proclamation induced and constrained to revoke our previous favor and to direct our [27] [commissary, as we herewith order him, not to permit any building or frame of a house to be erected either west or northwest of the fort within 600 geometrical paces of] five feet each or 250 Rhineland rods, approximately the range of a salute gun's shot; and so that no one may hereafter plead ignorance, we command our commissary, after posting and publishing this, to erect or cause to be erected north, south and west of the fort a post marked with the honorable Company's mark at the aforesaid distance, determining the provisional jurisdiction of the aforesaid fort. Thus done and enacted, considering the claim of the fiscal to proceed on and against the commander and others for this and other crimes committed by them, in council, this 5 March 1652.

P. Stuyvesant

[28] [The honorable councillors La Montagne and Captain Nuton are hereby requested and authorized to present themselves in company with Secretary van Tienhoven] at the meeting of the aldermen of

this city, and to communicate and read to them our written propositions placed in the hands of the aforesaid secretary; to hear and record, or cause to be written, their opinions thereon; also, if the honorable councillors consider it necessary to compare the contrary opinions and to dispose matters for the best advantage of the public. The aforesaid honorable councillors are particularly requested, in the presence of the aldermen or of a committee of their board, to examine and hear Francis Fyn, former captain, and Andreas Cristman, clerk, concerning the abusive, defamatory and slanderous remarks uttered, as we are informed, at the house of Captain Fyn, in our absence, against our persons and offices. Which so doing etc. Done at New Amsterdam, 21 March 1652.

P. Stuyvesant

[29] [ First several lines are lost. ]

Jan Peeck, plaintiff, against Cornelis [ ] concerning the sale of the frigate with Jacob Hap [ ].

The director and council order that Cornelis de Seuw pay [ ] Jan Peeck f35, 18; Jan Peeck must prove that the beavers are owed him, [ ] the f35, 18 must be paid.

Jan Peeck, plaintiff, against Reynier de Metselaer for the sum of 9 guilders 13 stivers.

The director and council order the defendant to pay Jan Peeck from his [ ] wages f7.

Hendryck de Backer, plaintiff, against L. van Dincklagen. The defendant defaults.

Jan Laurisz Appel, plaintiff, against Jacob van Curlaer complaining of the attachment against him. The defendant defaults.

Jan Cornelisz van Hooren, plaintiff, against Jacob van Curlaer complaining of the attachment against him.

The director and council declare the attachment valid.

Hendryck Janssen Schmitt, plaintiff, against Jacob van Curlaer for damages; complains of the attachment against him.

The director and council consider the attachment valid.

Caspar Varlett, plaintiff, against Jacob van Curlaer. The defendant defaults.

Capito,<sup>19</sup> plaintiff, against Thomas Gredy. The defendant defaults.

Jan Brint, plaintiff, against Jan Masten concerning the account [ ].

The director and council advise that the parties acquire a better knowledge of the case than the honorable gentlemen have.

Paulus Leendersz, plaintiff, against Willem Bredenbent. The defendant defaults.

Leendert Arentsen, plaintiff, against Willem Beeckman; requests to be released from the rent with Beeckman.

The defendant holds Leendert Arentsen to the rent according to the rent certificate. The director and council consider the rent certificate valid.

Dirrick Benssinck, plaintiff, against Claes Croon. The defendant defaults.

[30] [ First several lines are lost. ]  
 . . . Marck Menloo concerning the stealing and killing of [ ]  
 ] Lourentsz' sow.

The prisoner, Menloo, denies killing the sow.

It is sufficiently clear to the honorable director-general that the prisoner stole the pig. The prisoner is ordered to pray to God for forgiveness and to confess the truth in the matter.

The prisoner admits bringing the shoat home and mistreating it.

The director-general and council being certain, and the prisoner unwilling to tell whether anyone else was involved,

they order the fiscal to hold him under close confinement in order to proceed against him in the usual way.

1652, Monday, 25 March.

Tomas Baxter, defendant, against Isaack de Forest, plaintiff.

Hendrick Janssen, plaintiff, against Jacob van Curler, defendant, for f180; the defendant acknowledges that he is indebted to the plaintiff according to a bond for f59 [ ] bond for f95, 4. [ ] hearing it was revealed that f23 in difference [ ] which was offered [ ] he refused [ ].

Jacob Clasen, plaintiff, against Jacob van Curler, defendant, for [ ] of 32 packs of beavers coming from [ ] of one  $\frac{1}{2}$  yacht; the defendant denies the debt and asks that the plaintiff prove his claim.

[31] [ First several lines are lost. ]

Salomon Abbesz, plaintiff, against Pieter Noorman, defendant.

Lodewyck Jongh, plaintiff, against Fredrick Lubbersz, defendant, for [ ] land [ ].<sup>20</sup>

Hendric Willemsz, plaintiff, against Lubbert Vandrick, defendant, for violence committed by the wife of Lodewyc Jonck [ ] the person of Fredrick Lubbersz, for which the aforesaid was detained by the director and council [ ] the alderman as security [ ] escaped from confinement.

Hendrick Petersz, plaintiff, against Jacob Swan, defendant [ ].

Claes Jansen, plaintiff, against Govert Loockermans, representing Dirck Cornelisz van Wensveen, defendant; the plaintiff demands f125 [ ] stemming from wages.

The defendant<sup>21</sup> answers that his wife<sup>22</sup> told him that her previous husband, Dirck Cornelisz, told her upon his departure for Holland, to pay nothing to Claes Jansz "because I owe him nothing," and he still owes me f11 from the argument.

The director and council order that the plaintiff have an extract made from the previous resolution and prove his claim.

[32] [ First several lines are lost. ]

Cornelis van Steenwyck, plaintiff, against the fiscal, defendant; the plaintiff made a written reply to the fiscal's response, which the clerk shall copy and give to the fiscal for reply within 8 days.

The administrators of the estate of Jan van Rotterdam are unable to pay the honorable Company; therefore, they are to cede and transfer the land to the Company. The director and council have granted the aforesaid land to Jan Jansen Langendyc, provided that Jan Jansen settle the debt with the Company.

Maria de Truy, wife of Jan Peeck, testified in council before some officials of Vlissinge and Mr. D. Provoost that some Indians had told her about the killing of the hog. The one Indian named Sasse [ ] asked her why the Englishman named Merck Menloff was to be executed. She replied, because he had killed hogs in the woods. The Indian said that there were Indians near the white stone and that they had killed a hog and skinned it [ ] half of it with them, leaving the other half behind because [ ] an Englishman through the woods with a gun . . .

[33] [ First several lines are lost. ]  
 . . . and declared that an Indian [ ] to his house [ ] offered to bring him pork [ ] ordered him, if the Indian brought him pork [ ] to remain in his house and [ ] to inform the director-general.

For which the director-general, Petrus Stuyvesant, informed the authorized officials of Vlissingen in council that Merck Menloff is being held prisoner since several days ago.

[34] [ First several lines are lost. ]  
 . . . for the shooting of hogs by him [ ] upon Long Island as attested to by various [ ] and strong testimony evidently shows, admits as follows:

1. That he brought home two hindquarters and put the fore-quarters behind a tree along a small thicket.
2. Also, that he was the cause of the lie because the Indians were not to have pork. Because it was his intention to report the same to the officer (so he says), his wife hindered him from or advised him against reporting it to the officer, and his wife hid the pork in the corn without his knowledge.

3. He says that he is unaware that he told the officer when he came to investigate, "If I had pork in the smokehouse, I would have it locked."

The honorable director-general of New Netherland; present: Captain Onderhil, Jan Hicx as commissioners from Vlissingen where the crime was committed [ ].

Whereas Mr. Davit Provoost, alderman, presently examined and interrogated Merck Menloff vigorously, as appears above, and although the evidence is strong enough to warrant severer punishment, however, he said upon the desire and wishes of the community of Vlissingen, we are hereby to show mercy before severity; therefore, having considered everything meticulously which might serve as evidence; also, in order to establish an example so that . . .

[35] [ ] First several lines are lost. [ ]  
 . . . director-general [ ] of their High Might-  
 inesses, the lords [ ] directors and patroons of this  
 province, as they hereby do order the aforesaid Merck Menloff to  
 be banished forever [ ] with his wife (because it ap-  
 pears that she assisted him in the theft); and it is ordered  
 that the aforesaid Merck Menloff transport himself out of the  
 province with his entire family as soon as possible, without  
 being found ever again [ ] there or in this jurisdic-  
 tion [ ] on pain of punishment according to the discre-  
 tion of the court, and furthermore [ ]  
 ]. Thus done and adjudicated at the meeting in the presence  
 of the aforesaid officials commissioned from Vlissingen and  
 Mr. Davit Provoost, alderman. 28 March 1652, New Netherland.

P. Stuyvesant

La Montagne

John Underhill

John Hicckes

Before me, Cornelis van Tienhoven, sec.

[36] Without mentioning the various misbehaviors of the fiscal, van Dyck, of which he has made himself guilty by connivance, negligence and, in general, failing to do his duty, he has now had the audacity to insult, slander and chide us and the honorable council repeatedly, as his own confession and the evidence of trustworthy witnesses proves, especially his own petitions of 4 July 1647 and September 1651, as of the council's petition dated 1648. All of this we have suffered patiently and over-looked upon his promise of better behavior. Nevertheless, he has again seen fit to insult, slander and chide [ ] on the 6th of this month at the house of Captain Francoys Vyn, in the presence of him, his wife, the dry nurse and Andries Christman, calling [ ] a scoundrel, murderer and tyrant [ ] and other such names. Because we have a different opinion of ourselves and because up till now we have never been so considered by respectable people, or much less having anyone be persuaded to believe such; however, because such insults and slanders have been repeatedly uttered behind our backs and in our presence, we

cannot endure it any longer without causing our good names and reputation to be suspected. We are therefore compelled for the sake of the Company's, our subjects', and our own honor to suspend the aforesaid fiscal, Hendrick van Dyc, from his office and duties until further orders are received from the lords directors, and in the meantime communicate this to your honors for approval or defense of the fiscal, as your honors may see fit for our honor and public welfare. Done in New Amsterdam, 27 March 1652.

[37] After the director-general, Petrus Stuyvesant had read the above proposal to the council and aldermen, they declared that they could not produce anything for the defense of the fiscal nor find any reason why he should not be suspended. 28 March 1652.

La Montagne

Brian Newton

David Provoost

Willem Beeckman

Pouwelis Leendertsen van der Grift

Before me, Cornelis van Tienhoven, secretary.

The fiscal, Hendrick van Dyck, appeared before the council where the director-general informed him that he, Hendrick van Dyck, had injured the lord general's reputation, which he herewith expressly denies and, protesting against his suspension, requested a copy of these proceedings. 28 March 1652.

The director-general has suspended the fiscal and orders him not to involve himself any longer in the Company's affairs. The secretary is ordered to give him copies of the letter which he, van Dyc, calls a lampoon, and of the above proposition of the director-general concerning the letter to the council and aldermen.

[38] [ First several lines are lost. ]

Hendryck Gillisz against Jacob Swart [ ]

Paulus Schrick against Jacob van Curlaer [ ]; the plaintiff requests payment for goods delivered to the defendant amounting to f60, 13 stivers.

The aldermen order the defendant to pay [ ] in specie within two months from today.

Jacob van Curlaer against Susan Breser, defendant; the defendant defaults.

Hendrick Willemsen, plaintiff, against L. van Dincklagen, defendant; the plaintiff requests the sum of f44 for bread.

The aldermen order the plaintiff to prove the debt at the next [ ]; the defendant defaults.

The wife of Isaack Forest against Lubbert van Dincklagen; the defendant defaults.

Adriaen Leyser against Frantsois Fyn, defendant; the plaintiff requests that the defendant be questioned by interrogatories whether he acknowledges [ ] or denies [ ].

The defendant says that he has never lied to the plaintiff, which he [stated] in the aforesaid interrogatory.

Jan Gerritsen came to the meeting and complained of the attachment made on the goods sold by Christman, of which [ ] the aldermen consider the attachment valid.

[39] [ Blank page. ]

[40] The honorable director at the session of the council [ ] the aldermen for the [ ] misbehavior and misdeeds of Hendryck van [Dyck] [ ] fiscal of New Netherland [ ] the aforesaid lord general remonstrates [ ] the privileges of his lords superiors [ ] of the aforesaid [ ] to obey [ ] and office, and to settle his accounts, which have been determined today with the knowledge of the honorable council and [ ] aldermen. [ ] under-written Hendryck van Dyck is discharged from [ ] service and summoned by the honorable [ ] Thus done [ ], 28 March 1652.

[41] [ First several lines are lost. ]

Hendryck Gillesen against Jacob Schwart, defendant; the plaintiff demands of the defendant f79 [ ]

second time before the aldermen and [ ] before the high council.

The aldermen order the defendant to pay the f79 when served with this upon pain of penalty, with expenses [ ] which is to be paid within one month if he proves [ ] the balance [ ].

Maximiliaen van Geel, plaintiff, against Fibertje, the wife of Lubbert Gilbertsen; the defendant defaults.

Jacob Verrevanger against Jan Gerritsen, defendant; the defendant defaults.

Abram Verblanck, plaintiff, against Dirrick Teunissen Noorman; the plaintiff demands to know why the defendant is burning lime on his, the plaintiff's, land and not cultivating it as he was contracted to do, because by burning lime his land is wasted and not improved as agreed; and because the plaintiff was to enjoy the one quarter of the increase of his land.

The defendant says that he has sown seven skipplles of winter grain but no summer grain for lack of horses.

The aldermen order that the plaintiff be allowed to take one quarter of the burned lime as his rightful one quarter of the increase.

Eckbert van Borssum, plaintiff, against Jan Hendricksz Noorman, defendant; the plaintiff submits and shows to the council a note from the defendant acknowledging his debt to the plaintiff for the sum of f74, 9 stivers in merchantible beavers; written the 8th of July 1651, the plaintiff offers to wait until the first of June 1652.

The defendant objects because his master, Claes de Ruyter, is indebted to him and will not pay; he says, otherwise he is unable to make the payment.

The aldermen order the defendant to settle accounts with the plaintiff and to show the proof of the account in the presence of Christman.

Hendrick Willemsen Backer, plaintiff, against L. van Dincklaagen, defendant; demands f44, 13 stivers. This third summons is proof of the debt.

Because the defendant has been summoned three times concerning the debt, the council and aldermen declare the plaintiff's

claim to be free and truthful, and order the defendant to pay within 14 days. Done in the absence of the director-general.

[42] [ First several lines are lost. ]

Jan Montangie comes to the session to complain [ ] done by the court-messenger for money owed to Dincklagen.

The aldermen, in the absence of the director-general, declare the attachment valid.

[43] [Honorable Gentlemen of the Council.

On Thursday of last week . . . . . came to me demanding payment for the land . . . . . promised by him to the Indians . . . . . 500 guilders,] without giving us sufficient [proof . . . ] of the land and how much is wilderness and waste [ ] should have the amount, for which reason my superiors, [the honorable lords-directors,] have taken exception and demanded more proof [ ] Jan Schnediger has been pleased to address us in a most insulting manner, saying, among other things, that the losses and damages hereafter [caused] by the natives should [ ] upon me and my [ ]. These words were shouted so loud that everyone could hear them, which is not only derogatory to our person but also to our official position; because we are not willing to submit to such insults, we have been compelled to inform your honors of the incident and ask for your advice and assistance.

Concerning the matter itself: your honors know that shortly before the last murder was committed, the aforesaid Jan Snediger came to me and reported in the presence of Domine Megapolensis that some Indians had come to see him demanding payment for the land in the Flat Bush; however, the discussions concerning it, our propositions and the consequences thereof could not be known to you. They can be reduced to two parts as follows:

1. Is it expedient and advantageous to encourage and embolden the Indians to the point that the lands have to be bought and paid for again because of their threats. The same lands which they previously have, of their own good will, sold, given, ceded and received payment for, and which since have been partly occupied?

2. Would it not lead to serious consequences, if it can be proved, that there is in the midst of the purchased land some which has not been bought (although we are not quite convinced of it), or what would be the consequences of the situation if we gave a small gift to the Indians? Would not their wicked and insatiable avarice take advantage of it and consider it as an inducement to murder more Christians, imagining them to be faint-hearted, and threaten a massacre so that later on they may again obtain money and goods for another piece of wild and waste land? Concerning these points I was somewhat in doubt whether the Indians had a better claim to the wild and waste bush, upon which God and nature had grown trees, than any other Christian

people, and what proof and assurance could be produced that the Indians had a better right and title to this parcel of land than other Indians, even more than the greatest sachem or chiefs who a long time ago had sold, given and ceded the whole piece of land and its dependencies to the former officers of the honorable Company, and received according to the declaration of the late director and council satisfactory payment for it in goods.

Nevertheless, (although it was improper and contrary to all reason and equity) we agreed, for the sake of preventing blame and new troubles, to allow the aforesaid Jan Snediger recently to give or promise to the Indians a gift and make a report to us so that we might compensate him in due time; however, we never thought, much less expressly ordered him, to promise such a large sum at our expense or the expense of the Company for such a small piece of land, especially not on such uncertain conditions and terms. Therefore, in order to be able to defend ourselves before the above-mentioned lords, and to prevent being accused of negligence, we refer this purchase for your honors' knowledge and discretion so that a proper resolution may be drafted concerning it. Done in New Amsterdam, 17 June 1652.

[44] [ Blank page. ]

[45] Extract from the Book of Resolutions of New Netherland, 10 June 1652.

Casper Steynmets, plaintiff, against Jacob van Curlaer, defendant; the plaintiff demands payment of f51, 8 stivers.

The director-general and council order the defendant to pay the aforesaid sum.

By order of the director-general  
and council.  
Andreas Joh. Christmann, clerk.

Sergeant Caspaer Steymets, plaintiff, against Jacob van Curler, defendant; whereas he demanded [ ] the defendant, but remained in default after the third summons for which [ ] was declared. The plaintiff appeared and submitted a obligatory note for f51, 8 stivers signed by Curler himself, which legally confirms the debt. The director-general, by virtue of the contempt, condemn the defendant to pay the debt of f51, 8 to the plaintiff, with expenses.

[46] [ Blank page. ]

[47] [ First several lines are lost. ]

The plaintiff demands four beavers [ ]  
 Pieter Ebbel acknowledges the debt [ ] order  
 that he be content [ ] with the payment.

[ Govert Loockermans, plaintiff, against Loodewyck Poos;  
 ] defaults.

Ariaen Keyser appears before the meeting, demanding from David Provoost, curator for the estate of Jan Damen the sum of f1719, 6 stivers, due on 1 May 1651, according to the bond dated 16 August 1650, and signed by Jan Damen and Jacob Stoffelsen.

The defendant says that the plaintiff should prosecute the case.

Ariaen Keyser, plaintiff, against Jacob Stoffelsen; [ ] defaults.

Ariaen Keyser, as before, demands [ ] Jacob Cowenhoven; Provoost, his representative, answers as before.

[48] [ First several lines are lost. ]

Ariaen Keyser, plaintiff, against Jan Hendricksz Coopal; the plaintiff demands by virtue of a [ ] the sum of f420,2.

It is ordered that he deposit the money with the court.

Jan Peeck, plaintiff, against Danyel Nieman; the defendant defaults.

Anna van den Berch, plaintiff, against Gulliaen Jansen; the plaintiff demands that her servant serve out his time according to the contract made with him.

It is ordered that she go to the alderman and see [ ] because the case is appropriate for the alderman.

Upon the petition of Jan Jacobsen, the director-general and council refer to the judgment already passed.

Upon the petition of David Provoost, the petitioner shall be granted a patent [ ] others have usually been done.

Upon the petition of Jacob Hendricksz, he is hereby nominated to be a curator; the petitioner and Isaack de Forreest as witnesses.

The petition of Cornelis Pyll is placed in the hands of [ ] and ordered to show proof that the same goods are properly delivered.

[49] [ First several lines are lost. ]  
 . . . curators, and both parties are ordered to balance the [ ]  
 with one another; and if they cannot come to an agreement, they will be assisted by two persons.

The petition of Hans Steyn to be allowed to hold school is granted.

#### The Petition of Brant van Slechtenhorst.

With all due reverence, Brant van Slectenhorst, director of the colony of Rennselaerswyck, lets it be known how he and his associates in the aforesaid Colony have repeatedly and urgently requested that the petitioner be released from the arrest in which he has been held since last April 18th, and that he may receive permission to return to the Colony in order to attend to the patroon's urgent business in the Colony, which until now has not been granted; and whereas in the meantime, with the arrival of the ships from the fatherland, the situation has changed in so far that the lords patroons have approved the petitioner's request to be discharged from the Colony's service and to appoint someone as his successor, whom it is necessary to inform of the situation and state of the Colony, and because this can only be done by the petitioner and because, furthermore, the Colony has been deprived of the service of its director for such a length of time, and nothing can be done without the director, which tends to the great disadvantage and loss of the Colony and of the lords patroons. Therefore, in order to prevent further loss and damage, he has resolved to address your honors once again very respectfully, and to request, in consideration of the foregoing, and so that, with all due respect, the serious charges of private

parties ought not obstruct the service and welfare of the Colony, that your honors be pleased [50] [to allow the petitioner to proceed to the Colony for the aforesaid purposes, while he promises to return here immediately] upon your honor's orders and offers as security his own person and property. Awaiting a favorable reply to his petition he remains,

2 September 1652

Your honors' willing servant,

B. van Slechtenhorst

The director-general and council of New Netherland have already before now replied to the petitioner's request; also, informed the Colony's court by letter last May that if they or the petitioner give sufficient security for the appearance of the petitioner upon a summons of the fiscal, the petitioner shall be free to return to the Colony for the purpose of attending to his and his superiors' business. In the meantime, some of his adversaries have obtained a definitive sentence against him for disobedience, and demand proper security for their satisfaction, which, if the petitioner posts on behalf of the parties according to law, his request is once more granted under the aforesaid condition of procuring bail for his appearance upon the demand and summons of the fiscal.

Upon the petition of [canceled] Abramsen; the petitioner shall, upon approval of the lords-directors, be granted the charter in [ ] for the period of 12 successive years, with the condition that the petitioner survives and [ ] the petition be put in effect in [ ] year.

[51] [The director-general and council having observed the great expenses which they have annually to sustain themselves for the support of the civil government, the military, the church and school, and having seen, on the other hand,] the meager revenue and income thus far produced only from the duty on peltries and the small excise on tapsters, and the annually increasing charges; while on the contrary the duties are diminishing, because it had pleased the directors of the Chartered West India Company, chamber of Amsterdam, to contract with some merchants of Amsterdam not to exact more than eight percent on beavers and otters, while, however, it was customary in the time of Mr. Kieft, of blessed memory, to exact 15 stivers from each merchantable skin which was also continued by us and has been paid by the majority of the merchants here without offering any objections until finally some merchants in the fatherland claimed and obtained from the honorable Company the privilege by special contract of paying eight percent, whereby then, such parties being more favored than those generally interested, the revenues here are greatly diminished and curtailed. Thus, with the garrison being daily increased and the revenue decreased, nothing else can follow than a sinking into deep debt, to the great detriment of the honorable Company in this its territory. Whereupon the director-general and council, being necessitated to provide as much as possible,

have, for the common good of the inhabitants and the maintenance of this country, found it necessary and expedient, pursuant of the honorable directors to allow the inhabitants here, as well as the merchants and traders, to enjoy the same benefits and to command the fiscal, first to collect eight percent in specie from the quality of the peltries; and because of the heavy burdens under which the director-general and council find themselves laboring, and considering that the merchants thus far have been exempt from the payment of storage and of the one percent of their imported goods, which according to instructions they are bound to pay here, [the director-general [52] and council have resolved that there shall be paid, in addition to the eight percent, four stivers a piece for each merchantable otter and beaver skin, and bear and elk hide, the thirds and] halves calculated in proportion. Thus done, 4 September 1652.

Whereas the director-general and council of New Netherland, in balancing accounts, find themselves, on behalf of the Company and this country, troubled and burdened with debts from expenses incurred last [ ] on the South River,<sup>23</sup> although these debts can be paid from the income on duties, but because the director-general and council are [ ] destitute and under urgent need to stock provisions for the coming winter for the garrison and other officials of the Company, and thus to promote the welfare of this country and for the maintenance of the garrison without losing control of the aforesaid, the director-general and council have found it urgently necessary to have the largest creditors balance half of their credits against the duties and to issue a bond for the other half payable the following year with [ ], or to be balanced against the duties, or otherwise to be balanced in the fatherland against the eight percent duty on Virginia tobacco. Thus done at the meeting of the director-general and council of New Netherland, 4 September 1652.

[53] [ First several lines are lost. ]

At the Meeting on 9 September. Present: the Lord General, La Montaigne, Newton, Fiscal Tienhoven, Jochem Pietersz, Paulus Leendertsen, Wm. Beeckman.

Allert Antony, plaintiff, against Casper Verlett; [ ] defaults.

Allert Antony and Gabry, plaintiff, against Thomas Willet.

The director and council order that the seller, Wm. Smit, shall have to appear here in order to bear witness to the truth.

Jacob van Couwenhoven, plaintiff, against Ariaen Keyser;  
 [                    ] defaults.

Casper Steynmits, plaintiff, against Herry Bresier; the  
 plaintiff demands f12 from the defendant.

The defendant acknowledges giving his word for twelve Eng-  
 lish shillings for Marck Meggs.

The director and council condemn him to pay the twelve  
 shillings and that he should seek compensation from his partner.

Phillip Gerrardy, plaintiff, against Laurence Cornelysse;  
 the plaintiff demands payment of f48,9 owed him for over two  
 years.

The defendant acknowledges the debt.

The director and council order the wife of Phillip Gerrardy  
 to be paid in beavers.

[54] [                    First several lines are lost.                    ]  
 . . . the plaintiff demands [                    ] fifty guilders  
 for house rent [                    ] Allerton's house.

The defendant declares that he is only aware of agreeing to  
 the sum of [f325] yearly.

The director-general, as witness, agrees that the contract  
 was made for f325 and that the payment is to be made in silver  
 money.

The director and council order that they shall [                    ]  
 ] with one another.

Cornelys de Potter, plaintiff, representing his maid serv-  
 ant, against Isaack Allerton and Jorys Woolsey; the plaintiff  
 complains against a certain Ralph Clarck who had deceived his  
 maid, Willemmeyntien, with a promise of marriage.

Cornelys de Potter, plaintiff, against Jacob van [                    ] as  
 curator for Pieter Antony.

The parties are ordered to proceed in writing.

Cornelys de Potter, plaintiff, against Foppe Jansen, as  
 curator of the aforesaid; the defendant acknowledges having  
 transported beavers, but not for himself.

Jacob Claessen, plaintiff, against Aeltien Dirricksz; the plaintiff demands to know of his wife Aeltien Dirricksz, the reason why she will not live with him and remains away from him.

The director and council having heard the parties and read the depositions, order that the plaintiff be held in confinement until the ships depart for the fatherland, in order to prevent any trouble.

[55] [ First several lines are lost. ]

Isbrant Dirrixen Goethart, plaintiff, against Juriaen Blanck; the plaintiff demands 60 guilders.

Having heard the parties, the director and council order that the plaintiff give him, the defendant, his obligatory note back, then the defendant shall pay him.

Isbrandt Dirrixen Goethart, plaintiff, against Lodewyck Poos; [ ] defaults.

Claes Hendericksen, plaintiff, against Grietien Jansz; [ ] defaults.

Willem Beeckman, plaintiff, against Ariaen van Tienhoven; the plaintiff demands payment for 54 beavers.

The defendant presents an account signed by Director Kieft.

The director and council order the aforesaid account be paid to Willem Beeckman next year.

Jan Jansen Scheepmoes appeared before the meeting requesting permission to tap from his wines, provided that he properly keep records of the same and assume the risk of any leakage.

The fiscal is ordered to make an account of the aforesaid wines.

Daniel Lytscoo appeared before the meeting and demands on behalf of Marytie Claesen payment from Andries Cristman.

The director and council order the aforesaid Marytie Claesen to be paid 40 guilders in sewant and one beaver.

[56] [Order. On a petition of surgeon Herwy for payment of his fees for attending soldiers on the voyage from Holland.]<sup>24</sup>

Upon the petition of Oloff Stevensen concerning the lands of Wouter van Twiller:

The patents and titles of ownership having been produced before the meeting by the petitioner, [ ] the effects can be seen and the matter [ ] in more detail.

Upon the petition of Gabry and Allert Antony:

The response to this request is that an ordinance has been issued concerning fugitives, stating that no one be allowed to shelter the aforesaid for more than 24 hours; by virtue of this, the petitioners' request is approved, and therefore the petitioners' request shall be executed with the publication of the fugitives' names.<sup>25</sup>

Upon Mr. Hattem's petition, the petitioner, with the approval and ratification by the lords-directors, is granted a charter for the period of 12 years, provided that it not prejudice the previous request of the petitioner. It is to begin [ ] confirmation of this.

Upon the petition of Lambert van Valckenb[urgh], the director and council respond that his account shall be paid from the treasury by [ ].

[57] [ First several lines are lost. ]  
 . . . in confinement [ ] 18 April of this year until now [ ] submitted petitions for the purpose of being released from detention by your honors' order [ ] so that he, the petitioner,<sup>26</sup> may be allowed to convey himself to the Colony of Rensselaerswyck; however, since he, the petitioner, has received on the latest ships from Holland, upon his previous request, the credentials of his office and, at the same time, a successor, he, the petitioner, requests immediate release from the detention where he presently is, and permission to convey himself to the Colony or to the fatherland with these ships which are ready to depart; and whereas the fiscal, Tienhoven, has brought suit against the petitioner, and as of today the petitioner has not been able to respond to it because his papers have been sealed up in his trunk, he, the petitioner, promises, in the event he has access to the aforesaid papers, to empower someone here to represent him in his absence against the fiscal. Thus doing etc.

The director and council refer to their response dated 2 September.

[58] [ First several lines are lost. ]

Thomas Willet, plaintiff, against the curator of Augustyn Gabry and Allert Anthony; the plaintiff demands payment, or the cattle bought from Wm. Smit by Augustyn.

Carel Gabry, plaintiff, against Ariaen Blommaert; the plaintiff requests that he settle the account, turn over the unsold goods, and pay for his share of the ready cash and traded goods.

Paulus Leendertsen and Carel van Brugge are ordered to audit the account and submit a report on it.

Carel Gabry, plaintiff, against Joorys Wolsly; the plaintiff requests payment for rope sold by Augustyn Herman to Prince,<sup>27</sup> governor in the South River, for which Isaack Allerton is security together with the agent of the aforesaid Prince.

The director and council refer them to the judgment dated 31 October.<sup>28</sup>

Miss Verlett, plaintiff, against Captain Geurt Tyssen; the plaintiff requests the sum of f2600 [ ] eight Negroes which she purchased, and after delivery were taken back again with [ ] linen out of her house during the night.

When the defendant sold the Negroes the agreement was made at the house of Hendrick Kypp for 2600 guilders to be paid within eight weeks in good currant sewant.

The director and council order the parties to deliver the money and the [ ] Negroes to the fort within 24 hours.

[59] [ First several lines are lost. ]

Francoys Gysbrickx, plaintiff, against Casper Verlett; demands two Negroes and two campbeds.

Willem Pietersen, plaintiff, against Jan Peeck; defendant's first default.

Willem Pietersen, plaintiff, against Cornelys Jansen Zeew;  
defendant's first default.

Henryck Gerritsen, plaintiff, against Auken Jansz; [  
] default.

Nicolaes Boot, plaintiff, against Jan Hendricksen Coopall;  
the plaintiff demands, according to the obligatory note, the  
sum of seven beavers.

The director and council order it to be paid.

Isaack Greveraet, plaintiff, against Andries Pietersen  
Cuyper; [ ].

Jacob Stoffelsen, plaintiff, against Pieter van Naerden;  
[ ] defaults.

Harman Smeeman, plaintiff, against Sybout Claesen; the  
plaintiff sold the defendant two cows for 110 guilders in  
currant servant [and] 13 beavers. He has received the sewant;  
demands payment of the beavers.

He does not acknowledge any beavers; a delay is granted  
until the next session in order to audit the same.

[60] [ First several lines are lost. ]

Jacob van Corlaer, plaintiff, against Brant van Slectenhorst;  
the plaintiff demands compensation for lost time when he was  
hired as secretary in the Colony, but when arriving upriver was  
not [ ].

The defendant says that when he was summoned to appear  
[ ] his name was removed from the protocol by order of  
Jacob van Corlaer.

In response, he first demands [ ] defendant a written  
claim and time to answer; secondly, proof of the requested debt  
[ ]; thirdly, security for the judgment and [ ] not  
prejudicing the freedoms granted the Colony of Rensselaerswyck.  
It was signed: Brant v: Slec[ ].

The director and council order that respective copies of the claim and response be furnished to the parties.

Jacob Swart, plaintiff, against Cornelys de Potter, representing [Willem de Key]; Jacob Swart demands from Cornelys de Potter, representing Willem de Kaey, payment for building a saw mill in the Virginias amounting to 48 beavers.

The director and council order that [ ] must produce [the contract] made between him and W. de [ ].

Thomas Mabbs, plaintiff, against Willem Albertsen de Boer.

The director and council order that Thomas Mabbs pay him sewant as much as [ ] and that he, Willem Albertsen, pay him, the plaintiff, for his lost time.

[61] Appeared before us, the underwritten councillors of New Netherland, the honorable, noble and valiant director-general of New Netherland who declared to have mortgaged and pledged, as he hereby mortgages and pledges with our knowledge to Messrs. [ Left blank. ], merchants in Amsterdam, either jointly or individually, all his movable and immovable property which he now owns or may hereafter come to possess, by whatever name it may be called, to wit, farms, lands, buildings, rents and salaries, to the amount of 12,000 guilders, until the first penny with the last of the capital and interest is repaid to the aforesaid gentlemen and merchants or their order, on the condition that the aforesaid merchants shall send by the first opportunity, covered by insurance, of which his honor offers to pay the premium, the sum of 12,000 guilders, as above, in specie, either shillings or double stivers. 16 September 1652.

Brian Newton

P. Stuyvesant

La Montaigne

[62] The honorable lords-directors please take notice that, in case the state of their funds does not allow such a remittance, we have written privately to Messrs. Gerrerd Smith, Joost and Nicolaas van Beeck, upon their approval.

[63] [ First several lines are lost. ]  
 . . . before the director-general and council [ ] in person, Cornelys Claesen Swits and Ariaenje Cornelysz Trommels [ ] island of Manhattan in New Netherland [ ] that he allowed, approved and agreed to [ ] contents and tenor of the present [ ] and procuration which they had drawn up by Dirrick van Schelluyn, notary appointed



[65] [ First several lines are lost. ]

Allert Antony, plaintiff, representing [the owners] of the [Fortuyn], against Casper Verlett and his son Nicolaes; the plaintiff demands f659 for the shipment of goods for him and his son.

The defendant responds that he and his son should be summoned separately.

The director and council order that both parties shall be properly summoned to appear on the next day of court.

Geurt Tyssen, plaintiff, against Judich Verletts [and] Anna Hackx.

The defendants are ordered to prove, according to the judgment of the director and council, that they deposited at the designated time the money for the purchase of the Negroes; if done Captain Geurt Tyssen is condemned to deliver the Negroes.

Claes Boot, plaintiff, against Aucke Jansz; defendant's first default.

Hendrick Pietersz; plaintiff, against Isaack Forreest.

[66] [ First several lines are lost. ]

[ Tobyas Teunissen, plaintiff, against Cornelys Jansz de ]; defendant defaults.

Egbert van Borseem, plaintiff, against Isbrant Dirrixen; the plaintiff demands 70 guilders for grain delivered to him.

The defendant acknowledges the debt.

The director and council condemn him to pay the plaintiff.

Francoys Rombouts, plaintiff, against Adriaen Blom[mert]; the plaintiff requests to know why he has detained him and prevented his trip to the fatherland.

The plaintiff is ordered to settle accounts with his master, and if they cannot agree, they are both to choose an arbitrator.

Isaack Forreest, plaintiff, against Thomas Bant.

Jan Gerrittsen, plaintiff, against Janneken Juriaensen; the plaintiff demands f8 in wages according to the agreement made with her.

The director and council order them to divide the [ ] and pay f4.

Upon the petition of Evert Tesselaer, this was placed in the hands of the parties to [ ] on the next court day.

[67] [ First several lines are lost. ]  
 . . . Nicolaes Stevensen and Willem [Hallet].

The director and council [ ] having seen and read the petitions of the parties on both sides, understand that Willem Hollet and Nicolaes Stevensz, both sailors, according to their contract [ ] free in New Netherland, and therefore are not obligated to make a voyage northwards in an unsuitable and open yacht during the winter; also, we order Jan Breet, merchant, because he proposed the [ ] to pay their wages.

Upon the petition of Isaack Forrest [and] Lawrence Corn[elisz] for a piece of land; the director and council grant the petitioners' request.

Upon the petition of Abram Planck; the director and council, considering the petitioner's request to be reasonable, order each to choose an arbitrator in order to settle their case concerning bills of exchange.

Upon the petition of Matheus de Voz: the request being considered reasonable, Messrs. La Montaigne and Carel van Brugge are commissioned to be present when the petitioner enters the estate by inventory of goods in order to make an account of them.

Upon the petition of Paulus Leendertsen and Allert Antony [concerning] a safe-conduct for Augustyn Hermans.

The director and council, salvo justicie jure, permit the fugitive to appear in order to satisfy his creditors as best he can.

[68] [ First several lines are lost. ]  
 . . . The director and council [ ] ex-  
 penses in the aforesaid judgment deposited with Mr. Willem  
 Beeckman [ ] for the security for which the  
 judgment was guaranteed, and that [ ] of the  
 petitioner's wife [ ] the sum of 400 guilders  
 [ ] attached for Jacob Corlaer's fine.

Whereas the director-general and council have been positively informed that some of the inhabitants in and around Fort Orange and also those residing in the Colony of Renselaerswyck, to the great hindrance and obstruction of trade, think nothing of roaming through the Mohawk country with quantities of goods and sewant in order to acquire, at their option, beavers at a cheaper rate, from which it will follow, in time, that the Indians, as in the south and elsewhere, will be encouraged in their laziness, and instead of producing an increase of trade, serious mischief is finally to be expected from the running into the Mohawk country with goods, because the Savages might decide, for the sake of the goods, to take the lives of those carrying them, as has frequently happened before to others; therefore, the aforesaid director and council, for the public safety, for the prevention of all new difficulties, and for the preservation and benefit of their honors' subjects, and the promotion of trade and commerce, have considered it extremely necessary seasonally to prevent the running with goods to the Indian settlements or Mohawk country; wherefore the director-general and council interdict and forbid, as they hereby do, all and everyone, regardless of his agreement or contract, from now henceforth, or after the publication [69] or posting hereof, from [going, riding or resorting to the aforesaid Mohawk or Senecas country with any goods or sewant however these may be called, without special order and permission of] the director-general and council or their representatives; all on a penalty of fifty pounds Flemish, to be applied as usual. Dated as above.

At at meeting on the first of  
 October 1652. Present: Lord  
 Stuyvesant, La Montaigne, Newton,  
 Fiscal Tien[hoven], Messrs.  
 Hattem, Paulus Leendertsen,  
 Isaack Forreest.

Hendryck Rendelman, prisoner, petitions that Potter and Schelluyn plead his case when he, the prisoner, heard the fiscal's request.

The director-general and councillors, upon the prisoner's petition, grant his request that Messrs. Potter and Schelluyn represent him in the case.

Hendrick Gricksen van Lymme appeared at the meeting and petitioned the council for a piece of land situated on the east side of Joorys Rappallue's meadow, which is granted to him on the condition that he not give it to anyone else.

[70] [ First several lines are lost. ]

Dirrick Jansz, plaintiff, against Hend. Hendricksz; defaults.

Nicolaes Boet, plaintiff, against Aucke Jansz; defendant's 2nd default.

Harman Smeeman, plaintiff, against Sybout Claessen; the defendant's wife acknowledges the debt and requests that payment be delayed.

The director and councillors order that she pays the 13 beavers within 6 weeks; defendant charged for first default, -12-.

Jan Jansz, plaintiff, against Harmanus Hartoch; defendant's 2nd default.

Dr. Jacob and Isaack Forrest, administrators for Black Hans, plaintiff, against Cornelys Jansen; the plaintiffs demand that the defendant restore the beavers received from Black Hans.

The director and councillors order that the defendant place the beavers in the hands of the administrators.

The same administrators, plaintiffs, against Hans Hansen, Hend. Pietersz.

The director and councillors, having heard the parties, order that the defendants try to prove their case, and produce the contract with Black Hans or the horses [ ] to the administrators [ ] for the benefit of the estate.

[71] [ First several lines are lost. ]

Willem Pietersz, plaintiff, against Jacob van Corlaer; the plaintiff demands 43:11, for use of 4 lbs. of candles.

The defendant denies the debt and requests an account by the next court session; the defendant's first default.

Fiscal Tienhoven, plaintiff, against Willem Pietersen; the plaintiff demands f65, 8 stivers.

The director and councillors order that it be paid.

Jan Wootock, plaintiff, against Jacob van Corlaer; the plaintiff demands 3  $\frac{1}{2}$  beavers.

The defendant says that he has never been indebted to him.

Jacob van Corlaer, plaintiff, against Brant van Slechtenhorst.

The defendant demands a copy and time to reply.

The director and councillors order that written copies be supplied for response of the next court session.

[72] [ First several lines are lost. ]

Paulus Leendertsen and Allert Antony, assignees on behalf of Augustyn, 30 plaintiff, against Anna Verlett, wife of Jorys Hack, concerning the following parcels: about 300 planks and a horse sent to Virginia aboard de Vaerwel; also, a Negro was sent to Virginia aboard Juriae Blānck's yācht.

[ Several lines are canceled here. ]

The defendant denies the debt and furthermore requests that he be released from attachment without expenses or damage.

The plaintiff responds that apparently [ ] that Augustynes had sent the goods to Jorys Hack.

The defendant denies that Augustynes sent the goods to the aforesaid Hack, but acknowledges that Augustynes sent the Negro.



Upon the petition of Hadryaen Pietersz who had a misfortune: the petitioner is given a safe-conduct to respond to the matter in person.

[74] [ Blank page. ]

[75] [ First several lines are lost. ]

Jan Jansen, plaintiff, against Harmanus Hartoch; the plaintiff says that he gave the defendant a bill for [ ] and requests payment or return of the bill.

The defendant says that he received no bill from the plaintiff, but did receive one from Daniel Nieman.

The director and councillors, having heard the parties, order Commissary van Brugge [ ].

Allert Antony, plaintiff, against Casper and Nicolaes Verlett; the plaintiff demands f659 for freight on goods which arrived here at the end of 1650 aboard de Fortuyn.

The defendants request that he first show an authority of procuration.

The plaintiff shows the authority of procuration.

The defendants answer in writing.

The director and councillors order that copies be given to the plaintiff for response at the next court session.

[ Evert Tesselaer, plaintiff, against Jan Jansen Schepmoes; ] first default.

[ The same Tesselaer, plaintiff, against Jacob van Corlaer; ] first default.

Tobias Teunissen, plaintiff, against Cornelys Jansen de Zeew; [ ] second default.

[76] [                      First several lines are lost.                      ]  
 . . . the plaintiff demands and requests written [                      ] they,  
 plaintiffs, say that they were [                      ] from the defendant and  
 were sold by the same to Messrs. de Potter, Fredrick [                      ]  
 and others.

The defendant responds in writing and produces [                      ] de-  
 positions.

Since this matter must be legally settled before justice  
 can be done, it is ordered that the defendant give the plaintiff  
 authentic copies of all his documents; both parties are ordered  
 to present all their [                      ] and documents concerning this  
 matter to the council at the next court session, and to renounce  
 further [                      ]; when this is done, the director-general  
 shall make a judgment according to the requirements of the case.

Alma Hackx declares that the ship is English and that her  
 husband received the commission in Virginia.

Isbrandt Dirrixen, plaintiff, against Abram Verplanck.

After hearing the parties, the director and councillors  
 order La Montaigne, Paulisen and de Potter to be commissioners.

Pieter Luycassen, plaintiff, against Isbrandt Dirrixen; de-  
 fendant's first default.

Nicolaes Boot, plaintiff, against Auke Jansz; the plaintiff  
 demands from the defendant the sum of f87,1 in money or the like.

The director-general and councillors order that after the  
 second default payment be made within one month; received 24  
 stivers for default.

[77] [                      First several lines are lost.                      ]  
 . . . to pay in beavers in the spring.

The defendant says that he made such an agreement.

The director-general and councillors order the defendant to  
 deliver the nails, provided that the plaintiff post security for  
 the payment.

Egbert van Borseem, plaintiff, against Isbrandt Dirckxsen;  
 [                      ] first default.

Isaack Forreest, plaintiff, against Thomas Baxter; [ ] second default.

The director-general and councillors order payment in three weeks or else this will be given to the fiscal for attachment.

Willem Pietersz, plaintiff, against Jacob van Corlaer; [ ] default.

Aert Willemsen, plaintiff, against Kempe Labady; the plaintiff demands eight pieces-of-eight which he gave him to buy butter for the plaintiff.

The defendant says that because he could not acquire any butter he offered to return the aforesaid money, but was told that he should hold on to it. He gave the money to a certain Thomas Dozie who fell overboard with it and drowned. His wife declares under oath that he did not give her the money; therefore, Labady is prepared to pay.

Upon the petition of Egbert van Borseem requesting the ferry: the petitioner is granted his request upon the conditions which the director-general and council shall establish, and that he shall keep a good boat.

[78] [ First several lines are lost. ]  
 . . . Bryan Newton [ ] .

Wybee Jacobs is condemned [ ] crime to pay a fine of 20 guilders [ ], 20 guilders for the poor, 20 guilders for the fiscal [ ] to pay for glasses which he broke.

Concerning Ariaen Pietersen's accident, he is condemned to pay a fine of f150: 1/3 for the church, 1/3 for the poor and 1/3 for the fiscal.

Mr. van Dyck,<sup>31</sup> Three weeks ago you were asked by our court messenger, Claes van Elslant, to vacate the Company's house by this November first; all the more now that we have made the newly constructed house inhabitable, and because we urgently need your rooms for the newly arrived minister, Domine Samuel Driesieo.<sup>32</sup> However, because there is still a little work to be done, [ ] again that you please make room for the aforesaid Samuel Driesieo before the appointed time.

Paulus Leendertsen and Allert Antony, administrators for the estate of Augustyn, 33 plaintiffs,

against

Anna Verlett, wife of Jorys Hack, defendant, concerning the attachment of [ ] brought by [the] Fortuyn from [Virginia].

The plaintiffs have attached the tobacco at the house of Mr. Werckhoven because Augustyn, before he became a fugitive, sent Jorys Hack in Virginia one horse, one Negro and some planks. The horse, Negro and planks have now been sent back to the plaintiffs in tobacco. [ ] is claimed that the attached tobacco represents the proceeds of the horse, Negro and planks . . .

[79] [ First several lines are lost. ]  
 . . . was sent to Jorys Hack [ ] of an old debt, and that the tobacco [ ] not in payment for the one as well as for the other; but that her, the defendant's, personal effects and merchandise were sent to her by the defendant's husband from Virginia, and that for this reason the plaintiffs have no claim on the tobacco.

The parties having been heard, the director and council order that the plaintiffs shall prove, according to law, that the tobacco in question was sent to Augustyn Heermans for the horse, planks and Negro. If this cannot be done, then the tobacco must be released.<sup>34</sup>

The director-general and councillors of New Netherland order that the administrators as plaintiffs, according to law, have to prove that the defendant or her husband is indebted to the estate of Augustynes Heermans; and although it be a book debt, bond or account, or that the tobacco in question and under attachment, which was sent to Augustynes Harmans in payment of a horse, planks and Negroes, is in dispute and the plaintiffs fail to prove their case, the attachment is declared null and void.

[80] [ Blank page. ]

[81] [ First several lines are lost. ]  
 . . . Fiscal Tienhoven and [ ] Willem Beeckman.

Evert Tesselaer, plaintiff, against Jan Jansen Schepmoes; the plaintiff demands f86,16 by virtue of a bond signed in 1650 to be paid in May of 1652.

The defendant acknowledges the debt.

The director and council order payment before the plaintiff's departure.

Evert Tesselaer, plaintiff, against Jacob van Corlaer; the plaintiff demands f43 according to his account.

The defendant acknowledges the debt and is ordered to pay before the plaintiff's departure.

Evert Tesselaer, plaintiff, against Jan van de Bildt; the plaintiff demands f87,7. [ ] default.

Pieter Luycassen, plaintiff, against Isbrant Dirrixen Goethart. [ ] default.

Jacob van Corlaer, plaintiff, against B. V. Slechtenhorst.

The defendant replies in writing to the plaintiff's request made on last 7 October.

The answer is placed in the defendant's hands for reply at the next court session.

Egbert van Borseem, plaintiff, against Isbrant D. Goethart. [ ] default.

Jan Barentse, plaintiff, against Isbrant Dirrixen Goethart. [ ] default.

[82] [ First several lines are lost. ]  
 . . . having heard the parties, the [ ] and council  
 order the defendant to pay f21.

Casper Steynmidts, plaintiff, against Judick Verlet, wife of [ ] Verlett.

Having seen the parties' accounts, the director and council order that copies of the accounts be exchanged for [ ] at the next court session.

Tobyas Teunissen, plaintiff, against Cornelys Jansen de [Zeeu]; the plaintiff demands f20.

The director and council order that Cornelys Jansen and Tobyas [ ] both appear in person at the next court session.

Cornelys Croese, plaintiff, against Lubbert van Dinc[klagen]; both default.

Gerret Berentse Coock, plaintiff, against Skipper Samuel van de Capet; defendant's first default.

Willem Pietersen, plaintiff, against Gerret Barentse; demands f121,4.

The defendant acknowledges the debt.

The director and council order him to pay.

The fiscal, plaintiff, against Abram La Nooy; the plaintiff responding in writing is ordered to supply a copy of it to the defendant to be kept until the next court session when it will be duplicated or rejected for further use because of errors.

[83] [ First several lines are lost. ]

Gysbert vander Donck appears before the session and complains that a servant has run away from him.

The fiscal is ordered to apprehend the servant and return him to his master.

Upon the request of Nicolaes Jansen Backer for two pieces of cloth:

The petitioner is ordered to prove that he has paid the proper duty on both pieces of cloth; then he shall be given the two pieces of cloth.

Jan Blom appears at the session with a Frenchman who is his passenger.

The director and council order that they pay board money equally.

[84] [ Blank Page. ]

[85] [ First several lines are lost. ]

Samuel Tow, plaintiff, against Dirrick Schelluyn [ ]  
] of widow [ ]<sup>35</sup>

Jacob Vis, plaintiff, against Fiscal Tienhoven; the plaintiff demands 1½ pieces of red cloth, 17 to 18 ells in length, for which he demands compensation for its seizure by the fiscal.

Samuel Tou, plaintiff, against Dirrick van Schelluynen, defendant, pertaining to the decision of the arbitrators made for both parties concerning a certain piece of land at Mispachts Kill belonging to the heirs of Richert Beert.

The plaintiff appears at the session (together with the defendant) and demands payment, according to the decision made by Thomas Hall and Thomas Stevens as arbitrators on 27 May, amounting to the sum of f510 for use of the land and the benefits which Samuel Tou derived therefrom, subject to the approval of the director and council.

The director and council, after seeing the arbitrators' report concerning the dispute, authorize the aforesaid arbitrators to estimate and appraise the rent for the use of the land, and to offset it against the improvements made by Samuel Tou, or, in case the aforesaid arbitrators cannot agree, they shall appraise the buildings and fences on the aforesaid land, as they find them now standing, and balance the cost of the improvements against the use of the land and the rent.

[86] Concerning the case of [ ]  
Geurt Tyssen, and J[ ]  
Verlett and Anna Hack:

After considering the papers in the case of J[ ] Verlett and Anna Hack, plaintiffs, and Captain Geurt Tyssen, defendant, concerning the purchase of Negroes, the director and council find that the parties on both sides have been deficient in obeying the interlocutory judgment of 16 September<sup>36</sup> in which the plaintiffs were [ ] according to law; however, in as much as the dispute still remains undecided, and as of yet no payment has been made for the male and female Negroes whom the plaintiffs claim to have been returned by the captain, and the defendant says [ ] returned home [ ] also concerning those Negroes [ ] still used by the plaintiffs;

therefore, the defendant complains [ ]. The director and council refer [ ] to arbitrators hereby authorized thereto: Jochem Pietersen and Paulus Leendertsen, and the fiscal, Cor[ ] van Tienhoven as a third person in case the parties cannot agree.

The director and council having heard the Fiscal's request, condemn Reynier Gauckes to work six weeks for the Company, [ ] that he shall pay the expenses: jailor's fees, etc., and apply his wages 1/3 for the church, 1/3 for the poor and 1/3 for the fiscal.

[87] [ First several lines are lost. ]

Tobias Teunissen, plaintiff, against Cornelys Jansen; defendant's second default.

Jan Hendrixen, plaintiff, against Phillip Gerardy; defendant's first default.

Isbrandt Dirrixen Goedthart, plaintiff, against Abram [ ]; defendant's third default.

[88] [ First several lines are lost. ]  
 . . . testimony of the truth [ ] signed with his own hand,

Reinier Gau[ckes]

Acknowledged by Carl v. Brug[ge]

[89] [ First several lines are lost. ]

Thomas Hall, plaintiff, against Lodewyck Pos; defendant's second default.

Nicolaes Boot, plaintiff, against Lysbet van Hooghvelt;  
 [ ] default.

Dirrick Teunissen, plaintiff, against Nowe Janse; [  
] default.

Lenius Joresen, plaintiff, against Francois Pachod; the plaintiff demands that the defendant return his canoe which the Indians sold to the defendant and which he, the plaintiff, has been missing for about one year.

The director and council [order] the defendant to seek his claim from the Indians who sold it to the defendant.

Cornelys Aertsen, plaintiff, against Cornelys van Tienhoven; [  
] default.

Jan Coopall, plaintiff, against Jan Haes.<sup>37</sup>

Jan Haes, plaintiff, against Jan Coopall; [ ]  
default.

Upon the petition of Frederyck Alken: the director and council shall reconsider the petitioner's request next spring.

[90] [ First several lines are lost. ]

Upon the petition of Brant van Slechtenhorst: the director and council refer themselves again to their previous decision, to wit, that the petitioner shall [ ] proper security for his appearance; and the director-general and council say that it is untrue that the petitioner has been detained since 18 [ ]. The truth is that [ ] of his group was arrested, according to law, because of refusal to appear [ ] following thereupon the judgment of the director-general and council; also, the petitioner has been badly informed that those of the Colony's court [ ] for his person. Therefore, the petitioner is told that his request will be reconsidered upon appearance or other security.

## Nomination of Magistrates at Middelborch:

Mr. Coe	Thomas Hazard
Mr. Gildersleave	Eduard Jesopp
Mr. Wood	William Herck

From the above nominations for magistrates the director-general and council confirm Thomas Hazard, Mr. Coe, and Mr. Gilder[     ].

[91] [                    First several lines are lost.                    ]  
 . . . again secretary who was authorized and commissioned with  
 [                    ] together with the present secretary [     ]  
 Brugge,<sup>38</sup> to review the estate of the deceased clerk and settle  
 some errors therein, furnishing a report to the director-general  
 and council in order to satisfy the petitioner.

Upon the request of Anna Hackx: the director and council  
 reply that the ordinance of 15 October<sup>39</sup> was applied to the  
 petitioners and the tobacco and the yacht taken away for use at  
 their pleasure.

Whereas the proceedings of the fiscal against Hendrick  
 Rendelman, imprisoned criminal, are complete and it is necessary  
 that sentence be pronounced; therefore, the director-general and  
 council of New Netherland have considered it advisable in this  
 important and difficult case to draw on the most capable and  
 rational citizens of this city [                    ] Hattem, [     ]  
 Pietersen, [                    ] Leendertsen, [                    ]rt Antony<sup>40</sup> in order to  
 review, along with the director and council, all the papers and  
 documents written in the case on both sides; also, to express  
 their feelings according to conscience and their judgment accord-  
 ing to law in this case, for which purpose the secretary has  
 written this and authorizes and requests the aforesaid persons to  
 take their place at the court session next Monday in the council,  
 chamber at two o'clock in the afternoon. Done 11 November 1652.<sup>41</sup>

[92] [                    First several lines are lost.                    ]  
 . . . and Paulus Leendertsen van [                    ]

Thomas Stevensen, plaintiff, against Herry Bresyer; the  
 plaintiff declares that he rented a piece of land from the de-  
 fendant on the condition that Herry Brasier would build a new  
 house upon it and defray the expenses, and that the plaintiff  
 would build a tobacco house on it provided that the defendant  
 supply the nails for it; and upon completion the defendant would  
 give the plaintiff a half barrel of good beer, and then leave  
 the tobacco house on the land.

The defendant replies that he is ready to pay for the nails and the half barrel of beer on the condition that he be provided with a good house after the expiration of his time.

The director and council are informed that the [ ] dispute has been referred to arbitrators, namely, Paulus Leendertsen and George Baxter [ ]; also, that the aforesaid have decided and agreed that the plaintiff make a new contract with Cornelys de Potter concerning this when [ ] for land is made. The director and council order that the judgment of the arbitrators and the revised contract between the plaintiff and Potter shall be no[ ] than shall be [ ].

Jan Hendrickxen, plaintiff, against Phillip Gerrardy; both first default.

Tobyas Teunissen, plaintiff, against Cornelys Jansen de Z[eeu]; defendant's second default.

Phillip Gerardy, plaintiff, against Lodewyck Pos; both second default.

[93] [ First several lines are lost. ]

Jacob Backer, plaintiff, against Paulus Schrick; defendant's first default.

Thomas Hall, plaintiff, against Laurence Cornelyssen and Cornelys Jacobsen; the parties have come to an agreement with the fences as far as it concerns their portions.

Upon the petition of Augustyn Herremans: the petitioner is referred to the previous decision made on a certain petition of his similar to this matter.

Upon the petition of Abram Pietersen: this is referred to the administrators.

Upon the petition of Anna Hackx: the director-general and council refer to the previous decision made on the 12th of this month.<sup>42</sup>

The director-general and council have ordered [ ] on Thursday of next month, being the 21st, concerning the imprisoned criminal.

Upon the petition of the owners of de Nieuwe Liefde: after reading the tenor of the request, the council refers itself to the written reply given to the petitioners by the General dated 16 November;<sup>43</sup> furthermore, the council understands that the petitioners will have to come to an agreement with the director-general on their request, because it concerns the General's authority.

[94] [ First several lines are lost. ]

Thomas Stevensen, plaintiff, against Cornelis [de Potter]; the plaintiff declares that his house is falling down [ ] obligated by contract to repair it [ ] requests that his house be repaired and be made [ ].

The defendant says that he may have the assistance of the three men, presently working for him, as long as it takes to repair his house.

Harman Smeeman, plaintiff, against Sybert Claasen; both parties will come to an agreement with one another.

Upon the petition of Brant van Slechtenhorst: the petitioner's compatriots, for whom the [bond] is posted, or those who obtained a judgment against him, and by virtue of which the detention was declared, having given satisfaction, in the absence of their attorney, the petitioner shall be granted his request.

Allert Antony appeared at the session and produced [ ]  
} 44

Allert Antony, plaintiff, against Casper and Nicolaas [Varlett] for freight changes on goods brought over on [ ] amounting to f659. Having submitted his papers [ ] session, Allert Antony is ordered by the court-messenger to request their papers [ ] to produce between now and 3 month[ ] 29 hours, or to renounce [ ] . . .

[95] [ First several lines are lost. ]

9 December 1652.

General Stuyvesant, La Montaigne, Bryan Newton, acting fiscal, Beeckman, alderman.

Nicolaes Boodt, plaintiff, against Lysbet Hooghveldt; [ ] third default.

Allert Antony, plaintiff, against Andries de Cuyper; [ ] default.

Pieter Wolfertsen, plaintiff, against Teunis Metselaer; [ ] default.

Upon the petition of Willementie Jansen, young girl: although this case now actually concerns the ministers of this place who are authorized by the director and council as commissioners of matrimonial matters; nevertheless, the director and council order that the petitioner submit to the director and council authentic translations from the letters of Ralff Clarck written to her or Jorys Wolsey for more exact verification of her testimony. Then closer consideration will be given to the petitioner's request, with communication from the aforesaid ministers as matrimonial commissioners.

Upon the request of Jan Momie dela Montaigne: the director and council order the receiver, Cornelys van Tienhoven, to provide him, the petitioner, with 3 to 4 months' wages.

[96] [ First several lines are lost. ]  
 . . . Casper and Nicolaas [Varlett] [ ] by power of attorney [ ] which they will undertake before 7 August [ ] de N. Nederlantse Fortuyn [ ] power of attorney by Jochem Tielmans, notary, residing within [ ] demanding the payment of 659 guilders for freight of goods in the year 1650 by the aforesaid Verletts aboard the aforesaid ship and unloaded here, which is disavowed by the defendants; however, they only took exception to the legality of the power of attorney.

The director and council having read and reread this, cannot see anything [ ] or illegal in it except that it might be claimed that Jochem Tielmans was not licensed as a notary public to which the defendants did not object; the director and council understand that the power of attorney is legal and proper as accepted by [ ] the well-known reasons. Therefore, the director and council decide that the defendants pay the requested freight charges to the plaintiff on the condition that the plaintiff post bond for the legality of the power of attorney or [ ] of the notary who approved the aforesaid. Dated as above.

P. Stuyvesant

La Montagne

Brian Newton

12 December 1653.

Samuel Samuelsen, skipper of de Nieuwe Liefde, is hereby ordered to load no tobacco except with a permit in the inspectors' hand that such hogsheads have been [ ] and marked by them [ ] not alter the choice made. Dated [ ]

[97] [ First several lines are lost. ]  
 . . . Brian Newton, fiscal.

Thomas Adams, plaintiff, against Cornelys Houte[wael]; the plaintiff complains that the defendant agreed to his contract and requests that he receive satisfaction for his deficiencies or that he honor the contract.

The director and council having heard the parties, order them to submit their testimony in writing within 24 hours for reply or else to settle with one another.

Houtewaal chooses as his arbitrators: Govert Loockermans and Jacob Wolfertsen; and Thomas Adams chooses: David Provoost and Carel van Brugge.

Captain Tomas Adams, plaintiff, against Cornelis Houtewael, defendant; the plaintiff appears at council, exhibiting a certain contract which he made with the defendant, together with letters from the defendant to the plaintiff written about this matter, as well as an order from the court at Hartfoort, in which he, the plaintiff, was condemned to pay f40 sterling for damages which the sellers have suffered by lack of payment.

The defendant responded to this saying that he made the contract and wrote the letters; however, that his papers, proof and [ ] which he had to the contrary, were given to the notary, Schuyluyn.<sup>45</sup>

The director-general and council having heard the parties on both sides concerning the falsehoods reported by the defendant to the plaintiff as shown in the letters, as well as the plaintiff's complaint of great damage and loss which [ ] according to the court at Hartfoort on 4 December 1652,<sup>46</sup> old style, [ ]; we therefore [ ] in order to assure the plaintiff, and order the parties [ ] as soon as possible . . .  
[ Last several lines are lost. ]

[98] [ First several lines are lost. ]  
. . . or that the parties on both sides each choose, concerning this [ ] dispute, two impartial [ ] who as arbitrators shall examine [ ] papers and accounts, and to the best of their knowledge pass judgment on it; if possible [bringing] the parties to an agreement. Otherwise they are to send their written recommendations to the director and council for consideration according to the urgency of the matter.

According to the determination of the above order, we have ordered the parties to [ ] two arbitrators; the plaintiff: Secretary van Bruggen and the notary Provoost; the defendant: Mr. Couwenhoven and [ ], in order to investigate their differences and to bring them to an agreement, if possible. Otherwise, according to the above order, to [ ] the judgment of the council. These arbitrators have been fully authorized by the director and council for the [ ]. Thus done on [23] January 1653 in New Amsterdam. Present [ ] the General and council.

[99] [ First several lines are lost. ]

Isaack Forreest and Jorys Hooms, tobacco inspectors submit a petition: the aforesaid petition is placed in the hands of the fiscal to be worked out with the administrators for the best means [ ].

Jacob Hendricxen, plaintiff, against Abram Geens; [ ] default.

Jacob Kip has been selected and commissioned to serve in the position of secretary or clerk for the mayors and schepens of New Amsterdam, for which he shall earn annually the sum of 350 guilders, that is to say 100 ryks dollars, beginning this coming first of February; and he is promised, if the lords-mayors should send another to replace him, that he shall be granted an honest position and salary.

[100][ Blank page. ]

[101][ First several lines are lost. ]  
 . . . Bryan Newton [ ] Tienhoven and Mayors  
 [ ] and Marten Crygier.

It has been decided to publish and post the ordinances concerning the farm laborers, and the brewing and malting of hard grain.<sup>47</sup>

The petition of the mayors and schepens proposing the erection of scales was not acted upon.

[102][ Blank page. ]

[103][Meeting of the council February 26th 1653. Present his honor, the director-general, La Montagne, Bryan] Newton, Fiscal Tienhoven.

Upon the petition of Richard [Gibbons, schout] at Gravesende:

The director-general and council having seen and heard read the propositions made by the schout of Gravesende agree to them and consent that the aforesaid schout may prosecute anyone concerned by the aforesaid propositions before the magistrates of Gravesende according to law; allowing, however, that any parties finding fault with the judgment of the magistrates may appeal to the director-general and council of New Netherland.

Upon the written request of the mayors and schepens of the city of New Amsterdam:

The director-general and council consent that a weighhouse and scales be erected and that an ordinance be considered when the weighhouse is completed. They are to procure weights and measures which shall be according to the weights and measures of Amsterdam, and all other weights and measures of this province shall be regulated accordingly in conformity with previous ordinances and resolutions made and published in regard to this matter. Copies of them shall be given to the majors and schepens so that in the meantime they may direct the schout to regulate, weigh or measure all weights, ells<sup>48</sup> and other measures accordingly, and stamp them with a mark determined by the mayors and schepens.

[104][As to the propositions of the orphanmasters, although the provident care of the mayors and schepens is praiseworthy and the director-general and council highly approve of it, it is to be considered that there] is more required to place the orphan asylum upon the same footing as that of Amsterdam than the weakness and youth of this only budding city can at present afford. In the meantime it is necessary to take care, according to God's words, of the widows and orphans; and therefore, the director-general and council resolve that the deacons, as orphanmasters, shall keep an eye on the widows and orphans in order to report to the mayors and schepens, and through them, if necessary, to the director-general and council when special curators should be appointed for widows and orphans or their property. Then the mayors and schepens, or if necessary the director-general and council, shall give such orders and appoint such curators, as the case may require; the curators are to be responsible to the mayors and schepens, and when they learn that good care is not being taken of the widows, orphans or their property, they shall summon the curators and call them to account for their negligence.

[105][The honorable director-general produced at the meeting of the council in Fort Amsterdam letters dated] 16 August and 13 September<sup>49</sup> from the directors of the Chartered West India Company, chamber of Amsterdam, in which the director-general and council are informed at length of the present state of affairs in Europe between the Netherlands and England, together with some amplifications of orders in the aforesaid letters; therefore, after having duly weighed and considered the aforesaid letters and orders, the director-general and council firmly resolve, deeming it best for this province of New Netherland and its inhabitants, to send letters to our neighbors of New England and Virginia, assuring them of our and our superiors' good disposition toward them with an offer of neighborly correspondence, trade, and other friendly contact as we have heretofore practiced. Done as above.

[106][General meeting of the director-general and council of New Netherland and the mayors and schepens] except for Mr. Martyn Crigier. 13 March 1653.

After having read the letters from the directors and [considering] the latest news from New England regarding their preparations, about which we do not know yet whether they are being made for defense or aggression, it has been unanimously resolved:

First, that the militia of this city shall keep full corporal's guard during the night at such places as the director-general, council, and above-mentioned magistrates shall designate, and they are to begin at once by placing a guard first of all at the city's tavern, now the city hall.

Secondly, that it is considered very necessary to build up and properly strengthen, first and above all, Fort New Amsterdam.

Thirdly, because Fort New Amsterdam cannot protect all inhabitants nor defend all the houses and buildings of this city, it is considered necessary to enclose the greater part of the

city with upright palisades and a small breastwork, behind which, in case of an emergency, the inhabitants can retreat and defend as well as possible their persons and property against attack. At the present time it is considered impossible to enclose, pursuant to the directors' good intentions, the villages with palisades and breast-high battlements - the inhabitants of which live far from one another - nor is it quite feasible to protect and defend them in such a manner against hostile attacks. Therefore, it is resolved that in such emergencies we concentrate the forces of New Netherland, holding and protecting only one place.

[110][Fourth, it is resolved to take into consideration our pecuniary means, by which the foregoing and what else is necessary for a better defense might be carried into effect.] The director-general, council and magistrates will deliver their respective opinions on this point tomorrow, to draw from them a conclusive resolution.

Fifth, it is resolved to direct the skipper Jan Jansen Visscher privately to prepare his sails, load his ordnance and make the ship ready for all emergencies, and that in case he should require further protection during the night or in daytime, it shall be sent to him. Done on the date as above and resumed on 14 March 1653.

P.Stuyvesant  
 La Montagne  
 Brian Newton  
 Cor. van Tienhoven  
 Aernt van Hattem  
 P.L. van die Grift  
 Will. Beeckman  
 Pieter Wolfersen  
 Maximilianus van Gheel  
 Allard Anthony

On Thursday, toward noon, being 13 March 1653, there met in Fort Amsterdam Arent van Hattum, mayor, Paulus Leendersz . . .  
 [109][ First several lines are lost. ]  
 . . . deliberated more closely and [ ] on proposal of  
 the director-general and council, and [ ] .

On the First.

The City's militia is ready to [ ]; however, it is requested that the General be pleased to provide [fuel] and light.

2.

We agree that Manhattan be provided with palisades and a breastwork.

3.

That the fort be strengthened accordingly.

## 4.

That the sum of four or five [thousand] guilders be made available in the mayors' treasury in order to accomplish the necessary work, which will be collected afterward from interested parties in New Netherland by taxation according to their estates.

## 5.

We regard this to be highly necessary. Done in council on the aforesaid date in Fort Amsterdam, New Netherland. Signed by order of the mayor and schepens of this city of New Amsterdam.

Jacob Kipp, secretary.<sup>50</sup>

[111][The mayors and schepens of this city, Martin Cregier, who is absent, excepted, advise and demonstrate upon the propositions made on 13 March 1653.]

First, whether it is not necessary to enclose, above all, the greater part of this city of New Amsterdam in the most convenient manner with palisades, and after this has been done as speedily as possible to put Fort New Amsterdam into good shape for defense in order to serve as a place of retreat. They offer for the accomplishment of this to provide the sum of 4, 5 or 6 thousand guilders, to be collected from the interested community after completion of the work.

The aforesaid mayors and schepens further propose to the director-general and council, whether it not be expedient to send, besides the already dispatched letters, some special agents to the respective colonies of New England, our neighbors, whose commissioners, so the report goes, are to meet on next April first. They could obtain a speedier and more decisive answer to the aforesaid letters and could offer them personally good and favorable conditions for a continuation of our former neighborly friendship, mutual correspondence and commerce; and they might also ascertain how far they are interested in the regrettable disputes and the European war which has broken out between their High Mightinesses and the present government of England. Thus done and enacted the 15th of March 1653 at New Amsterdam.<sup>51</sup>

Aernt van Hallem  
P.L. van die Grift  
Will. Beeckman  
Pieter Wolfersen  
Maximilianus van Gheel  
Allard Anthony

[112][The director-general and council of New Netherland having read and considered the propositions of the mayors and] schepens of this city of New Amsterdam, in which they submit that, above all, the greater part of this city should be strengthened and enclosed with palisades, and the fort be placed in a proper state of defense, offering to contribute 5 to 6 thousand guilders, accept the propositions and the offer even though in some respects they do not agree with the directions of the lords superiors and the resolution adopted yesterday; therefore, for the sake of peace and harmony, they consent that the proposed and requested enclosure shall first be made properly and the defenses, etc.

constructed, and the work shall be contracted for and undertaken under the orders and directions of the director-general and council or their deputies and the mayors and schepens or their deputies; the director-general and council appointing herewith out of their number as deputy: the first councillor, Mr. La Montagne, who is to promote this work with the deputies from the magistrates.

Concerning the further proposition to send agents to our neighbors of New England, although the letters sent to the respective colonies of Boston and Pleymuyen<sup>52</sup> should be sufficient for the purpose; however, as no definite answers have been received so far, the director-general and council agree with the proposition of the mayors and schepens and consent to send properly accredited agents to the respective colonies [with credentials and instructions to be drawn up by the director-general and council of which the mayors and schepens shall have due information. When these credentials and instructions are ready the director-general and council will consider who to send. Done in council by the director-general and council of New Netherland, 14 March 1653.]

[113] [ First several lines are lost. ]  
 . . . Fiscal Tienhoven.

Thomas Gredy declares that he did not find his calves as he had marked them. He declares that his mark was a split about halfway down on the left ear, and he found that the ears of his calves had been cut away as far as the split.

Jan Gray, having been questioned whether he knew who cut the ears off the calves, answered that he had no knowledge of it and asked for justice.

Fiscal Tienhoven is ordered to summon here two persons named Jan Scheldinge and Lucas Watsen, living in Jan Gray's house, in order to acquire more detailed information in the matter.

Paulus Leendertsen and Allert Antony request to be released from the estate of Augustynes Harmans.

The petitioners' request is granted and they are hereby released as administrators.

The schout, Thomas Newton, is hereby authorized, until further orders, to take change of the livestock of the prisoner, Gray, to the least expense of the parties.

[114][At the session of the 21st of March 1653 the director-general reported that the late Nine Men<sup>53</sup> had been negligent in enclosing the fort with palisades or stakes], to which the community had voluntarily contributed a considerable sum, and

whereas the aforesaid work has not yet been started, much less completed, it is resolved that the parties who manage the work and are entrusted with it shall be warned to expedite the work around the fort, pursuant to former instructions, so that it might not be ruined by hogs and so that the portion already put up might be preserved.

Whereas all kinds of wine, whether Spanish or French, brandy and distilled spirits are exported daily from this city by many bark skippers, and considering that the tapsters here have to pay the usual and proper import duties or excise, the director-general and council have resolved and hereby order, for the better maintenance of their necessary garrison, that henceforth nobody shall be allowed to export from this city, whether by land or sea, any wine [or liquor], unless the same has been duly reported at the Company's accounting office and the excise has been paid: for each anker of Spanish wine [left blank], for each anker of brandy and distilled spirits [left blank]. [115] [This excise and duty must be paid by the exporter and if it shall be found that some merchants, traders] or other inhabitants have sent off any wine, without being able to produce the proper excise receipt, they shall make good the loss sustained thereby by the lords superiors, and in addition pay a fine. The fiscal is to pay proper attention hereto and proceed against all disobeying this order according to law.

24 March 1653, Friday.

At a meeting of the director-general and council it was resolved and decided that a general day of fast and prayer be held on the first Wednesday of every month beginning in April and continued until further orders.

Michiel Jansen, plaintiff - Brant Aertsen Slechtenhorst: the petitioner is ordered to verify the declaration of expenses specifically and to furnish copies of it to his opponents in order that it may be, according to the ordinance, reviewed and valued by commissioners; in the meantime, the attachment placed on the planks will remain in effect.

[116] [March 24, sentence of banishment against John Gray.]<sup>54</sup>

Recommendation of Mr. Montaigne: The former commissary. Ariaen Keyser, is ordered to furnish a detailed account to Mr. Montaigne from the year 164[ ] until the date when he was discharged from service.

Sentence of Gray.<sup>55</sup>

[117][

Blank page.

]

[118][The director-general and council having considered the low state of the treasury arising from the great expenses and changes which the honorable Company has to defray here, exclusive of the monthly pay and board of its servants,] for the civil, ecclesiastical and military administrations which have daily increased because of the growth of the population, the director-general and council having, after previous remonstrance and communication made long before this to the commonalty of this city, deliberated on what supplementary means may be considered the least burdensome and injurious to the inhabitants, have found no better, fitter nor easier expedient than the imposition of some tax on the wine, brandy and spirits which can best be spared yet are consumed in this country, at a great [advance] both by buyers and sellers by the large and small measure; therefore, the director-general and council have deemed it proper and necessary to tax wine, brandy and spirits as follows, namely: all wines, brandies and spirits which from this day forward are laid in and retailed by the tavernkeeper, and laid in, consumed or exported from this place elsewhere by any other person, whether officer, inhabitant, or stranger, shall pay, in addition to the ordinary excise paid thereon heretofore: 8 guilders on a hogshead of French wine; 4 guilders on an anker of Spanish wine, brandy and distilled spirits - larger and smaller casks and measures calculated in proposition.<sup>56</sup> In order to prevent all frauds, connivance and smuggling, the merchants and factors shall be notified and told by the fiscal to regulate themselves according to the tenor hereof and to furnish no wine, brandy or spirits to any person before and until the same be duly entered and the aforesaid import paid thereon, or in default thereof the aforesaid [119] impost shall be levied on them. Done at New Amsterdam in New Netherland, 26 March 1653.

P. Stuyvesant  
La Montagnie  
Brian Newton

Upon the petition of Tryntie Scheerenberghs: When this was communicated to Mr. Dyckmans, he said that the petitioner was not denied [ ] but he cannot accommodate her at the place she desires; however, there are places elsewhere, and if the petitioner is willing he can satisfy her with a piece of land, together with others.

[120][Council Meeting], 20 April 1653. [ ]  
Marten Cryger.

First, it is decided, upon hearing the unexpected [rumors], that the citizens, without exception, shall work on the constructions - undertaken jointly for the defense of this city - by immediately digging a ditch from the East River to the North River, 4 to 5 feet deep and 11 to 12 feet wide, sloping inward slightly toward the bottom.

Secondly, that the carpenters shall be urged to prepare jointly the stake perimeter.

Thirdly, that the soldiers and other servants of the Company, together with the free Negroes, no one excepted, shall complete the work on the fort by constructing a breastwork, and the farmers are to be summoned to haul the sod.

Fourthly, that the sawyers shall immediately begin to saw some planks of four inches' thickness for [gun carriages] or platforms.

It is further resolved that a deputation be sent to Virginia; also, that attempts be made to obtain a barkload of salt from there for the use of the inhabitants here. Fiscal Tienhoven is appointed thereto on behalf of the Company, and the mayors and schepens are asked to send along one of their people, which they will consider at their next meeting and then give an answer.

[121][Upon the written and verbal propositions made by the director-general jointly to the council, the mayors and the schepens, the aforesaid director-general and council and the] magistrates of this city, resolved: that according to the former resolution of 15 March, first and above all, the city of New Amsterdam shall be enclosed all around by joint work and placed in a proper state of defense, in order to repulse a sudden attack, and that then the fort be taken in hand and repaired. In order to do this in the best and quickest manner, it is further resolved by the director-general and council that the citizens and inhabitants, together with the craftsmen and laborers shall in general assist, either in person or, if they can afford it, by other suitable substitutes, and not stop work until it is completed; and [put it] in such a state of defense that the good inhabitants of this city, with their wives, children and property may be protected against a sudden assault and incursion, which God may mercifully prevent. And, in order that the whole work may be done and performed in a better manner and order, and that the aforesaid director-general and council and the mayors and schepens may have a supervision of its being done well and properly, it is resolved and decided that we go to work in teams; namely, that one fourth part of all the inhabitants, either citizens, merchants, farmers or sailors and skippers, whether already here or arrived hereafter, shall be [122] [employed on the aforesaid work for three consecutive days, as they shall be directed and ordered by the aforesaid director-general and council, mayors and schepens, either jointly] or individually under penalty of 25 Carolus guilders, to be imposed on those who for the first time oppose the orders and resolutions made in joint session of the director-general and council and the magistrates, and do not obey generally or individually the commands of one of the aforesaid council or magistrates; if anyone is unwilling and disobedient a second time, he shall lose his rights as citizen, and if upon a third summons he remains obstinate and unwilling, he shall be punished arbitrarily and banished from the province. In order to prevent excuses and dissatisfaction, it is further resolved that the director-general,

council and the aforesaid magistrates shall not only be and remain the managers of the work, but each of them shall also, according to his means, send a man to work at his own expense. The same order is to apply to the subordinate officers of the honorable Company, none excepted; and the free Negroes, who shall go to work with their fourth part upon their section of the aforesaid construction and continue until it is completed, are subject to like penalties as above. Concerning the first, second and third point it is further resolved that no [123] ships, barks nor any person [shall be allowed to leave within the period of 14 days or three weeks, when the director-general and his council and the magistrates hope to have completed the aforesaid work and to have made it defendable, provided it is commenced and continued with courage and zeal. In case it is completed sooner, the director-general and council will issue another order concerning the earlier departure of ships, barks and persons. Thus done and enacted in joint session with the mayors and schepens by the director-general and council at New Amsterdam, 12 May 1653.]

P. Stuyvesant  
 La Montagne  
 Brian Newton  
 Cor. van Tienhoven  
 Arent van Hattem  
 P.L. van die Grift  
 Will. Beeckman  
 Pieter Wolfersen  
 Maximilianus van Gheel  
 Allard Anthony

[124][ Blank page. ]

[125][ First several lines are lost. ]  
 . . . and the schepens, Leendertsen.<sup>57</sup>

#### Petition of Jan Jansen Visscher.

With all respect and humility, Jan Jansen Visscher, skipper and supercargo on the ship, de Elbinck, makes known how he, the petitioner, at present has loaded his cargo, signed the manifests, taken on water and firewood and is ready to sail directly to the fatherland today or tomorrow with the first good wind granted by God; and whereas your Honors require a special permit and authorization thereto, he humbly requests that your honors give him such permission and authorization by issuing him a document or pass in proper form. Thus doing etc.

#### Recommendation.

Eight days ago the petitioner's request was partly answered. Since which time the petitioner continually loaded more and more cargo; and even on the very date when he submitted this last

petition to us, he took on various barrels of tobacco and cases of peltry. The director and council were informed that even today some peltries have been packed for shipment, and that because of this the manifests are not yet ready; however, when they are ready and signed, and the duties are accounted for then the plaintiff shall not be held responsible for more than 8 or 10 days for damages to him or his owners. After expiration of the aforesaid time necessary, if it is ordered to hold the plaintiff's ship here longer because of reasons pertaining to the province, then the director-general and council, on behalf of this province, shall pay the promised monthly salaries beyond the excess days of demurrage, or to be paid according to arbitrators and the judgment of the commissioners selected thereto in Amsterdam.

[126] [ Blank page. ]

[127] [ ] May. Upon the petition of Jan Jansen Visscher, requesting permission to depart for the fatherland with the first good wind: it is granted.

Let it serve as a response that according to the previous resolution<sup>58</sup> and a general order to prevent fraud, all ships shall be obliged to take on water and firewood at this city. When this is done, the manifests are signed and the bills of lading drawn up, and the ship is completely prepared to sail, the petitioner shall not be detained to anyone's detriment.

Another recommendation was made; it appears on the other side of the aforesaid page.<sup>59</sup>

Augustynes Harmans submits a petition requesting liberty and freedom, and to be excused for his contempt in breaking the Company's seal.

#### Recommendation.

Because the plaintiff has come to an agreement and settlement to their mutual satisfaction, his request is granted, and the reason for the contempt of the seal is favorably discharged.

[128] [ First several lines are lost. ]

[The director-general and council of New Netherland, after having heard the detailed report of the deputies of the two courts, namely, Mr. Arent van Curler from the court of the Colony,<sup>60</sup> and Rutgert Jacobsen] on behalf of Fort Orange and the village of Beverwyck, and having examined the letters previously sent concerning the disputes, which, to our regret, have arisen

between the respective courts on one side and the citizens on the other side, hereby order that the resolution<sup>61</sup> adopted by both courts last April, and ratified and approved by us some time ago shall be carried out. Therefore, the inhabitants of the fort and village are hereby charged and commanded to assist the people of the Colony after the fort has been put in proper order; reciprocally, those of the Colony shall construct the redoubt or blockhouse in conformity with the aforesaid resolution. In default thereof, proceedings shall be instituted against all who refuse to obey. Thus done in special session, 28 May 1653.

The director-general and council of New Netherland, having further considered the present scarcity of bread again, resolve, not only to write again to the court of Fort Orange and colony of Rensselaerswyck strictly to observe and execute the former ordinances concerning the malting and brewing and unnecessary baking of bread again, but also to direct and authorize them to appoint, out of their number, two or more persons who shall visit the citizens and countrypeople, especially bakers and brewers, in Fort Orange and Beverwyck as well as in the colony of Rensselaerswyck, in order to determine how much bread grain each one of them has in store; also, all inhabitants [129] of [the two districts are commanded not only to furnish full and satisfactory information to the magistrates and their deputies, but also to give them a complete account and proof of where they send their grain or how they consume it themselves. Thus done and enacted by the director-general and council of New Amsterdam, 30 May 1653.]<sup>62</sup>

[131] [ First several lines are lost. ]  
 . . . the director-general [ ] have decided that  
 the wines [ ] in the city of New Amsterdam shall  
 be [ ] and sold by the small measure [ ] French  
 wine for 24 stivers the [ ]; brandy 7 stivers the  
 gill;<sup>63</sup> Spanish wine 50 stivers the quart.<sup>64</sup>

Fiscal Tienhoven, plaintiff, against Waraer Warnaersen;  
 claims a barrel of wormwood wine.

The director and council order that the half aem of wine and the anker of wormwood wine be returned to the defendant; because the honey is merchandise and was not found in the manifest, and mead liquor is confiscatable, it is ordered that an agreement be made with the fiscal because the aforesaid Waernaer is a foreigner.

Fiscal Tienhoven, plaintiff, against Jacob de Swaert; claims a hogshead of wine.

The defendant responds that he did not receive the amount due to him and wants to prove that it is his hogshead.

The aforesaid fiscal requests authority from the council to be allowed to inspect the tavernkeepers' cellars in order to determine what drink they have.

The fiscal's request is granted.

[132] [Whereas it appears by the invoice that] wines are more expensive in the fatherland [than formerly], and consequently that the tavernkeepers purchase them here at a higher price; moreover, that they by virtue of the preceeding<sup>65</sup> are somewhat more heavily taxed, as by the tenor of which appears. Therefore, the tavernkeepers are hereby allowed to sell a quart of French wine at 24 stivers, brandy and Spanish wine for a rixdollar,<sup>66</sup> or the gill at 7 stivers, without the prices exceeding the above upon forfeit of their business and 10 pounds Flemish in addition thereto.

Thursday, 21 August 1653.

Upon the petition of the fiscal, requesting that he have the authority and [ ] to admonish all tavernkeepers [to sell] their beers and wines at the prices established by ordinance,<sup>67</sup> about which the tavernkeepers [ ] redress and that they receive lower prices from the brewers and merchants.

A decision on the above shall be deferred for a period of time when it shall be reconsidered.

[133] [ First several lines are lost. ]<sup>68</sup>  
 . . . of this city of Amsterdam [ ] remonstrances from the mayors and schepens to the director-general and honorable councillors, as well as the replies of the aforesaid director-general to their remonstrances and petitions granted:

Folio 4.

Resolved by the honorable General and high council: two commissioners are summoned from the dependant and bordering colonies and courts to come here to the City Hall of Amsterdam in New Netherland in order to discuss means to defend against and prevent the piracies of Tomas Baxter, fugitive from this jurisdiction, dated 24 November 1653.

Folio 6.

The mayors and schepens request a statute which grants them the excise of wines and beers.

## Folio 8.

The honorable director-general and gentlemen of the high council provisionally grant to the mayors and schepens, upon ratification by the lords superiors, the collection of the customary excise on beer and wine consumed in this city, dated 25 November.

[134] [ First several lines are lost. ]  
 . . . by the commissioners [ ] and schepens,  
 and some [ ] convened to offer their advice on  
 how and by what means to [ ] the piracies of Tomas  
 Baxter. Enacted 27 November 1653.

## Folio 16.

Request of the mayors and schepens that some commissioners be summoned from the dependant Dutch villages in order to write jointly to the lords superiors. They consider this necessary for the general peace and welfare of the country.

## Folio 17.

Deliberation of the director-general and council concerning the above is referred to under "Folio 14."

## Folio 19.

Decision on the request of the mayors and schepens appearing above under "Folio 16," in which they are given permission, at the appropriate time and after thorough deliberation of the country's present danger, to remonstrate to the lords superiors, in the presence of two deputies from the high council and commissioners from New Netherland's colonies and courts, concerning the needs and condition of the country.

[135] [ First several lines are lost. ]  
 . . . a letter sent by the mayors and schepens to the inhabitants of the Dutch villages on Long Island, summoning deputies to write to the lords superiors about the condition of the country.

## Folio 22.

Remonstrance of the mayors and schepens and some English signatories to the honorable director-general and high council, delivered on behalf of the general convention, dated 11 December 1653.

## Folio 27.

Decision of the honorable director-general and high council concerning the above remonstrance, dated 12 December 1653.

## Folio 28.

Requests of the signatories of the remonstrance mentioned under "Folio 22" a categorical reply to each point in particular of the aforesaid remonstrance.

## Folio 29.

Reply of the director-general and high council concerning the above request.

## Folio 30.

Report of the director-general and high council on the aforesaid remonstrance appearing above under "Folio 22."

## Folio 41.

Requests of the signatories of the aforesaid remonstrance under "Folio 22"; additional reply to the aforesaid remonstrance.

[136][ First several lines are lost. ]  
 . . . decision dated [ ] on the pre-  
 vious request in which their [ ] upon  
 receipt of the decision.

## Folio 43.

Deliberations of the director-general and council concerning the last requests of the aforesaid deputies mentioned previously under "Folio 41."

## Folio 71.

Request of the mayors and schepens for the nomination of the magistrates of this city and what they shall earn for their service.

## Folio 72.

Jochum Pietersen Kuyter and Oloff Stevensen Cortlant are selected as schepens of this city; the request for the nomination is excused, and the mayors are to earn per year f350 and the schepens f250.

## Folio 85.

Request of the mayors and schepens, for the benefit of this city, to be allowed to collect from all incoming and outgoing vessals 12 percent, whether they be large or small; 10 stivers [ ] the head tax and water excise.

Folio 86.

The request for permission to collect a head tax is granted; the other request mentioned above is denied because it is a matter of concern for the General and not a [ ] city or place.

[137][ First several lines are lost. ]

Request of the mayors and [ ] of this city to the honorable director-general and high council concerning their [ ] of some means for the support of this city as well as other matters; however, they refused to sign it.

Folio 151.

Resolved to summon diggers and laborers here to be hired by the day in order to help construct and repair that which is deemed necessary for the defense of this city.

Folio 159.

Overseers and foremen are put in charge of the works of this city and Fort Amsterdam.

Folio 170.

Forbidden to ship any goods out of this city as a result of bad rumors, upon forfeiture of the same.

Folio 176.

Forbidden to allow hogs, goats or sheep to run on the walls of the fort, whether inside or outside.

Folio 180.

According to the communication from the lords superiors, the mayors and schepens of this city are admonished to render obedience, respect and service to the high administration; and the letter to them from the honorable directors was delivered.

[138][ First several lines are lost. ]

The mayors and schepens [ ] object to the [ ] of any subsidies for the maintenance and support of political and ecclesiastical personnel.

Order immediate delivery of the accounts of the receipt and disbursalment of the tavernkeepers' excise.

## Folio 193.

Order for the weighhouse of this city of Amsterdam in New Netherland.

## Folio 197.

Whereas the mayors and schepens remain deficient in carrying out the conditions under which the tavernkeepers' excise was granted to them, it has been resolved to farm the same out to the highest bidder by this coming 25 November.

## Folio 219.

The mayors and schepens claim to have fulfilled their quota for the interior and exterior works and other expenses for the defense of this place; however, it is but f3000 which they again state, whereas the expenses amount to approximately f16,000.

## Folio 220.

The mayors and schepens offer to support a clergyman, sexton and dog beater provided that they keep the tavernkeepers' excise; and they are authorized to collect the hundredth penny from all real estate in the jurisdiction of this court, dated 31 August 1654.

[139] { First several lines are lost. }  
 . . . dated 16 September { } exhibit of the { }  
 ] of the mayors and schepens dated 10  
 and 31 August submitted at the meeting of the director-general  
 and council.

## Folio 312.

Petition of the mayors and schepens of this city dated 23 November 1659 in which they request that the director and council allow them to retain the tavernkeepers' excise.

## Folio 313.

Whereas it was resolved on this 25th of November publicly to farm out the tavernkeeper's excise, and because presently there are no interested parties, it has been decided to hold the bidding next Monday at the house of Daniel Litschoes; dated 25 November 1654.

## Folio 323.

Elected: Mr. Allard Antony as mayor of this city and Joannis Nevius as schepen. Delivered to the presiding mayor and old schepens a painted coat-of-arms of this city etched in silver and a signet etched in silver, which were sent over by the lords superiors aboard de Peereboom.

Folio 330.

The vacant officers' positions in the militia companies have been filled by Paulus Leendersen van de Grift, as captain under the blue pennant; Daniel Litschoe, the former sergeant, Steenw[lyck], as flag bearer of the same pennant.

[140] [ Blank page. ]

[141][The director and council of New Netherland. To all those who shall hear and see these presents read, greetings, make known that in the month of September last their deputies and the delegates of the respective colonies and courts of New Netherland enacted, published and posted divers ordinances and regulations<sup>69</sup> touching the great and excessive dearness<sup>70</sup> of all sorts of merchandise, provisions, grain and laborers' wages, which well-intentioned orders and regulations, published, enacted and made known to all by the preceding edicts, the director-general and council still understand shall be promptly observed and obeyed without any connivance, dissimulation or favor or pain of the fine more fully expressed in the edicts; however, whereas the recently arrived passengers, merchants and traders were not informed beforehand in the matter of recording their merchandise, and therefore have recorded their merchandise according to the previous custom; also, considering the great dangers of the sea, the heavy insurance and the long time the goods and merchandise lay in the ships by which they have been subjected to water damage, all of which being considered by the director-general and council, they have decided that the merchants presently could not survive with a 100% markup from the entries in the Company's invoice. Therefore, in order not to annul completely the previously enacted ordinance, the director-general and council have for the present time thought it best and necessary to appraise some goods and merchandise as follows:

A pair of men's shoes, size 8 to 12 at f3,5  
 A pair of Icelandic stockings at 36 stivers  
 A firkin of soap at 20 guilders  
 A can of salad oil at f1,10  
 A pound of candles at 12 stivers  
 An anker of distilled spirits at f32  
 An anker of wine vinegar at f16  
 An ell of duffel cloth to be sold to Christians no higher than f3,10  
 A pound of nails at f30  
 An anker of Spanish wine at f40  
 An anker of brandy at f44  
 A hogshead of French wine at f110

What further concerns the goods and merchandise neither specified nor appraised herein, and some which cannot be appraised, such as assorted linens, cloth manufactured at Haerlem and Leyden, worsted stockings etc., the kinds of which are some finer and some better than others; also, all materials and necessities required for farms and households - all too many and too numerous to be

mentioned here - the director-general and council order that the true invoice of the actual first cost thereof and of all other merchandise, by whatsoever [142] name called, shall be shown and exhibited to the purchasers upon demand, and the seller may ask from the buyer, for the present time, in consideration of existing dangers and heavy insurance, 120 percent over and above the first and actual cost, and no more upon penalty and fine more fully set forth in the previously enacted edicts. The director-general and council hereby give notice that this ordinance and regulation shall continue only for the present time and further order from the fatherland and no longer. Thus done in the meeting of the director-general and high council in Fort Amsterdam in New Netherland, this 19 November 1653.

Whereas several complaints have been made to us concerning the pillaging and robberies of a certain Thomas Bacxter, a fugitive from this jurisdiction, and his companions, committed on Jochum Pietersz Cuyter, Willem Harck, among others, especially the secret and stealthy theft of 10 or 12 horses from the village of Amesfoort, and whereas we are incensed by these and other piracies and robberies committed by the aforesaid Bacxter and his accomplices and complained of by the injured inhabitants; therefore, we have resolved to send letters to and summon from each of the nearest subordinate colonies two deputies who are to meet at the City Hall in this city and to whom we think it advisable to add two respected members of our high council, namely, the honorable Mr. Johan la Montagne and Mr. Cornelis van Werckhoven who are authorized to present on our behalf the proposal and further to deliberate with the other deputies for the reputation and greater security of the country and its good inhabitants upon some effective remedies and means to prevent and stop these [143] robberies, of which deliberations they will give us a report with all due speed. Done at New Amsterdam, 24 November 1653. Was signed P. Stuyvesant.

In council, present the honorable director-general, Petrus Stuyvesant, and the honorable councillors, Nicasius de Sille, La Montagne and C. van Werckhoven; a petition submitted by Pieter Le Feber, recorded in the copybook of petitions<sup>71</sup> on page [left blank], after discussion it has been acted upon as follows:

According to the general order, no brewer, merchant, grocier or distiller is allowed to serve customers either wine or beer by the small measure; however, if the spirits are of such value and quality as the petitioner has stated, he will be allowed to serve it at reasonable and tolerable prices in small and large bottles to all citizens who desire to obtain it at his house. 24 November 1653.

[144]Copy.

To the honorable director-general  
and council of New Netherland

The board of present mayors and schepens of this city of New Amsterdam make known that:

whereas the honorable general gave verbal permission to their board on last 11 November that the excise of wines and beers, which was paid to the Company's treasury from the first of November, should belong and be paid to their board, whereupon the court of this aforesaid city summoned some of the principal citizens and inhabitants of the same and did propose and communicate it to them; however, as there was no ready money in the treasury, and it was much needed, the court asked them whether they were disposed to submit to such public taxes as we might deem necessary for the maintenance of this city, to which they unanimously consented, as appears by the copy thereof which is appended to this. And whereas up to this date we have received no grant of the excise although we have at various times applied for it to the honorable director-general and council; therefore, we again request the license for the entire excise of beers and wines as it is paid to the Company's treasury (except what is sent to Fort Orange), and whereas we informed the commonalty of this and by failure thereof we shall be regarded by everyone with contempt and censure; and in case any trouble should occur hereafter (God forbid) for refusal hereof, the members of the aforesaid court shall declare themselves innocent, and at the same time declare that they cannot go on without funds and will be compelled, to their sorrow, to see all the constructed works go to ruin and everything run to waste before their eyes. We request herein a favorable recommendation and decision. Thus done at the meeting of the mayors and schepens this 25th of November 1653 at the City Hall in New Netherland. Stood below: By order of the aforesaid mayors and schepens. And was signed: Jacob Kip, secretary.<sup>72</sup>

[145] Copy of the enclosure in the foregoing petition:  
 Tuesday, 11 November 1653.  
 Present at the meeting in City Hall of New Amsterdam.

Their honors Arent van Hattem and Martin Cregier, mayors;  
 Paulus Leendertsen van die Grift, Pieter Wolfertsen van  
 Couwenhoven and Willem Beeckman, schepens.

Some of the most influential citizens and inhabitants of this city, having been lawfully summoned, the following appeared: Johannis van Beecq, Pieter Cock, Jan J. Schepmoes, Jan J. Kuyper, Peter Caspersen van Naerden, Claes Bordingh, Francois Fyn, Jan J. de Jongh, Jacob Steendam, Conrad ten Eyck, Hans Kierstede, Isaac de Forest, Dirck Schelluyne, Hendrick Kip, Lambert Huybertsen Mol, Peter Cornelissen van der Veer, Abram La Noy, Jan Lawrensen Appel, Govert Loockermans, Johannis Petersen Verbruggen, Daniel Litschoe, Jacob van Couwenhoven and Oloff Stevenson, to whom the aforesaid honorable mayors and schepens propose that, whereas they have asked the community to provide means for paying the public expenses and keeping in repair the works, and were answered, if the honorable director-general will allow the excise to be paid to the treasury of the city and for the city's benefit, they would willingly contribute; therefore, the mayors and schepens declare that they have obtained the consent of the honorable director-general to have henceforth the excise on wine and beer paid into the office of the mayors and schepens for the benefit of this city, [146] but, for the present, no ready money is on hand and yet is much needed during these dangerous times; and wherefore some general taxes should be considered, the aforesaid magistrates ask the community

whether they will submit to such ordinances and taxes as the magistrates may consider proper and necessary for the administration of this city. They all answered "yes" and promised to obey the honorable magistrates in everything, as good inhabitants are obliged to do, confirming it with their signatures. Done as above at New Amsterdam in New Netherland; was signed:

Hendrick Hendricksen Kip  
 Jan J. Schepmoes  
 Govert Loockermans  
 Lambert Huybertsen Mol  
 Francois Fyn  
 Jan Lawrensen Appel  
 Jacob van Couwenhoven  
 Isaac de Foreest  
 Jacob Steendam  
 Jan J. de Jongh  
 Conrad ten Eyck  
 Peter Cock, his mark  
 D. van Schelluyne  
 Johannis de Peyster  
 Peter Cornelissen van Veer  
 Abraham La Noy  
 Johannis van Beecq  
 Peter Caspersen  
 Claes Bordigh  
 Jan J. Kuyper  
 Joh. Petersen Verbruggen  
 Agrees with the original,  
 Jacob Kipp, secretary.<sup>73</sup>

Decision on the foregoing  
 petition:

The director-general and council stand by their verbal promise given upon the proposition and reciprocal promise of the mayors and schepens on the 11th of this month, namely, that the director-general and council shall provisionally, and subject to the approval of the lords-directors, cede and grant to the mayors and schepens [147] the collection of the common excise on wine and beer consumed within this city, provided that the mayors and schepens, according to their promise and instructions, furnish means for the maintenance of the public works in the city and the subsistence of the ecclesiastical and political personnel, and that the excise shall be publicly let to the highest bidder according to the custom of the fatherland. Dated 25 November 1653 in New Amsterdam. Below stood: By order of the director-general and council. Was signed: Cornelis van Ruyven, secretary.<sup>74</sup>

Copy

To the highly esteemed gentlemen,  
 the director-general and council  
 of New Netherland.

Noble and highly esteemed gentlemen:

Your honors have been pleased to publish on the 20th of this month of November an ordinance containing regulations for the sale of and trade in goods imported from the fatherland or

hereafter to be imported, which was similar to an ordinance passed and enacted last September.<sup>75</sup> Your honors have also been pleased to call together on the same day some of the principal merchants and traders of this city of New Amsterdam in order to communicate to them the aforesaid ordinance and to recommend its execution. The aforesaid merchants deemed it then advisable to deliberate with others and to submit their opinion on this matter in writing to your honors, after having first communicated the same to the [148] honorable mayors and schepens, the lawful authority of this community. Thereupon the merchants and traders unanimously declare (with all due respect and obedience which they all acknowledge to owe to their superiors and will at all times prove when called upon in reason and justice) that, after having considered and examined the matter among themselves, they are of the opinion that the aforesaid ordinances and regulations can be introduced and carried out here only with very great loss, damage and decrease of commerce, which, with all due respect, should rather be supported and encouraged by favorable privileges, freedoms and exemptions than be burdened by constricting limitations. Because of the price fixed on some goods and the permission to ask 120 percent profit on others, upon which there are no fixed prices that the buyers can demand, the aforesaid merchants believe that they cannot conduct business in that way because the great and excessive leakage of liquid as well as the perishable nature of day goods has already notoriously caused and will always cause such losses to all merchants. Therefore, if they are compelled by the enforcement of the aforesaid ordinances to sell their stock accordingly, (which they hope will not be done) they would scarcely receive a return on their initial investment expense, much less a cent per cent profit, considering the heavy export and import duties paid here and in the fatherland, the charges for convoy and direction, the heavy freight bills and premiums for insurance, the interest on capital invested in merchandise, in addition to the dangers of leakage and decay, make the initial cost of goods delivered here more than 70 or 80 percent higher than abroad. Consequently the aforesaid merchants respectfully request that your honors will be pleased to suspend the [149] enforcement of the aforesaid ordinances because they cannot conform to them without great loss to themselves or their superiors, and, according to practices in the fatherland and other countries where trade has a free course, to allow them to sell their goods at such prices as they think just and reasonable, considering the vicinitudes of the times, the initial cost and expenses. In case of refusal they are, with due respect, resolved to keep their goods until the return of better times rather than to sell them at a loss or, at most, a small profit. However, because they understand and are informed that the intention of your honors in and the motive for enacting and publishing the aforesaid ordinances were principally that the community and the citizens of this city might be properly supplied with such goods as are required for the needs of their bodies, namely, socks, shoes, linen and such other necessary articles, they herewith unanimously declare, each for himself, that it is by no means their intention to overcharge any citizen or inhabitant in the sale of necessary clothing or to demand unfair prices, but that they will act toward them in the sale and delivery of goods as honest traders and good fellow citizens so that no one of the community shall have cause to complain. Awaiting your honors

favorable decision, we remain,

New Amsterdam,  
22 November 1653.

Your honors' obedient and  
humble servants; and was signed:  
Johannis van Beeck  
Johannis Nevius  
P. Cornelisz van der Veer  
Jacob de Weert  
Jan Lourensz Appel  
Johannes van Brugge  
Anthony van Hardenbergh  
Jacob Visch  
Jacob van Leeuwen  
Abram Nickel  
Pieter Schaffbanck  
Jacob Jacobs  
Dirck Claesz Boot  
Jan Withart  
Johannes de Peyster  
Govert Loockermans  
Reyneir Rycken  
Robbert Vastrick  
J.V. Twieller  
Jacobus Backer  
Hendr. vander Vin

The mayors and schepens of New Amsterdam having seen the foregoing petition of the merchants of this city addressed to the director-general and council, of New Netherland, suspend and postpone their decision on the same until they have conferred with their honors. Done in New Amsterdam, New Netherland, 24 November 1653. Was signed.

Arent van Hattem  
Marten Krigier  
P. L. vander Grift  
W. Beeckman  
P. Wolfersz

[150]

Reply to the foregoing by the  
director and council.

Let it serve as a reply that when last Friday the petitioners were summoned to appear in person at the session, the director-general and council directed them to prove specifically the leakage, and produce substantial reasons why they could not sell their goods for the prices fixed by ordinance, and whether 120 percent above initial cost for necessary goods and merchandise, which are subject to little or no decay, was not sufficient at the present time. As no attention has been paid to this in the present petition, the director-general and council order the petitioners again to demonstrate and prove specifically by which goods and merchandise they find themselves most injured, and by which the petitioners have suffered the most losses at sea and leakage; also, on what goods and merchandise they cannot afford a charge of 120 percent for the same reasons. Thus done in council. Present were: the director-general, Dr. Nicasius de Sille, Mr. Werckhoven, Mr. La Montangnie, Fiscal Cornelis van Thienhoven. 25 November 1653 in Fort Amsterdam in New Netherland; below stood: By order of the director-general and council; and was signed: Cornelis van Ruyven, secretary.

[151]Whereas the honorable directors of the Chartered West India Company in New Netherland have sent over the ship, de Coninck Salemon, upon which Cornelis Coenraetsz van Campen is skipper, with instructions and orders to return the aforesaid ship as quickly as possible to the best advantage and service of the aforesaid Company, whether it be to the fatherland with a good cargo from here or, if freight is lacking, to send the aforesaid ship to Curraçao for a cargo of salt and yellow dye-wood.<sup>76</sup> Therefore, upon the information of several reports and letters arriving by barks from Virginia that there is a large quantity of tobacco in Virginia and for lack of ships cannot be transported from there; and in consideration thereof, the director-general and council of New Netherland have decided for the best service and profit of the aforesaid West India Company that the aforesaid ship shall be held here for a cargo of tobacco or other items in order to hear what freight can be obtained here, and if it is not fully loaded, to have it make a trip to Smit's Island located on the north cape of the bay of Virginia near Haccomacco<sup>77</sup> where there have been reported large quantities of tobacco awaiting shipment, and, with God's help, to have it return here in order to depart with the freight which has been made ready in the meantime. Thus done, resolved and confirmed in the council held by the director-general in Amsterdam in New Netherland, 28 November 1653.

[152]Copy.

On 26 November 1653 assembled [at City Hall in New Netherland] the following commissioners: on behalf of the high council in New Netherland, Mr. J. La Montagne and Cornelis Werckhoven; on behalf of the mayors and schepens of this city of New Amsterdam, Marten Krigier and Paulus Leendersz vander Grift; on behalf of the village of Gravesant, George Bacxter and Sergeant Huybert; on behalf of the village of Vlissingen, John Hicx and Tobias Feeckx; on behalf of the village of New Town, Mr. Coo and Goetman Hasert.

Messrs. La Montagne and Werckhoven proposed verbally as well as in writing that the commissioners should give their advice respectfully as to how and by what means these robbers can be stopped.

1.

Ensign George Bacxter and all the other English commissioners asked why Mr. Werckhoven was there, to which his honor replied, "As a commissioner of the high council." Whereupon they answered that they would have nothing to do with him and would not acknowledge him as a councillor, in addition they did understand that the director-general or his representatives should sit as chairman, because he could not protect them.

2.

The English commissioners sent a written response to the director-general as follows: "If the director representing the Chartered West India Company will not protect us, then we shall be obliged to prevent our ruin and destruction," and thereby they

see fit that they are not obliged to pay any taxes or duties; however, they promised to remain loyal to the lords States [General] and the honorable Company, inviting the commissioners of the mayors and schepens of this city to enter into a firm alliance with them, whereupon the commissioners gave no answer but departed.

## 3.

The commissioners of the city of New Amsterdam were summoned by the director-general, and they repeated the foregoing in his council. His honor replied that the response was quick; nevertheless, he would tolerate that the mayors and schepens might form an alliance with them. However, because they could not be outvoted, his honor intended to grant at the next election a court of justice for those of Amesfoort, Breuckelen and Midwout so that on all future occasions, together with Fort Orange and the others, there would be sufficient votes against them. The aforesaid commissioners met again at the same place in the afternoon.

## 4.

[153] Messrs. La Montagne and Werckhoven submitted a written reply from the honorable General in which he expresses his willingness to protect his subjects, according to his commission, with the power and means entrusted to him by God and his superiors. [C. van Werckhoven testifies that he has heard and understood what has been transacted so far.]<sup>78</sup> The English commissioners stated that they were not completely satisfied because Jochum Pietersz, Willem Harck and others have already been plundered, and they have seen the honorable General do very little to defend the others. Because of this they said, "We must therefore defend ourselves, for if his honor cannot protect us from 16 or 17 men, what would he do against more?" [Here it was signed: La Montagne attests to what has transpired so far.]<sup>79</sup>

The aforesaid assembly decides to meet again tomorrow morning, with the exception of Messrs. La Montagne and Werckhoven, in order to consider what to do.

On the 27th of November at 9 o'clock in the morning the aforesaid commissioners assembled, except for Cornelis van Werckhoven and La Montangnie.

## 5.

The English commissioners unanimously ask Marten Crigier and Poulas Leendersz, commissioners on behalf of the mayors and schepens of this city, whether they would live with them in peace as brothers and friends; to which they replied, "Yes, but no firm alliance can be made before and until the honorable General, the high council and all adjacent courts and villages have been informed of it." Whereupon the English commissioners answered, "If the mayors and schepens would not unite with them, they would form a firm alliance among themselves on Long Island because the honorable General did not defend them." The commissioners of the city of New Amsterdam answered that they thought it better to write about it to the lords directors and in the meantime

promised to the best of their ability to inform and assist one another in all future incidents of robberies and the like, and to live as friends. However, concerning the letter to be written to the lords-directors, the city's commissioners requested to hear the advice of the villages of Amersfoort, Breuckelen, Midwout and Staten Island; however, at this time of year were not able to wait for advice from Fort Orange, Rensselaerswyck and the South River, because the ships are ready to depart. Whereupon it was unanimously resolved to gather again from the respective places on the 10th of this coming December in order to write to the lords superiors. Thereupon the meeting was adjourned. Done this 27th of November 1653, New Amsterdam in New Netherland. Was signed: Marten Crigier and P.L. vander Grift.

[154]

To their Honors, the Director-General and Council of New Netherland.

The present mayors and schepens of this city of New Amsterdam make known with all due respect that:

Whereas our commissioners Martin Crigier and Poulus Leendersz vande Grift informed our board concerning what the assembly of commissioners on behalf of your honors, us and the respective English villages finally resolved on the 27th of November (the motives of which can be related verbally to your honors) that the commissioners from all the Dutch and English villages and settlements shall assemble on the 10th of next month to write to the lords-directors, as lords and superiors of this province, about the present state of affairs here. Therefore, we, the aforesaid mayors and schepens, fully comprehending the necessity of the same, make the friendly request of your honors to summon commissioners from the respective Dutch villages and settlements to appear on the appointed day and make such a remonstrance to the lords directors for the peace and welfare of the country as shall be considered necessary. In expectation of your honors' favorable decision, done in council this 29 November 1653 at New Amsterdam. Was signed: Arent van Hattem, Marten Crigier, P. L. vander Grift, W. Beeckman, Pieter Wolfersz.<sup>80</sup>

[155] Considerations on the petition and enclosures submitted to the director-general and council of New Netherland on the 2nd of this month by the mayors and schepens of this city presently serving.

In as much as the director-general and council have presently no reason to believe that the petitioners, according to their repeated verbal declarations and earnest protestations, have no other aim than a due respect for and obedience to the honorable Company, as lords and patroons, and to the authorities appointed by them, as well as a proper interest in the particular welfare, peace and harmony of this country, community and city, the director-general and council have in consideration of these declarations and protestations given mature thought to their proposal. However, before giving a definite answer to

the principle point, the director-general and council consider themselves duty-bound, for their own justification and for the better information and instruction of the petitioners as well as for the maintenance of the petitioners as well as for the maintenance of the honorable Company's privileges and the authority of its officers, to comment on the enclosure dated 27 November; and signed: Marten Crigier, P. L. vander Grift; in the margin: Cornelis van Werckhoven; and lower down: La Montagne.<sup>81</sup>

On the first point that the ensign, George Bacxter, and all the English commissioners would not acknowledge Mr. Werckhoven as a commissioner of the director-general and council; the reasons for this should have been stated, whether for incompetence or misbehavior, and also that the aforesaid Bacxter and the English commissioners would not allow that either the director-general or his representative should preside or be present. The director-general and council ask the petitioners and everyone else to consider whether this does not smack of rebellion, completely infringing upon and perverting the supreme authority of the commission and instructions of the director-general and council granted and entrusted by their High Mightinesses, the States-General and the Chartered West India Company.

Concerning the second point, in which the aforesaid Bacxter and the English commissioners say in a written proposition that the director-general representing the Chartered West India Company would not protect them, the director-general and council declare this to be a false, perverted and forged calumny, and request the petitioners themselves to testify whether the director-general and council have not three times, with the assistance of faithful and loving subjects, sent out yachts and soldiers against the bandits and 2 or 3 times sent out soldiers on land, for which purpose the leaders or captains were authorized with proper commissions.

[156]Concerning the third point, it is true that the commissioners of the director-general and council appeared upon summons and that after some debate, the director and council verbally informed the aforesaid commissioners that they were well satisfied and pleased that for the sake of peace the commissioners of the city should continue to live with the English commissioners from the adjacent villages in unity and harmony, giving the most liberal interpretation to the measuring of these words; however, it was by no means the intention of the director-general and council that subjects bound to the authority of the government by their oath and duty to allegiance and obedience should be allowed to enter with one another into a defensive and offensive alliance without the knowledge or order of their government and their council, much less that subjects should infringe on the high authority, vilify the commission received from our superiors, insult the commissioners appointed by the director-general and council under the aforesaid commission by publicly refusing to acknowledge them, and above all by passing resolutions without their knowledge, as was done by the aforesaid enclosure on 26 and 27 November.<sup>82</sup>

Concerning the fourth point, that the English commissioners declare the written answer of the director-general and council, stating their readiness to protect their subjects with the means given them by God and their superiors, unsatisfactory, and therefore must defend themselves and consider themselves as not owing any allegiance to the director-general, the tenor of which

the director-general and council shall refer for the present time to their lords and superiors and let neutral parties be the judge; saying here only that ultra posse nemo obligatur,<sup>83</sup> the laws of nature teaches us that force may be repelled by force and that everyone has the right to defend and protect himself in a lawful manner. However, their statement that Jochum Pieterse, Willem Harkse and others have been robbed without anything having been done, the director-general and council declare to be false and calumnious, because on account of these robberies of Jochum Pietersz and the theft of horses immediately after the return of the director-general from fort Orange, three yachts under Poulus Leendersz and a land force of about 60 men commanded by Captain Crigier were sent out pursuant to the resolutions and commissions drawn up and passed for this purpose. With reference to our inability to protect these persons it should be remembered that the aforesaid persons and many others, contrary to the general order of the Company and the warnings of the director-general and council, have settled separately, far from villages, settlements or neighbors. Even if the director-general and council had or were to enlist hundreds of soldiers, whether at the expense of the Company or of the province of New Netherland, it would nevertheless be impossible to protect these separate settlers against robbers and thieves who come either under a cloak of friendship or are unknown and receive hospitable accommodations even by some English people, as the victims have stated. The fatherland too is not without instances of such robberies committed on separately living people; however, truly faithful and peace loving subjects have never taken that for an occasion to calumniate the government of our fatherland as unwilling or unable to protect them, much less claim not to owe any duty to their duly appointed authorities, as the English commissioners state without hesitation in the second and fourth paragraphs of the attached document.

[157]Fifth, the answer given to the English by the commissioners from this city, according to their own statements on the 27th of November, in regard to the proposed alliance, and reported as well in the signed declaration among the attached documents, is not so much disapproved of by the director-general and council, because the mayor Marten Crigier and the schepen Paulus Leendersz have verbally and in detail given the reasons and motives for it, protesting earnestly that it was done for the sake of peace and without intention to prejudice thereby the authority and reputation of the lords-superiors nor their own or other people's damage, disadvantage or prejudice.

What now furthermore concerns the petitions of the mayors and schepens, requesting that the director-general and council consent to and approve of the summons of some people from the respective Dutch villages and settlements in order to meet with the commissioners of this city and those from the dependent English villagers for the purpose of drawing up such a remonstrance to the lords-superiors concerning the country's peace and welfare as is deemed necessary, the following decision has been made on it:

## Decision on the above petition.

Although the director-general and council could cite various important reasons, having already verbally offered some objections yesterday in full session to the mayors and schepens, why such a meeting and such separate remonstrances which exclude the director-general and council are viewed with disfavor; and although they have had a painful experience of the jealousies, troubles and quarrels arising therefrom during the time of the former director, Kieft,<sup>84</sup> and also of the present director-general, which are (may God improve matters) not yet laid aside. However, having no greater desire than the safety, welfare and progress of the country, the peace and harmony with and among all the subjects, without regard to nationality, and in order to prevent a charge being made before God and the lords-superiors of being too inflexible in enforcing their authority, orders and instructions, the director-general and council have, with regard to the petition of the mayors and schepens, decided that, in the presence of two deputies from the high council, they be allowed, together with commissioners from the respective colonies and jurisdictions of New Netherland who are authorized thereto with proper credentials and instructions from their superiors, to draw up a remonstrance, after due consideration of the country's present dangerous situation, addressed to the lords-superiors concerning the country's needs and condition, with the provision that the resolutions and acts passed by the last provisional general assembly, to the shame of its members, thereby not be prejudiced or infringed upon except by unanimous consent. Done in council at Fort Amsterdam, 3 December 1653, in New Netherland; was signed: P. Stuyvesant, N. de Sille, La Montagne, C. van Werckhoven, Cor. van Thienhoven; below stood: By order of the honorable director and gentlemen of the council; and was signed: Cornelis van Ruyven, secretary. Still further below stood:

We, the undersigned, commissioned by the director-general and council to hear the advice of the commissioners from this city and the English commissioners as to how and by what means the English robbers and bandits might be attacked and plundering prevented, herewith declare to have had no knowledge, much less consented to a separate remonstrance, as the above petition states, because being refused on the 26th we were not summoned on the 27th, nor were we present at the meeting. Dated as above; was signed: La Montagne, C. van Werckhoven; below stood: agrees with the original; was signed: Cornelis van Ruyven, secretary.

[158]In council, present: the lord director-general [            ]  
Mr. de Sille, Mr. C. van Werckhoven and La Montagne [            ].

Cor. van Thienhoven, fiscal, by virtue of his office, plaintiff against [Claes] Bordingh, defendant; the plaintiff submits his written complaint that on [     ] November 1653, in his official capacity, he had discovered some contraband goods in the defendant's yacht named het Juffroutien; namely, a keg of gunpowder and some staves of lead, which he requests be confiscated according to the ordinance, and that the defendant declare from whom he had bought the same or [            ].

The defendant acknowledges that the plaintiff found the gunpowder and lead in his yacht, unloaded it and brought it to

shore; also, that it had come to this country aboard one of the present ships, de Coninck Salomon or Gelderse Blom; and he says that he is not obligated to say from whom he had bought it.

He is asked once again from whom he bought it; he answers as before.

The defendant remaining obstinate, in spite of verbal commands and serious warnings, and stating in abusive language that he would not say from whom the confiscated goods were bought, the honorable director-general and high council order that he be locked up in the council chamber until evening in order to consider the matter, and by further disobedience the plaintiff is permitted and authorized to take him then into custody and to persuade him as much as he sees fit. Done in Amsterdam, New Netherland, 8 December 1653.

The prisoner, Claes Bordingh, once again questioned by the fiscal as to whether he will confess according to the order and decision of the director-general and high council yesterday the 8th of December, says he will now bear witness to the truth by confessing that which is known to him; namely, from whom he bought the confiscated contraband and from which ship it came.

He requests a delay until the afternoon, which is granted him. Done in Amsterdam, 9 December 1653.

[159] [Dear Friends.

As the board of mayors and schepens of this city have resolved, with the knowledge of the honorable director-general, upon summoning two commissioners from each of the adjacent villages, namely, Amersfoort, Breuckelen and Midwout, to write in conjunction with the lords-superiors concerning the situation of the country, we request herewith our friends of the village of Midwout speedily to select two commissioners and to send them to this place tomorrow, the 9th of this month, provided with the necessary credentials and directing them to report at the City Hall. Relying hereon we remain,

New Amsterdam,  
8 December 1653.

your affectionate friends, by  
order of the mayors and schepens,  
Jacob Kip, secretary.

To the honorable, dear and good friends, the inhabitants of the village of Midwout.]<sup>85</sup>

[Today, dated as below, the nomination for magistrates of the village of Heemstede on Long Island in this province of New Netherland, dated 8 December 1653, was submitted to the honorable director-general and council. According to the privileges granted to the aforesaid village, a double number had been nominated from which the general and council were to make their selection. After mature deliberation and for the sake of unity

and peace among the inhabitants of the aforesaid village, they, for the present, selected and appointed as magistrates of the village of Hemstede: Mr. Stickland, Mr. Wasborn and Mr. Gilderslieff, who are to administer law and justice in the aforesaid village to the best of their knowledge and information in accordance with their privileges and the laws of New Netherland. Hereupon the above said magistrates took the oath before the honorable director-general and council.

The newly elected and qualified magistrates are hereby authorized to call to their assistance, in cases of absence or important actions coming up before them, two or three capable persons out of the community or the former magistrates residing in the aforesaid village.

Thus done at the meeting of the director-general and high council held at Fort Amsterdam, 11 December 1653.

By order of the director-general  
and high council,

Cornelis van Ruyven, secretary.]<sup>86</sup>

[160]Translation<sup>87</sup>

To the right honorable, the Director-General and Council of New Netherland on the behalf of the noble High and Mighty Lords States-General of the United Provinces.

1. The humble remonstrance and petition of the colonies and villages in this New Netherland Province,  
Humbly shows:

First of all, we acknowledge a paternal government which God (in nature) has established in the world for the maintenance and preservation of peace and the good of mankind, not only agreeably to nature's laws, but in accordance with the rules and precepts of God to which we consider ourselves bound by His word, whereunto we submit. God the Lord, having entrusted the States-General as His ministers with the High and Mighty power which we gratefully acknowledge to promote the welfare of their subjects, both of those within the United Provinces and in the foreign settlements thereunto belonging, and these having by their power and authority, commissioned, for the same purpose, some subaltern magistrates such as the directors of the Chartered West India Company, whom we acknowledge as lords-superiors of this place, with you as their representatives.

We therefore humbly conceive our privileges to be the same, harmonizing in every respect with those of the Netherlands, being a member dependent on that state and not a conquered or subjugated people, but settled here on a mutual covenant and contract entered into with the lords-superiors with the consent of the natives, the original proprietors of these lands from whom we purchased the soil with our own money. A portion thereof which we now possess, have we, with immense labor and trouble and at our particular cost, transformed from a wilderness of woods and erected into a few small

- villages (with several farms), by a strict observance of the freedoms and privileges already granted. Expecting every enlargement and amplification, but no abridgement thereof, and deeply honoring and respecting the government of the Netherlands made up of various nations from divers quarters of the globe, leaving at our own expense our country and countrymen, we voluntarily repaired under its protection or shelter, being now incorporated, as it were one body, under our sovereigns, the high and mighty, lords States-General, whom we acknowledge as our rulers, with due subjection to the general laws of the United Provinces of the Netherlands, and all other new orders and authority aforesaid, will be enacted here conformable to the customs, freedoms, grants [161] and privileges of the Netherlands. This being promised,
2. we humbly pray that this our remonstrance and petition be received and construed favorably and not interpreted sinisterly, but rather advantageously. We shall, therefore, frankly declare, with all humility, our apprehension and alarm which for some time have crushed our spirit and disheartened us in our labors and callings, so that we, being in a wilderness, are unable to promote the good of the country with the same zeal and inclination as heretofore; the reasons whereof are as follows:
4. FIRST, our apprehension of the establishment of an arbitrary government among us. It is contrary to the first intentions and genuine principles of every well regulated government that one or more men should assume the exclusive power to dispose, at will, of the life and property of any individual, and this by virtue or under pretense of a law or order which he or they might enact without the consent, knowledge or election of the whole body or its agents or representatives. Hence the enactment, except as aforesaid, of new laws or orders affecting the commonalty, or the inhabitants, their lives or property, is contrary and opposed to the granted freedoms of the Dutch government and odious to every freeborn man, and principally so to those whom God has placed in a free state on newly settled lands, which might require new laws and orders, not transcending, but resembling as near as possible those of the Netherlands. We humbly submit that it is one of our privileges that our consent or that of our representatives is necessarily required in the enactment of such laws and orders.
- SECOND, we have been expecting, usually every year, that a new war will again be started by the natives of this country,
5. from the murders they have committed under the pretext that they have not been paid for their lands. This is the cause of many troubles and discouragements to the country, besides great loss and interruption to the inhabitants in their labor. We have been unable thus far to arrive at a precise knowledge thereof or to ascertain to what nation these
6. murders belong; but their acts are commonly disregarded, as those of Indians living at a great distance which fills us
7. daily with anxieties, so that we are compelled to stand on our own guard and cannot perceive how we are to protect our lives and property in any general way except by our own means.
8. THIRD, that officers and magistrates, although they may be deserving of such honors by their personal qualifications, are appointed (contrary to the laws of the Netherlands) to various offices without the consent of or nomination by the people whom the matter most affects or concerns.

9. FOURTH, that many orders or proclamations have been made heretofore by the authority of the director and council alone (without the approval of the country). We are entirely ignorant about which are or are not in force, and consequently know not when we violate them, but commit many offences in our ignorance, to the injury and ruin of ourselves and families.
10. FIFTH. On the promises of deeds and a general patent of freedoms and privileges, various plantations have been made at great expense and labor of the inhabitants with the building of houses, fences and other things, and with the cultivation and preparation of the soil; for example, that of Middelborgh, Midtwout and the dependencies thereof, in addition to several other places and individual farms which petitioned for general and private deeds; however, to their great expense by having to make several trips because of being put off with delays from time to time, there is a suspicion of revision as if conditions will be established other than the previous ones.
11. SIXTHLY. That a quantity of land was given or granted to some person or persons for their own use, upon which an entire village or hamlet of about 20 or 30 families might have been established. This can only lead to a great loss of future income or revenue for the lords-superiors, and at present weaken the country greatly, which (under such circumstances) cannot be defended by us unless villages or settlements are formed or established.

Having covered our troubles or problems under six points or articles, for easy reference, we shall swear [to them] in the hope that satisfaction will be granted to the country according to established justice, and that all received secret claims and damages be quieted and compensated for. Therefore, having revealed our problems (under which we labor), we apply ourselves to your wisdom for the remedy, for which, when done, we shall remain thankful; it being unnecessary to apply any further, which we shall do if need be. Wherefore we humbly request your honors' reply to each point or article in particular so that we may be accordingly satisfied or proceed further, as God shall direct us. Done this 11 December 1653 in Amsterdam. Below stood: Your honors' humble servants, Arent van Hattem, Martin Krigier, P. L. van die Grift, Will. Beeckman, Pieter Wolfersen, Geo. Baxter, J. Hubbard, John Hikes, Tobias Feke, Robert Coe, Tomas H. Has-sard, Willem Wasborn, John Seaman, Tomas Spicer, Elbert Elbertsen, Frederick Lubbertsen, Paulus vander Beecke, Tomas Swartwout and Jan Strycker.<sup>88</sup>

Friday, 12 December 1653

Today having received a certain translated document addressed to "The Honorable and Esteemed Gentlemen, the honorable Director-General of New Netherland and the honorable Council on behalf of the High and Mighty Lords States-General of the United Provinces, a humble remonstrance and petition of the colonies and villages in this province of New Netherland."

"Humbly representing" and closing with "Done at New Amsterdam, this 11th of December 1653." Below stood: "Your honors' humble servants, Arent van Hattem, Marten Crigier, P. L. vander Grift, Willem Beeckman, P. Wolfersz, Gorge Bacxster, J. Hubbert, John Hicx, Tobias Feeckx, Robert Coe, Thomsa Hasart, Willem Wasborn, John Sennis, Thomas Spysers, Elbert Elbertsz, Fredrick Lubbertsz, Paulus vander Beecq, Thomas Pinetwodt, Jan Strycker."

In conclusion the remonstrants request an answer to each point in particular, [although] the tenor of some points are either unclearly phrased or badly translated. The members of the council each request a copy of the remonstrance in order to deliberate on it and afterward offer a well considered reply. Done in the meeting of the director-general and council, dated as above. P. Stuyvesant, Nicasius de Sille, La Montagne, C. van Werckhoven, Cor. van Thienhoven. Was signed: By order of the same, Cornelis van Ruyven, secretary.

[166]Copy.

To the highly Esteemed Lords,  
 Petrus Stuyvesant, Director-  
 General, and the High Council of  
 New Netherland.

We, the mayors and schepens of this city of New Amsterdam, together with the respective commissioners of the villages of Gravesant, Vlissinge, Middelburgh, Heemstede, Amersfoort, Breuckelen and Midwout, having seen the reply of the honorable director-general and council to the remonstrance submitted yesterday by us to their honors, in which it is requested that because of some unclear or badly translated passages in the remonstrance a copy thereof be given to each member of the council; the response of the aforesaid assembly is that the original has been submitted from which his honor the director-general can provide copies to the gentlemen of the council as he pleases. Therefore it is once again requested that the honorable director-general and high council be pleased to furnish a categorical answer to each point in the remonstrance or not, because the commissioners are here at great expense and wish to know how to conduct themselves. In expectation here of your honors' speedy reply. Done this 12 December 1653, New Amsterdam. Your honors' humble servants, Arent van Hattem, Marten Crigier, Gorge Bacxter, John Hickes. Below stood: The above have signed on behalf of the aforesaid assembly. Was signed: Jacob Kip, secretary.

[167]The director-general and council are ignorant of any commissioners from the respective villages; moreover, Midwout, Amersfoort and Breuckelen have neither court nor jurisdiction, consequently they are unqualified to send any commissioners. Concerning the other villages: The director-general and council declare the present gathering illegal for annulling and contradicting not only the general resolutions passed by the provisional assembly but also the orders and decisions made by the director-general and council at the request of the mayors and schepens on the 3rd of this month.<sup>89</sup> Therefore the director-general and council find themselves

compelled, for the protection of the rights of the lords-superiors and their representatives, to protest against the present gathering, as they herewith do. Concerning the remonstrance itself: the director-general and council do not know whether the original or a copy thereof has been submitted. The document itself demonstrates and proves that it is a translation, and the director-general and council further state that they do not feel bound to a private and unclear remonstrance by a few unauthorized commissioners who are abusively assuming the rights and privileges of the whole. Therefore the director-general and council charge and order the aforesaid present commissioners not to address the director-general and council, much less anyone else, under this name and title. However, if the mayors and schepens of this city or the magistrates and commissioners of the villages have to [168] make remonstrances or requests, each for their respective places, then they are to notify thereof the director-general and council who will give them an answer and such satisfaction as the circumstances and the case may require. The director-general and council direct the fiscal to communicate this to the petitioners so that they cannot plead ignorance. Dated 12 December, New Amsterdam, New Netherland. Was signed: P. Stuyvesant, Nicasius de Sille, La Montangne, C. van Werckhoven.

Response of the Director-General and Council to the above-written remonstrance of 11 December signed by the mayors and schepens of this city and by some Englishmen.

The first word "translation" presupposes that it was drafted in another language, which is confirmed by its style and tenor; and the diligence of the mayors and schepens may be deduced from it when a foreigner or Englishman has to tell them what to remonstrate and demand.

[169]In the preamble the remonstrants exclude the honorable lords-directors, but seem to have corrected this afterward when they say that they acknowledge them as their lords and masters. To what extent they do this can be gathered from what follows.

The superscription "Humble Remonstrance of the Colonies and Villages in this Province of New Netherland" is quite incorrect as used in these general terms. The first and oldest of the colonies, Manhattan Island, reserved as a special colony for the lords-directors, the colony of Rensselaerswyck, of Staten Island, as well as the jurisdictions of Beverwyck and the South River are unaware of such a remonstrance and should be considered too careful to sign what an Englishman has drafted, as if there was no one of Dutch origin intelligent enough and capable to draft a petition to the director-general and council.

In the preamble they acknowledge "a paternal government established by God in Nature." What the remonstrants or signatories mean by this, the director-general and council do

not know; and it is doubtful whether the author, George Bacxter, understands it himself. However, leaving the preamble pro ut jacet, they go on to say, "we consider our freedoms to be one and the same and consistent with those of the Netherlands, being a member of the same and not a conquered land. We will let your honors and impartial parties decide whether the remonstrants are not being deceptive herein. If it were true, then they would without a doubt attempt and be able, as other provinces and cities of the Netherlands, to send representatives to the gatherings of [170] their High Mightinesses and other assemblies. They themselves, however, contradict this proposition immediately in the following when they truthfully state that "they had settled here under a mutual contract or agreement between themselves and the lords-superiors." If the remonstrants live up to it and carry it out, as subjects are obliged to do, then there would be no differences or disputes.

They then add to this, "and with the consent of the natives, from whom we purchased the land at our own expense etc." which is an absolute falsehood. None of the signatories can say, much less prove, that he has bought a foot of land from the natives, much less paid for it, according to the orders and directions of the lords-directors and subsequent ordinances issued by the director-general and council; nor can any private party purchase land from the natives without the consent of the director-general and council.

"Awaiting increase of the same," namely, of the privileges; however, it should be remembered that the Englishmen, who are the authors of and leaders in these innovations, enjoy more privileges than the exemptions of New Netherland granted to any Netherlander.

Observe that the remonstrants once again completely exclude the lords-directors as their masters and patrons and forget the contract made with them; they claim to be of one body with the Netherlands under the administration of their High Mightinesses, rejecting all laws and ordinances not emanating from their High Mightinesses.

Concerning these points:

The director-general and council do not know what the remonstrants mean by an "arbitrary government." When the mayors and schepens and most of the signatories were summoned before [171] the director-general and council and asked what they understood by an "arbitrary government," there was no response, much less could they state that the present government in charge here was arbitrary or absolute and why "it is contrary to the initial intentions and true principles of all well regulated states." If the present government is arbitrary, as they fear, then the remonstrants have no cause to vilify, fear or blame the government or the directors on this account, because they themselves have admitted, as stated above, that by their mutual contract and agreement they voluntarily submitted to such a government, promising under oath to acknowledge and obey it. They must prove that it is different or more arbitrary now than at the time of Mr. Kieft when the English remonstrants came here; and they must prove as well that by virtue of some law or laws made by the present administration, which are contrary to the laws of our fatherland, someone has suffered with regard to his body or property. The director-general and council believe that by virtue of their commission it is their duty to make laws, that is to say, ordinances and regulations, regarding the police,

commerce, military and the maintenance of the country which are suitable to the circumstances of this province, and that the remonstrants as subjects are bound to obey them. Bad behavior gives birth to good laws, according to the proverb. Thus it is not the desire, self-gratification or appetite of the director-general and council, but the disorder, bad will and disposition of many of the subjects which cause the issuing of new laws; and the director-general and council are unaware of having made laws contrary to the laws of our fatherland. Besides that, it is very well known that ordinances and regulations concerning the whole country have always been made with the advise and approval of qualified officials of the country. The freedoms enjoyed [172] by the English remonstrants [may be learned] from their all too liberal patent [which they make to cover more] than its contents allow. The authority of the mayors and schepens can be seen in their instructions, and the privileges of the other signatories are stated in their land patents.

#### Concerning the second point:

May God grant that the English and those of Dutch nationality give no cause or inducement to a new and feared war with the natives, whether it be by showing too much fear of them or by cheating them or by telling them, among other things, what a morgen of land is worth to the English and Dutch, whereby the natives then conclude that they formerly had sold their land too cheaply. It could well happen that they might express dissatisfaction, claiming that they had not received full value. But the absolute assertion and allegation of the remonstrants that murders had been committed by the Indians, under the pretense of not having been paid for their land, is made entirely without foundation and in bad faith. If the remonstrants were inclined to tell the truth or to investigate, they would find that the three murders recently committed on Staten Island by the Indians were perpetrated because the Indians claim that Moolyn<sup>90</sup> is a sorcerer, that he has poisoned them, that he has sold bad powder and guns and so forth; consequently, the Indians from the south have all sworn to kill him and all the people on Staten Island. If we accept the assertion of the remonstrants that the murders were committed under the pretext of not having been paid for the land and compare it with their statement in the preamble that they themselves had bought the land from the Indians, would not the lack of payment then be their fault as buyers, and therefore would not they themselves be the cause of this claim by virtue of their default of payment?

[173]To consider how and by what means to protect the inhabitants against such murders by the Indians and the robberies by English pirates was the purpose of the director-general in summoning some English representatives. However, by not replying to the last point and refusing to acknowledge the authority of the commissioners from the high council, the English sufficiently demonstrated that they were not inclined to do anything against their own nation or the authority of Parliament. Permission to protect themselves by lawful means does not need to be requested here.

#### Concerning the third point:

The English do not only enjoy the right of nominating their own magistrates, but some of them also usurp the election and appointment of such magistrates, as they please, without regard to their religion. Some, especially the people of Gravesande, elect libertines and Anabaptists, which absolutely contradicts the laws of the Netherlands.

The magistrates of New Amsterdam, only elected and appointed last year and not yet fully a year in office, for the present do not enjoy the right of nomination, the same having been withheld by the director-general and council for good and sufficient reasons, until the lords-directors order otherwise. The director-general and council hope to give, in due time, good and satisfactory reasons why they withheld the right of nomination and selection. However, if the rule is instituted that nomination and selection shall depend on the general public, whom it most concerns, then everyone would want for magistrate a man of his own stamp; for example, a thief would want a thief as magistrate and a dishonest man, a drunkard, a smuggler etc. their own kind, in order to commit crimes and frauds with so much more freedom. In addition, it is untrue that any magistrates have been appointed contrary to the laws of the Netherlands [174] or against the wish of the people. Therefore this point requires proof. The magistrates of New Amsterdam, before being installed and taking the oath in the presence of the director-general, were each by name and surname and by his office proclaimed from the front of the council chamber, with a request for objection from anyone. The same is usually done by the director-general and council at the installation of other officers: a captain, lieutenant or ensign before the whole company; a sergeant or lesser officer before the platoon. Therefore the remonstrants make allegations on this point incorrectly and in bad faith.

It seems very strange that the remonstrants attempt to deprive the lords-directors, as absolute and general lords and masters of this province, of the right that private lords and masters claim on their manors in the fatherland and the subordinate patroons claim in this country; namely, the right to appoint their own schouts, secretaries, clerks and representatives, as for example in the colony of Rensselaerswyck, on Staten Island and even in the village of Gravesant.

#### Concerning the fourth point:

Whether the ordinances, rules and orders previously made by the director-general and council ought to have any force or authority, the English remonstrants can learn from their patents, and the mayors and schepens from their instructions, by which they are directed to maintain and observe, according to their oath, all ordinances of the director-general and council. [175] In addition, they and all new-comers are by their contract and agreement with the directors compelled and bound to obey the director-general and council as representatives of the Company and to submit to all orders and laws already made or hereafter to be made, as expressly stipulated in the patents.

#### Concerning the fifth point:

The fifth point is absolutely denied. The contrary is proved by an ordinance passed by the director-general and council last year with the knowledge of the lords-directors, by which the inhabitants are expressly admonished and warned not to buy lands from the natives nor to settle thereon without a patent and conveyance from the director-general and council; and if someone was in possession of such land, he was to ask for and obtain a deed within a half a year under penalty of forfeiting his claim. Concerning this matter the signers and remonstrants from Amesfoort, namely, Elbert Elbertsz and Thomas Spysers must be charged with willful contempt for having usurped their lands for some years without having a conveyance or patent, and continue their usurpation without paying any tenths, although they and others in the aforesaid villages have held the land for 15 to 20 years.

It is a distortion that general patents were promised to the inhabitants of Middelburgh and Midwout. The contrary can be proved by living witnesses and by the written conditions kept by the secretary, under which lands were allotted and possessed in the aforesaid villages. For those who do not have their own patents, they can come and petition for them. No one is going to deliver them to anyone's house.

[176]

Concerning the sixth point:

"Large quantities of land have been given away to some person or persons" in the form of colonies: to Messrs. Nederhorst, Renselaer, Capelle, Werckhoven, de Hulter, Melyn and others.<sup>91</sup> The director-general and council do not know whom the remonstrants mean by "some person or persons," as nothing has been granted except upon the order or with the consent of our lords-directors, who, we think, are not obligated to explain their reasons to their subjects. If these lands are not populated and improved by the aforesaid patentees in conformity with the granted exemptions, then it depends upon the discretion of the lords-directors to dispose of them as they please. However, in this matter the remonstrants have forgotten to examine their own position and to consider that Heemstede, Vlissingen and Gravesande lay claim to a much larger territory which they let lie uncultivated and undeveloped to the prejudice of the commonalty, and that they have been of little benefit to the commonalty in the last ten years. Now that the time is at hand for that which is due the Company to be exacted from them, they throw the cat into the yarn, as the proverb goes. It is clearly evident from their claims and circumlocutions that they do not owe anything to the Company because the directors could not or would not protect them; consequently, they propose a union with some malignant opponents, and project a new form of government, as may be seen by the report of the mayors and schepens. The same tendency is clearly evident by their remonstrance, and time will tell what else is behind it. It seems extremely odd that the mayors and schepens of this city should at this precarious time join in a plot with a nation which they and everyone else suspect and which only a short time [177] ago they called untrustworthy, and that their intentions were no good, and if anything happened they would immediately declare themselves for the north,<sup>92</sup> and to which other still more villainous deeds were imputed but passed over for the sake of brevity, and conclude: quid magis mutabile vulgo.

What they say in the conclusion requires an explanation. "Satisfaction to the country" can neither be demanded nor given unless it is proven beforehand that the country in general or the inhabitants in particular have suffered; and secret claims and losses cannot be remedied as long as they remain secret.

Whereas new reports have been brought in and complaints made by inhabitants of this province that the English pirates, such as Bacxter and others, have returned to the waterways of this jurisdiction and are hovering about near Vlissingen and the vicinity on Long Island, and whereas it is feared that, as before, these pirates or robbers may commit some hostilities either by water or on land against the person or property of the good inhabitants of this [178] province; therefore, the director-general and council, in order to protect their subjects according to their official oath and duty, with the power and means

entrusted to them by God and their superior authority. have resolved to appoint and authorize the honorable Mr. Johan de la Montagne, councillor of New Netherland, as they herewith appoint and authorize him to pursue, attack and apprehend the aforesaid pirates, however and whenever it is possible, by water or on land, giving the aforesaid Mr. la Montagne additional power and authority to enlist and command all such people as he believes suitable for this expedition, whether they be officials of the Company or other free inhabitants. Done at Amsterdam in New Netherland, 13 December 1653; was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven.

[179]

To the Noble, Honorable Director-General and Council of New Netherland.

On the 11th of this month the representatives from the respective villages of Gravesande, Vlissingen, Middelburgh, Heemsteede, Amesfoort, Breuckelen and Midwout, as well as the mayors and schepens of the city of New Amsterdam who were convened at the City Hall of this city, submitted to your honors a remonstrance and petition to which they received in reply the following day a demand for copies so that a well considered response might be given. When the aforesaid assembly responded to this in writing on the same day, the director-general and council, instead of giving a decision on the petition, were pleased to charge the assembly with illegality because of a pretended lack of judicial authority for the villages of Midwout, Amesfoort and Breuckelen, which consequently could not send properly authorized representatives; and to protest against them, which they consider strange, especially as the aforesaid villages were not written to by the mayors and schepens except with the foreknowledge of the honorable director-general and council. Moreover, the assembly was begun with no other aim than the service and protection of the country, the maintenance and preservation of the freedoms, privileges and property of its inhabitants; not as an unlawful usurpation of the authority of the aforesaid honorable director-general and council, on the contrary, to prevent and deter lawlessness. And because the laws of nature give to all men the right to assemble for the welfare and protection of their freedom and property; therefore, the representatives of the aforesaid assembly, as well as the mayors and schepens, respectfully request that your honors, after declaring the aforesaid convention legal, be pleased to reply to the points submitted in their remonstrance, while they are willing to admit to their meetings, with all due respect, and allow to share in and advise on all business, which may come up, all such persons whom your honors may decide to commission. In case of refusal (which they hope does not happen) they would find themselves compelled to protest against your honors [180] for all the inconveniences which have befallen or may befall the country in general or in particular, and they intend to address themselves to their High Mightinesses, the lords States-General, as their sovereigns and to the chartered W.I.C. as their patroons, in order to submit to them a remonstrance on such matters as they believe are required for the service and welfare of the country. Your honors humble servants. Done this 13 December 1653, New Amsterdam; was signed: Arent van Hattem, Martin Krigier, P.L. van der Grift, Willem Bецqman, Pieter Wolfersz, Geo. Backxter, Robert Coö, Elbert Elbertsz, Thomas H. Haseard, John Hickx, Thomas Spicer, Poulus

vander Beecq. Fredrick Lubbersz, Thomas Swartwout, J. Hubbard, Jan Strycker, Tobias Feke; below was written: After comparison with the original, dated and signed as above, they were found to agree. New Amsterdam, New Netherland, 13 December 1653. Dirck van Schelluyne, notary public.

#### Decision on the preceding petition

The remonstrants are again and for the last time referred to the previous reply and the express order given by the director-general and council, and communicated to the remonstrants by the fiscal, not to address the director-general and council anymore under the name and title of "General Assembly"<sup>93</sup> or "delegates," for the so-called "assembly" is not only charged but absolutely declared to be illegal, because it has not been convened either by order or with the consent of the director-general and council. Therefore, we, the director-general and council, order you, Arent van Hattem, Marten Crigier, P. L. vandie Grift, Willem Beeckmans, Pieter Wolfersz, Geo. Bacxter, Robert Coö, Elbert Elbertsz, [181] Tomas H. Hasseard, John Hickes, Tomas Spicer, Paulus vander Beecq, Fredrick Lubbertsz, Tomas Swartwout, J. Hubbard, Jan Strycker, Tobias Feke, not to assemble anymore in such a form and manner, but to disperse on sight hereof under pain of our extreme displeasure and arbitrary punishment. Done at the meeting of the director-general and council, 14 December 1653, New Amsterdam, New Netherland; below was written: By order of the aforesaid director-general and high council; and was signed: Cornelis van Ruyven, secretary.

Deliberations on the last petition of the so-called delegates, dated 13 December 1653.

The director-general and council consider that their last reply and order of yesterday, which was communicated to the remonstrants by the fiscal, was quite sufficient and should have been obeyed by them as good subjects should do, and that they should not have addressed themselves again with the name and title of "assembly." But, whereas the remonstrants have again considered it advisable to submit another petition with distortions and falsehoods for the director and council to [182] answer, the director-general and council first understood it to be their duty not to excuse anyone, but to judge. Therefore they have declared the gathering to be illegal, not only because the hamlets of Breuckelen, Amesfoort and Midwout have no judicial authority, as the remonstrants incorrectly allege, but also because the director-general and council have declared and do declare the present gathering unlawful and an absolute conventicle for having assumed the name of "delegates from the province of New Netherland," which they are not, as has been said before, and for not having been called together or convened by the director-general and council. By virtue of their commission they assert that no one in this country is authorized to convene a general assembly, except they who represent their High Mightinesses and the noble lords-directors.

No less distorted is what the remonstrants add: that the aforesaid villages have been invited by the mayors and schepens with the knowledge of the director-general. That may be, but it was certainly not done with his consent and approval. In the same vein, the present conventicle assembled "with the knowledge of the director-general and council" because the mayors and schepens and the English delegates from the villages of Gravesande, Middelburgh and Vlissingen, meeting at the house of Pieter Wolfersz on 27 November last, invited the director-general and some councillors, through Mayor Crygier and Ensign George Bacxter, to a breakfast or reception, at which the mayors, schepens and English delegates announced to the director-general and councillors present, through their speaker or spokesman, in the most insulting manner possible that on the 10th day of next month [183] they would assemble and the director might do what he pleases and prevent what he could. If this is called previous knowledge, then indeed the delegates from the aforesaid villages have been summoned by the mayors and schepens with the knowledge of the director-general and council, who, however, assert that it is the duty of the honorable director-general, as president, and not of the mayors and schepens, to convene a general assembly and to summon delegates from the respective colonies and villages.

The point "that natural law gives to all men the right to assemble for the welfare and protection of their freedom," requires proof or further explanation. The director-general and council think that the authorities are thereto commissioned, but not all men in general because it would cause disorder. Therefore the lords-directors resolved, with the knowledge and consent of their High Mightinesses, to appoint the director-general and council, giving them extensive authority for the preservation and protection of the privileges, freedom and property of the Company and the good inhabitants, and, if necessary for the convening of an assembly of their subjects; however, this authority was not conferred on the mayors and schepens, much less on all men. If anyone of the remonstrants believes himself personally, or his colony, village or settlement, injured or wronged with respect to their privileges, freedom or property, the director-general and council, upon receipt of a proper remonstrance and relevant evidence, are duty-bound and inclined to maintain everyone in his property, rights privileges and [184] freedoms to the best of their ability and knowledge. However, the director-general and council are obliged to oppose such manners and ways of assembling and such injuries, insults and affronts offered to the government, and to mete out punishment to the authors and leaders thereof in due time, unless satisfaction is received.

Concerning the petition itself, "Whereas the delegates etc. . . ":

Let it serve as an answer that for the aforesaid reasons, stated above repeatedly, the director-general and council cannot declare the so-called assembly legal nor can they reply further in detail to a remonstrance submitted in this manner.

That the remonstrants then add, "to be willing to admit, with due respect, such persons" to the assembly whom "your honors find favorable" and to allow them "to share in and advise on all business brought before it," continuing with a threat "to protest against everyone, etc. in case of refusal," shows an attitude creating great misgivings in the minds of the director-general and council; however, they shall commend that for the present to

God and their superiors, except to say that they are better informed concerning their authority, commission and instructions than the remonstrants, and that they also believe it is unnecessary to require the good will or the permission of subjects concerning how, when and under what circumstances to appear in any assembly, because they are pro tempore authorized and commissioned by God and their high authorities, [185] to propose and direct all public business conforming to their commission and instructions, but not to help promote and advise on the affairs of a self-created, illegal assembly.

In conclusion, the director-general and council prevent no one from writing to our high authorities or to our noble lords-directors, as long as one keeps within the bounds of proper respect and truth; however, they think the remonstrants have no authority to write as representatives of this province. Therefore, the remonstrants are once more and for the last time referred to the last decision and ordered not to assemble again.

The director-general and council of New Netherland hereby announce to all merchants and traders that they have resolved for reasons of service to the country to hold the ship, de Connick Salemon, here until the end of this coming March, for about eight or ten days, and then, without a change of resolution, if God may so grant, to allow it to depart for the fatherland; and because the aforesaid ship is to be detained here so long for the service of the country, it shall enjoy preference in loading. If any merchants or passengers have any goods to send on the aforesaid ship, namely, an ordinary hogshead of tobacco for 20 guilders, other goods at the usual prices, please inform the shipper, Gornelis Coenraetsz, of such in good time, who shall keep everyone well-known of his intentions. Done at Fort Amsterdam, 16 December 1653; was signed: P. Stuyvesant, Nicasius de Sille, La Montagne, C. van Werckhoven, Cornelis van Thienhoven, Cornelis Coenraetsz.

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Copy of an open letter which the secretary carried to Breuckelen, Amesfoort and Midwout to read to the inhabitants there.

Very good friends: We considered it necessary to inform you that we received news last night that Bacxter along with some other pirates was on the loose again, and that he was planning one exploit or another. For this reason we went out last night with some soldiers and found the farmers around here to be in good order and on their guard. We recommend the same to you.

Secondly, we have been informed that the mayors and schepens of this city have in our name invited delegates from your villages and told you that it was done with our consent and approval. We hereby declare that it was not so and therefore request and order you not to allow such delegates to assemble again or come here, especially during this crisis, because it can only be to your disadvantage and detriment. We have deemed it advisable to inform you of this by our secretary, remaining in

the meanwhile, your loving and devoted friends the director-general and council of New Netherland; and was signed: P. Stuyvesant. Done in Amsterdam, 16 December 1653, New Netherland; below was written: Agrees with the original, and was signed: Cornelis van Ruyven, secretary.

[187] Petrus Stuyvesant, on behalf of their noble High Mightinesses the lords States-General of the United Netherlands and the noble lords-directors of the Chartered West India Company, Director-General of New Netherland, Curacao, Bonayre, Aruba and the dependencies thereof, together with the high council, to all who may read this or hear it read, greetings. Let it be known that for the purpose of promoting a general peace and the welfare of both nations, last May we empowered, commissioned and dispatched our special agents, the honorable Cornelis van Thienhoven, councillor and fiscal of New Netherland and Arent van Hattem, mayor of this city, to the right honorable Ritsert Bennett, governor and captain-general of Virginia and his council of state, in order to negotiate and conclude with them a close and firm alliance, correspondence and commerce between their and this our government without regarding the undesired, indeed, unhopd for bloody differences which have regretably arisen between our nations in Europe, as the aforesaid governor and council can see further by their commissions and credentials. However, because the aforesaid honorable governor and the council of state in Virginia, according to their honest and agreeable responses, previously found themselves unauthorized to give a categorical answer to the propositions made by our former ambassadors<sup>94</sup> before they had first consulted with their superiors and the government of England and had received advice thereon, which they intended and agreed to do by the first opportunity. If this has been done agreeable to their sincere intention, we trust that the aforesaid honorable governor and council of state shall have received some time ago an answer from their superiors or, at least, expect such any day now; therefore, the director-general and council of New Netherland have resolved, for the promotion of so laudable an object as the continuation of [188] peace, increase of commerce and cultivation of correspondence between such old friends, neighbors and co-religionists living in such distant countries, to dispatch once again an authorized and suitable person in order to remind the aforesaid honorable governor and council of Virginia of our former good intentions, which we still have, and of our propositions, and to learn their reply. We have hereto requested, authorized and commissioned the honorable and most learned Dr. Samuel Driesius, servant of God's word in the city of New Amsterdam; and fully relying on his ability, wisdom and experience we have directed him, as by this our open letter and commission we direct and empower him, to go to Virginia and address himself there to the aforesaid honorable governor Ritzert Bennett and his councillors in order to receive, in his capacity as our ambassador, from the aforesaid governor and councillors, an answer to our former propositions and to learn what reply was given by their superiors on the matter submitted. If the aforesaid honorable governor and his councillors should still not have received anything, then he is to propose and request a provisional continuation of the commerce and communication between the two places, and a free pass or safe-conduct signed by the honorable governor, because some of our merchants and their yachts have reciprocal debts outstanding

with some inhabitants of Virginia, just as we have given and are still inclined to give passes to ships and yachts coming to us from Virginia. All of this provisionally until on either side [189] we have received orders to the contrary from our superiors, countermanding the provisional passes; if so, such ships and yachts would be informed thereof six or eight days in advance so that private losses, general injury and further differences between our nations might be prevented. If this cannot be obtained, then he shall ask for a free pass for a ship so that our ambassador may be returned here unmolested by the Parliament's ships. We further promise by this our open letter and commission to ratify and execute all that may be agreed to and concluded in this matter between the aforesaid honorable governor, his councillors and our current representative, Domine Samuel Driesius. Done at Amsterdam in New Netherland, 16 December 1653; was signed: P. Stuyvesant. Next to the signature was affixed the provincial seal in red wax. Below this was written: By order of the same; and signed: Cornelis van Ruyven, secretary.

[190] Copy.

To the noble, highly esteemed  
director-general and council of  
New Netherland.

Henricus van Dyck presents, with all due humility, how he, the petitioner, arrived here in 1647 on behalf of their High Mightinesses, the lords States-General of the United Netherlands and the honorable lords-directors of the Chartered West India Company, honored with the office of fiscal of New Netherland. On the 22nd of May of the same year, the petitioner assumed the duties of the aforesaid as is well-known. While performing his duties it so happened that he, the petitioner, in his aforesaid capacity, arrested the person of Jacob Rynties on 28 May 1648 for selling gunpowder, lead and guns to the Indians. The aforesaid Jacob Rynties was charged and properly prosecuted; an inventory of his goods was made in the presence of the commissary. The judgment obtained against him declared that the aforesaid goods be confiscated, of which confiscation the petitioner in his capacity was due a just third part, amounting to one thousand seven hundred and fifty guilders, thirteen stivers, 5 1/3; in addition a just third of the bag of money found among Jacob Reynties' goods and also taken by the honorable, esteemed director. Whereas the petitioner has still not had the pleasure of his just third part of the aforesaid confiscated goods, which, with all due respect, should have been given to him; therefore, he, the petitioner, turns to your honors, requesting that he be satisfied here with his just third part as soon as possible. Thus doing . . . and signed: Hendrick van Dyck.

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Reply to the attached petition:

The director-general and council have never been informed that the petitioner was sent as fiscal to New Netherland by their honorable High Mightinesses, but rather by the honorable lords-directors of the Chartered West India Company in which capacity he has been employed and known, as far as his behavior

and ability merits. What goods of Jacob Rynties have been confiscated appears in the inventory officially made in the presence of the director-general and council. How and why they were confiscated appears in the judgment, and the Company has entered an account of the income in the general and private books for whose approval the petitioner's request has been referred; however, the director-general and council suspect that the petitioner has incorrectly determined or falsely claimed that the goods were confiscated because of trade of contraband with the Indians rather than because of the theft and sale of the honorable Company's weapons, according to the judgment. And moreover, it is well-known and apparent from the proceedings that the act was not uncovered through the vigilance of the petitioner but through the diligence of the director-general and councillors themselves who placed the offender in the petitioner's custody from which he escaped. At first the petitioner began to act by summons, as against a fugitive and violator of the lords' waterways, for which the offender was not punished with banishment. Also, from the confiscated beavers some were claimed by Claes Bordingh and others, who also were due restitution or satisfaction on behalf of the honorable Company. Therefore, the petitioner's request [192] for a just third share [ ] judgment is viewed strictly, the goods of Jacob Ry[ ] have been confiscated for the profit of the [ ] Company and whatever therein may be [considered] just which the director-general and council [ ] condemn at their discretion. Done at New Amsterdam in New Netherland, 24 December 1653; below was written: By order of the honorable director-general and council; and was signed: Cornelis van Ruyven, secretary.

Cor: van Thienhoven, fiscal, plaintiff against Claes Bordingh, defendant; the plaintiff has submitted a written request for the discovered contraband goods.

The defendant asks for a copy of the request.

The director-general and council order that a copy be furnished to the defendant for reply on next Saturday. Done at Amsterdam in New Netherland, 24 December 1655.<sup>95</sup>

[193]

To the honorable and most esteemed director-general and council of New Netherland.

Honorable and esteemed gentlemen:

Whereas by your honors' decision upon the request made in the name and on behalf of the merchants and traders of this place on the 22nd of this month,<sup>96</sup> in which the petitioners were directed to specify and prove by which goods and merchandise they had suffered the greatest losses and how the most average and leakage had occurred, also which goods and merchandise they could not afford to sell here at this time with a mark-up of 120 percent; therefore, the aforesaid merchants and traders have empowered and authorized us, the subscribers, to report to your

honors, as we herewith do. First, that in the course of business a merchant is not well able to give specific proof as to how his goods have been damaged and depreciated by leakage, average, decay or otherwise, because it would require a too detailed investigation and examination which cannot be made without creating great confusion in the trade, but that (with due respect) the notoriety of excessive losses by leakage and otherwise should be sufficient to prevent the enforcement of such rules and limitations for the commerce, as your honors have already been pleased to draft and publish. Secondly, even if the respective merchants each were able [194] to show with which goods they incurred the greatest losses, then (with all due respect) such proof should have led to the establishment of regulations, which are to be in force not only for the present and concern a few merchants who have suffered losses, but also for the future and apply to the merchants in general. For if they who had lost more should have permission to sell their goods at a higher price than they who had lost less, a great confusion would arise in the trade and the merchants would necessarily become suspicious and uneasy in the expectation of being at all times and occasions examined concerning the sale of their goods. In addition, each merchant would have to be furnished, in such a case, with a special document and order by which to govern oneself; and furthermore, such orders or regulations are practiced in none of the places under the jurisdiction of their High Mightinesses, the States-General of the United Netherlands, but rather all, whether buyer or seller, are permitted a free disposition of their respective goods - for how great a benefit and growth of commerce is well-known to your honors and the whole world. Therefore, we, the subscribers, permit, for ourselves and on behalf of those as stated above in the previous petition, and have resolved (in case of refusal) to hold the goods which we now have here and not to order any more, because we cannot believe that to enforce the aforesaid ordinances will tend to the advantage of the country or city, to the benefit of the citizens and inhabitants or to the growth of commerce, but only to the benefit and enrichment of those persons who are already or may be authorized to carry out the regulations. In the margin was written: In N. Amsterdam, [195] New Netherland, 28 November 1653. And was signed: J. V. Beeck, Cornelis vander Veen, Jan Laurensz Appel, J. van Brugge, Cornelis Steenwyck [ ] After collation it was found that this agreed with the original. And was signed: Cornelis van Ruyven, secretary.

Reply made to the above petition:

The petitioners are referred to the previous reply of the director-general and council given to their previous petition dated 22 November 1653, and, pursuant to its tenor, are ordered once again to show cause why 100 to 120 percent is not a sufficient mark-up on goods and merchandise transported here from the fatherland, as a consequence of the orders drawn up for good reasons and made not only by the director-general and council but also by the representatives of the respective Dutch colonies and jurisdictions of this province, without whose knowledge and advice the orders and regulations cannot or ought not be countermanded or annulled. However, in consideration of the present opportunity the director-general and council have ordered their

fiscal to exercise all possible moderation for the period of time until the aforesaid order has been communicated to the lords-directors, and their ratification thereof has been received or until the director-general and council and the aforesaid representatives of the respective Dutch colonies and jurisdictions have given other orders and the matter has been more closely considered. Dated 24 December 1653; below was written: By order of the honorable director-general and council; and was signed: Cornelis van Ruyven, secretary.

[196]Cornelis van Thienhoven, fiscal designate, against Claes Bordigh, defendant; the plaintiff requested [ ] that the defendant should state from whom he had bought the contraband goods (which were found by the plaintiff in his, the defendant's, yacht on 21 November). The defendant answered, "From Pieter Bruynsz." Pieter Bruynsz summoned to the meeting, has acknowledged the above to be true.

It was requested that commissioners be appointed in order to arrive at an agreement. Done in council at Fort Amsterdam in New Netherland, dated 27 December 1653, in the presence of the honorable General P. Stuyvesant and the gentlemen of the high council: Nicasius de Sille, La Montangne, and Cornelis van Werckhoven.

Resolved by the director-general and council [ ] reasons that the proceedings concerning the confiscated contraband, which remain between Fiscal Cornelis van Thienhoven and Claes Bordigh, be settled and reconciled; if possible, in the presence of the honorable Mr. Nacsius de Sille and the attorney, Le Bleu. Done in council at Fort Amsterdam in New Netherland, dated 27 December 1653.

[197]IN THE NAME OF THE LORD, AMEN. IN THE YEAR AFTER THE BIRTH OF OUR SAVIOR AND REDEEMER, JESUS CHRIST, 1654, 19 January.

The director-general and council of New Netherland, to all who see or hear this read, greetings. Let it be known that we have been informed by a report of our fiscal and others as well as by an open letter dated 18 January 1654 from Gravesande that the magistrates there have presumed and undertaken publicly to post [198] notices of marriage in regard to persons both of whom are and for a long time have been living in and about this city of New Amsterdam, far beyond the jurisdiction of the aforesaid village; and whereas such is in direct contradiction to both the civil and ecclesiastical laws of the United Netherlands, which not only the aforesaid magistrates of Gravesande but also all other colonies within this province are bound by contract and oath to obey; therefore, the aforesaid director-general and council order and instruct the aforesaid magistrates of Gravesande and all others within this province to annul such publication of marriage bans, and on sight thereof to withdraw

the same, and in all cases to proceed with and confirm no such marriages, either publicly or privately, before and until such persons, according to Dutch custom, have entered and received their bans and proclamations of marriage where they live and have lived the last year. Thus done in the council in New Netherland, dated 19 January 1654, New Amsterdam; and was signed: P. Stuyvesandt, Nicasius de Sille, La Montangne, C. van Werckhoven.

[199] Worthy and dear friends:

I duly received your honors' letter of the 18th of this month,<sup>97</sup> sent by our fiscal, which has been communicated to the gentlemen of the high council. It has surprised us greatly that your honors have taken upon yourself the publication of marriage bans within your village, without our and the councillors' knowledge, for persons both of whom live beyond the jurisdiction of your honors' village. Concerning your honors' allegations that the person is a freeman of your village: he is also [a freeman] of the city of Amsterdam and here of this city; therefore, the marriage bans must be reported and published here as well as there according to the customs of our fatherland. We do not deny that matrimony is governed by divine and human laws; however, they who enter into this state must do it according to these divine and human laws with the consent or knowledge of their parents and guardians, and then give notice thereof to the magistrates appointed thereto by the higher authorities, at the place where they reside or where they have been living during the preceding years. Your final request that we should send your honors a copy of the order and the power of attorney which his father has given us concerning his son, we consider ourselves not obliged to do for a subordinate bench of justice, being our [200] subjects. In addition, the father would be displeased and it would be unreasonable for us to communicate to others what an honest and prominent man has written to us in a detailed letter. So much in reply to your open letter. This further serves as cover for the enclosed order and resolution<sup>98</sup> made by us and the council which you are to obey at once, not because we wish to prevent the marriage, but so that they may be put in effect, proclaimed and affixed at the proper place, according to divine and human laws and ordinances, and without the infraction of anyone's rights. Relying thereon, after cordial greetings, we commend your honors to God's protection and shelter and remain; below was written: your honors' dear friend and governor; and was signed: Ptr. Stuyvesant; dated: 20 January 1654, New Amsterdam.

[201]

To the honorable, highly esteemed director-general and high council of New Netherland.

The current mayors and schepens of this city of New Amsterdam show with all due respect and humility that:

Whereas the petitioners have now served this city of New Amsterdam in their aforesaid capacity for one year pursuant to the instructions given by your honors and the time for election

is upon us, therefore, they most humbly request that your honors be pleased to allow the nomination of a double slate by the aforesaid current mayors and schepens from which a single slate of new mayors and schepens would be selected and commissioned by your honors so that the bench would be complete. Also, that your honors be pleased to take into their wise consideration what salary the mayors and schepens should have for their service; if this is decided, we can fund the same afterward with other receipts from the community. In expectation of your honors favorable disposition, we remain, in the meantime, your highly esteemed honors' humble servants; below was written: Arent van Hattem, Marten Crigier, P. Lendertsz vander Grift, Wilh. Beeckman, Pieter Wolfertsz; in the margin was written: Done this 27 January 1654, New Amsterdam, New Netherland.

[202]

Reply to the above request:

In the year 1654, 28 January, New Amsterdam, the director-general and council, having carefully considered the petition of the mayors and schepens, have resolved and decided to refuse and delay the request of nomination for important reasons, and for the sake of peace and harmony to continue in office the current mayors and schepens for another year, and only to appoint to the vacant position two other just and capable men, having selected for the present time: Jochem Pietersz Kuyter and Oloff Stevensz Cortlant.

Concerning the other request: in consideration of the troubles and anxieties with the loss of time and private expenses of the mayors and schepens in their official positions, being mostly men who have to provide for their [203] families either by trade, agriculture or manual labor, the director-general and council have to agree to this request and permit that the mayors and schepens shall henceforth draw salaries from the city's revenues, according to their petition, for the annual sum of f350 and f250 respectively. Done at the council of the director-general and council of New Netherland, held at New Amsterdam on the day and year as above; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne, Cornelis van Thienhoven.

The director-general and council of New Netherland, to all those who see this or hear this read, greetings. Let it be known to everyone that according to the general contracts made by the skippers and merchants with the honorable Company that everyone is bound to deliver to the Company's warehouse their goods for export and those imported, and to pay here to the director-general and council one percent and as much more thereon as may be imposed by the director-general and council before [204] the arrival of the ships. Until now the director-general and council have not collected this one percent as it was not possible because of the variety of goods. In addition, it might cause some difficulties and an increased scarcity, even with the necessary goods such as stockings, shoes, linen, shirts, clothing, soap and other articles. Because the director-general and council is experiencing a deficiency in the treasury and a need

to find some means by which the civil, ecclesiastical and military personnel may be supported and maintained, they have concluded that, in place of the one percent which all merchants owe in general from all their goods and merchandise, to impose something reasonable and tolerable only on the Indian goods and less necessary merchandise such as wines, brandies, spirits, imported beers and salt, which articles, although least necessary, produce the most gain and profit and are usually paid for in cash. Therefore, [205] the merchants and traders shall be obliged henceforth, in place of the one percent on their general goods, to pay only on the Indian goods and less necessary goods in the manner as follows:

For one ell of duffels, 2 stivers.

For one ell of woolen cloth<sup>99</sup> or carpet from which Indian coats are generally made, 2 stivers.

For an Indian coat made of duffels, woolen cloth or carpet, 8 stivers.

For one hundred pounds of kettles, 3 guilders.

For one dozen blankets, 4 guilders.

For one anker of brandy, Spanish wine or distilled spirits, 3 guilders.

For one hogshead of French wine, 6 guilders; smaller and larger casks in proportion.

For one barrel or one half pipe of imported beer, 3 guilders.

For one skipple of salt, 20 stivers.

Which duty shall henceforth be paid, as the staple right, promptly at the treasury, or at least proper security for the payment shall be given to the satisfaction of the treasurer before the aforesaid and other [206] merchandise shall be removed from the honorable Company's store.

Concerning the remaining goods which are numerous and varied: they are hereby free and exempt from the indebted one percent, until further orders or regulations, in order to be sold and disposed of to the satisfaction of the trader, as with other merchandise imported into this province; however, the appropriate duty or impost shall promptly be paid on merchandise which is exported or sent out of this province or the government thereof.

Thus done at the meeting of the honorable director-general and high council held in New Amsterdam, dated 28 January, 1654, in New Netherland. Reconsidered and published 2 July; and was signed: P. Stuyvesant, N. de Sille, C. van Werckhoven, La Montangne, Corn. van Thienhoven.

[207]The director-general and council of New Netherland to all who shall see this, greetings. Let it be known that they have commissioned, authorized and directed, as they herewith commis-

sion, authorize and direct the sworn court-messenger, Klaes van Elslandt, the elder, to proceed upon receipt hereof to the village of Gravesande to inform the magistrates there that they must not continue to post or publish any marriage proclamations or bans, much less confirm any marriage among persons of whom the man or the woman, groom or bride, are not residents or have not lived within the jurisdiction of their village during the last year, unless the magistrates have been shown a certificate or document signed by a magistrate, church official or a commissioner authorized thereto by the [208] high administration stating that such persons have conformed to the laws, ordinances and regulations of Netherland, which must be observed here, and have had their intentions proclaimed without interference during three consecutive weeks at the place where both or one of them are residents or have lived during the last year. If the aforesaid magistrates should continue to act contrary to this summons and our former express prohibition, and contrary to all general and special edicts, ordinances and regulations prescribed by the civil laws of our fatherland as well as by imperial statutes, then the director-general and council declare, for the present, such a manner of marrying unlawful, being contrary to all civil and political laws and ordinances in force here, in our fatherland and among all our Christian neighbors. Dated 10 February 1654, New Amsterdam; was signed: P. Stuyvesant, Nicasius de Sille, Cornelis van Werckhoven, La Montagne.

[209]The Director-General and Council have directed their court-messenger, Claes van Elslandt, to demand from the effects of Ensign Gorge Bacxter, who served as secretary of English affairs here from the beginning of the current director-general's administration,<sup>100</sup> whatever originals, copies or notes on letters and other documents passed between the director-general and the neighboring governors of New England or Virginia, especially the protocols or copies of the patents of the subject English colonies of Heemstede, Vlissinge and Gravesande, which were entrusted to the aforesaid Bacxter.<sup>101</sup> Dated 10 February 1654, New Amsterdam, Netherland; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne.

[210]Worthy friends:

On the 19th of January we drafted a certain order and resolution in the form of a summons which was sent to you with a letter from the director-general, albeit by a private party; therefore, we do not know whether the order contained in our aforesaid resolution has been obeyed and carried out pursuant to the good intention and purport thereof. According to the verbal reports of people especially interested therein and judging from your last letter of 22 January, which was directed to the honorable director-general privately in answer to his letter, you seem not to have completely understood our meaning and intention, and therefore feel neither obligated nor inclined to carry it out because in your opinion it is contrary to your patent and privileges, an infraction of which we by no means intend. We have therefore decided to send you by an officer, namely our sworn court-messenger, our further resolution and summons, renewing the former and instructing you how to publish marriage bases of persons of whom one or both are residents and have lived during the last year in another place, village or jurisdiction. It is contrary to and offends all

political and civil laws, not only of Netherland and other adjacent countries and provinces, but also against all customs and usages of this province and even of New England, who all unaniously agree and concur that they who desire to enter into the state of matrimony must give notice of their bans and proclaim their intended marriage, and have them published on three consecutive days of prayer or court session, not in another jurisdiction but in the jurisdiction, place or village where they both are residents and have lived the last year; and if the persons desiring the publication of their bans are residents of different villages, places or districts, such bans must be published in both places and a proof or evidence of no hindrances must be submitted to the magistrates or church officials at the place where, after the publication of the bans, they wish to be married, otherwise they cannot be confirmed in the married state without committing an unlawful act. We have considered it necessary to inform you hereof that you may not violate through ignorance the political laws, ordinances and customs of our fatherland and this country. Relying hereupon we commend you with our greetings to God's protection and remain -- below was written: worthy friends, your honors' devoted friends the director-general and council of New Netherland; was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven; and was dated: 10 February 1654, Amsterdam in New Netherland.

[211]

To the Honorable, very Esteemed  
Director-General and Council of  
New Netherland:

Show with all due respect and humility the mayors and schepens of this city of New Amsterdam.

Whereas they need some revenue for repairing the fortifications of the city, for paying some debts and for other absolutely necessary expenses, they therefore request that your honors issue an order authorizing them to impose provisionally for the benefit of this city the following duties, namely that there be paid

1.

On all incoming or outgoing merchandise two percent of each vessel, whether small or large, ten stivers for each last<sup>102</sup> annually.

## BURGHER EXCISE

2.

For each barrel of good beer, twenty stivers.  
For each barrel of small beer, six stivers.  
For each anker of brandy, Spanish wine or distilled spirits, one guilder, ten stivers.  
For French wine and others of the same value, half as much.

## SPIRIT EXCISE

## 3.

On merchandise shipped within the jurisdiction of New Netherland:

For each anker of wine, six stivers.  
For each barrel of beer, six stivers.

On wines and beers being shipped out of this jurisdiction of New Netherland, the above burghers' excise, smaller and greater quantities in proportion.

## 4.

And so that all this be carried out properly and without fraud, the mayors and schepens request that they be allowed to appoint two sworn beer-porters.<sup>103</sup> In expectation of your honors' certificate of authorization; was written below: and remain, your honors' humble servants; in the margin was written: Done this 19 February 1654 at a meeting in the City Hall of New Amsterdam; and was signed: Arent van Hattem; was written below: By order of the mayors and schepens of New Amsterdam; and was signed: Jacob Kip, secretary.<sup>104</sup>

[212]

Reply to the preceding petition:

The director-general and council consent herewith that the mayors and schepens may levy the proposed burghers' excise on wines, brandy, distilled spirits and beers consumed within this city on the same terms and conditions as the receipt of the tapsters' excise formally granted to them according to our edict of 25 November 1653.<sup>105</sup>

The request for two percent on all incoming goods, for 10 stivers per last for each small and large vessel and for a spirit excise on all outgoing merchandise is denied by the director-general and council because these duties concern the country in general and not a particular city or place.

The request for the appointment of two sworn beer-porters is deferred until further information is obtained as to how and in what way two beer-porters shall be able to accommodate and benefit the inhabitants and how two beer-porters are to haul the beer from and to the country people; also, whether a brewer outside the city shall not be allowed to transport his own brew in and out with his own cart, sled or wagon. Thus done at the meeting held by the director-general and high council in New Amsterdam, New Netherland, 23 February 1654; was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cornelis van Thienhoven.

[213]

To the Honorable, Highly Esteemed  
Director-General and High Council  
of New Netherland:

Show with all due respect and humility the mayors and  
schepens of this city of New Amsterdam.

Whereas in our last session on the 10th of February, in the  
presence of the honorable director-general, Petrus Stuyvesant,  
some verbal proposals were made to consider measures by which  
the robberies by the English pirates might be suppressed, which  
the honorable General promised to communicate to the high council;

Therefore, the mayors and schepens request once more to  
know what resolutions have been adopted by the director-general  
and council concerning this matter, for we believe that it should  
be attended to with all possible speed. In expectation of your  
honors' reply; below was written: and remain your honors' humble  
servants; and signed: Arent van Hattem; in the margin was  
written: Done this 19 February 1654 in session at the City Hall  
in New Amsterdam, New Netherland; below was written: By order  
of the mayors and schepens of this city of New Amsterdam; and  
was signed: Jacob Kip, secretary.<sup>106</sup>

[214]

Reply to the preceding petition:

The director-general reported to the council the verbal proposals  
made in his presence by the mayors and schepens: to enlist,  
for the purpose of suppressing the robberies by English pirates,  
forty men at the expense of the respective colonies, villages,  
and settlements, costing about 1600 guilders per month; and  
if the money can be raised with the consent of the respective  
villages, the director-general and council will by virtue of  
their commissions proceed with the recruiting. Thus done by  
the director-general and council in Amsterdam, New Netherland,  
23 February 1654; and was signed: P. Stuyvesant, Nicasius de  
Sille, C. van Werckhoven, La Montagne, Cornelis van Thienhoven.

In council present: the honorable director-general, Petrus  
Stuyvesant, the honorable gentlemen of the high council,  
Nicasius de Sille, C. van Werckhoven, J. de la Montagne.

Appeared Matthys de Vosch, recipient of a summons in the  
case of appeal with Jan Lourensz Appel; he delivered his papers  
and documents into the hands of the high council, according to  
the proceedings between him, de Vos, and Jan Lourensz. Also,  
Jan Lourensz Appel delivered some papers for inspection. As  
commissioners were appointed: The high councillors Nicasius de  
Sille and La Montagne. Done at Amsterdam in New Netherland, 23  
February 1654.

[215]The honorable director-general and council have been informed and advised of the scarcity of powder and lead among the Mohawk nation. The constant turmoil which they thereby cause among the inhabitants of Fort Orange, the village of Beverwyck and the people of the Colony,<sup>107</sup> and considering that if the aforesaid munitions were cut off suddenly and completely from the aforesaid nation, then the good settlers of the aforesaid respective villages and settlements might thereby suffer some misfortune or at least thereby see the whole trade diverted; and [considering] that the aforesaid nation might seek the munitions from our neighbors the English and be successful therein, which in these dangerous times might bring more and greater misfortunes to this province. Whereas the aforesaid Mohawks, now our good friends, have been out of necessity forced to seek munitions from our neighbors, from whom they also can get a larger quantity of sewant for their beavers, and have already received substantial presents and gifts from the English in order to attract their trade; therefore, with the loss of their trade it might well follow that we would also lose the Mohawks' friendship and consequently burden our people and nation with more misfortune. Therefore, we the undersigned director-general and council of New Netherland have deemed it proper and highly necessary, pursuant to the orders and instructions of the honorable Company, to accomodate the aforesaid nation with a moderate trade in munitions, namely, powder and lead, and to have the [216] same sold to them, for the present time, by Rutgert Jacobsz,<sup>108</sup> magistrate of Fort Orange and the village of Beverwyck; however, to be done as moderately and secretly as possible, for reasons and motives, if necessary and required, to be communicated to the honorable lords-directors of the Chartered West India Company. Thus done and approved by the honorable director-general and high council of New Netherland, 25 February 1654, in Fort Amsterdam; and was signed: P. Stuyvesant, Nicasins de Sille and La Montagne.

The director-general and high council of New Netherland hereby summon, by their court-messenger, Claes van Elslant, the magistrates of the village of Gravesande, concerning how it happened that upon this date Grietie Reyniers, wife of Anthony Jansz van Vaes, inhabitant and farmer within this province, has complained by petition about the forceful apprehension and detention of her aforesaid husband, who was arrested and taken prisoner on his own land outside of the aforesaid village's jurisdiction by the schout of the aforesaid village, and dragged from there to the aforesaid village where he sits a prisoner both fettered and shackled. Thus finding her aforesaid husband to have been highly mistreated, the aforesaid [217] Grietie Ryniers humbly requests proper maintenance of her inherent rights and redress of the affronts and excesses committed against them, which according to the law can neither be tolerated nor denied. The director-general and council hereby order that the aforesaid prisoner, in regard to the above, be set free, and the respective parties appear before the director-general and council next Tuesday, being the 3rd of March, in order to proceed in the matter according to the law. Thus done at the meeting of the director-general and high council held in New Amsterdam in New Netherland, 25 February 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.



[219]On the 4th point.

Answer: He replied to the court-messenger that if any of his companions appeared, he too would appear.

The following were also questioned on the aforesaid points: Gysbert Theunissen van Barevelt, Arent Lourensz van Amsterdam, Jan Theunissen van Tilbergh, Lambert Jansz van Ootmarsz, Harmen Theunissen van Ael near Wesel, Albert Leendersz van Amsterdam.

Most of them answered as did Claes Lourensz.

The director-general and high council have condemned these underwritten persons (after having warned them verbally that they would not be permitted to do it, or the like) to pay to the poor as follows:

Claes Louresz . . . . .	f4
Gysbert Theunissen . . . . .	f3
Arent Lourensz . . . . .	f3
Jan Theunissen . . . . .	f3
Lambert Jansz . . . . .	f3
Harmen Theunissen . . . . .	f3
Albert Leendersz . . . . .	f3
Ariaen Cornelissen . . . . .	f1.10

Thus done at the session of the director-general and high council held in New Amsterdam, 25 February 1654 in New Netherland.

[220]At a session of the director-general and council it has been decided that Jan Jansz van Oosterhout and Jan Jacobsz van Gietera, both farm workers who pulled or rode the goose, be put in jail because they threatened the General in their exuberance. Dated as above; was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne and C. van Thienhoven.

Harmen Smeeman, inhabitant of Manhattan Island, interrogated in session by the director-general and high council, was asked why he rode and pulled the goose against the express prohibition of the honorable director-general and council, being the first one to ride, and also allowed the drinking at his house; in addition, when served a summons by the messenger, he expressed an unwillingness to appear, saying if the fiscal had anything to say to him he should summon him before the mayors and schepens. Also, when he, Smeeman, came into the fort on the above date with the rest of the goose pullers, he instigated and incited some of his companions to such an extent that they dared to show their opposition to the General and magistrates with a display of threatening [221] fists. Therefore, the honorable general and high council condemn the aforesaid Smeeman, as they hereby do, to pay a fine of 25 Carolus guilders and 20 stivers. Thus done at the session of the honorable lord general and high council held in New Amsterdam the 25th of February 1654; was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne and Cor: van Thienhooven.

The honorable director-general reported to the council that both of the mayors and a majority of the schepens had appeared before him on the 25th of this month, stating their complaint that the director-general and council had issued without their knowledge an interdict or ban against some farm servants to ride the goose at the feast of Bacchus on the eve of Lent for reasons known to the director-general and council; in addition, during their tenure, it has never been the custom in this country and it is considered completely frivolous, needless and disreputable by subjects and neighbors to celebrate such pagan and popish festivals and to introduce such bad customs into this country, even though, as the mayors and schepens claim, it may be tolerated in some places of our fatherland or winked at. The interdict or ban was communicated to the farms servants by the court-messenger, Claes van Elslandt, on the day before [222] the act, but nevertheless they disobeyed it in contempt of the government. Consequently some of the [malefactors] were summoned before the director-general and council by their fiscal in order to be heard on the charge against them and punished according to the law. Two or three of them, who behaved themselves very insolently and improperly by threatening, cursing, vilifying and ridiculing their superiors in the presence and in the hearing of the director-general and council, were committed to prison. This the mayors and schepens regarded to be a great infraction of their authority, because the director-general and council had acted without their consent and knowledge, as if without the advice, consent or knowledge of the mayors and schepens no orders could be issued or regulations established or a rabble be forbidden to celebrate the feast of Bacchus, and as if without the knowledge and consent of a lower court of justice, such persons (disobeying a Christian and decent order) should not be punished. As the director-general and council understand their position, authority and instructions better than other people, they herewith inform the mayors and schepens that the establishment of a lower court of justice under the name and title of either "Schout, Mayors and Schepens" or "Magistrates" does in no way infringe upon or diminish the power and authority of the director-general and council to pass ordinances or issue interdicts, especially if they are for the glory of God, the welfare of the inhabitants or the prevention of sin, vice, corruption and misfortunes, and the correction, fine or punishment according to the law of those who wantonly disobey them. The authority of "Schout, Mayors and Schepens" and why they have been appointed is sufficiently shown in the instructions given to them and continue to do so without further troubling the director-general personally and inconveniencing him on account of some orders and regulations or fines and punishments made against violators thereof. However, if the schout, mayors and schepens or magistrates are asked by a subject or subjects to mediate and intercede for the modification of an interdict, order or punishment decreed against one or another by the director-general and council, then the mayors and schepens or magistrates of this city and of other lower courts of justice [223] may by respectful petition remonstrate and inform the director-general and council of their own grievances and those of other subjects, giving their reasons for it; whereupon the director-general shall make such decisions, either renewing or mitigating their orders, as justice and the nature of the case may require. Thus done at the session of the director-general and high council held at New Amsterdam, 26 February 1654; was signed: P. Stuyvesant, Nicasiaus de Sille, C. van Werckhoven, La Montagne.

The director-general and council of New Netherland having heard and examined the fiscal's complaint against Jan Jansz van Oosterhout and Jan Jacobsz van Gieteren near Blocksiel,<sup>110</sup> both prisoners for violating the order and interdict of the director-general and council of which the court-messenger informed them; also, for their curses, threats and foul language directed at the director-general and high council which was seen and heard by the director-general and council themselves, as has been described in detail in the complaint. As such matters are crimes of major consequence, they indeed merit the recommendation and conclusion of the fiscal that they be corrected by corporeal punishment; however, the director-general and council, after closer consideration of the intercession of the mayors and schepens of this city (except for Jochem Pietersz) which was made verbally to the honorable General yesterday, we have consequently resolved to suspend the sentence, and, because the delinquents are farm laborers and in order not to impede their masters' work, to release them, keeping a closer watch on their behavior. Thus done and executed at the session of the honorable director-general and high council of New Netherland, 27 February 1654, New Amsterdam; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montange.

[224]The secretary of the director-general and [high] council is hereby authorized to go to the inferior court of justice of this city and there to communicate to the schout, mayors and schepens the resolution of the director-general and and high council, amplifying and further explaining their instructions given the 26th of February 1654, leaving the authentic copy for their use.<sup>111</sup>

Secondly, whereas Johannis van Beeq has posted an announcement that his marriage has been declared legal and proper by a resolution of the mayors and schepens of this city, regardless that it was not only done without his father's knowledge but also against his express prohibition to marry outside the country; therefore, the director-general and council request an authentic copy of this resolution, of which they are ignorant, and written reasons why such a resolution was not made known to the director-general and council, and their approval thereof not sought, according to the instructions granted to the inferior court of justice of this city. Done in New Amsterdam, 27 February 1654, New Netherland; was signed: P. Stuyvesant.

Copy. The mayors and schepens of this city, having seen and examined the petition submitted at our meeting on the 10th and 16th of February<sup>112</sup> concerning the marriage bond between Johannis van Beeq and Maria Verleth, therefore have noted: First, who initiated the marriage in the beginning; also, what advice the teacher of the heathens<sup>113</sup> has to offer thereon.

[225]Second, the proper ages attained by Johannis van Beeq and Maria Verleth.

Third, the consent of the father and mother on the daughter's side.

Fourth, the distance and remoteness of places between here and our fatherland; in addition to the misfortune between both states, Holland and England.

Fifth, the danger that in such circumstances of long delay a situation might develop between these aforesaid young people which could bring about a scandal over both their houses.

Whereas the theologians rightly and justly say that we must not tolerate or permit lesser sins in order thereby to avoid greater ones; therefore, we believe (with all due respect) that by a proper solemnization of marriage, the lesser and greater sins are prevented, for the apostle to the Hebrews considers the marriage bed sacred.<sup>114</sup> Therefore, the mayors and schepens of this city have decided that the proper ecclesiastical proclamations of these aforesaid young people ought to be made at the earliest opportunity: to be followed by their marriage. Done at the aforesaid session of the mayors and schepens. Present were: Arent van Hattem, Marten Crigier, Poulus Leendersz van der Grift, Wilh: Beeckman, Pieter Wolfersz, Jochum Pietersz Cuyter and Oloff Stevensz. 19 February 1654 at City Hall in New Amsterdam, New Netherland; below was written: Agrees with the resolution book; was signed: Jacob Kip, secretary.<sup>115</sup>

Copy of the notice posted by  
Johannis van Beeq at various  
places in this city.

Whereas Johannis van Beeck, citizen, bachelor and free merchant here, together with Maria Verlett, single woman, assisted by her father, have employed all possible means, both public and private, as well as verbal and written attempts in order to obtain for themselves a proper ecclesiastical proclamation and solemnization according to the forms, customs and laws of our fatherland; however, we were not successful therein because the honorable director-general, Petrus Stuyvesant, [226] under pretense of [ ] it a special [ ] or power of guardianship and of [ ] has been pleased to obstruct and hinder [ ] his honor about one month after the departure of the ship [ ] before a mutual consent of marriage [ ] outside of Manhattan [ ] when the messenger [ ] to Gravesant on the 11th of January; in addition, their full period of time was expired, together with the resolution of my lords the mayors and schepens of this city of New Amsterdam, who decided that the marriage should be put into full effect immediately; also, his honor himself was pleased to write that he had nothing else against the marriage as long as it conformed to the laws and customs of our fatherland and the marriage announcements were posted here as well as in Gravesande. Whereas the above-named persons, in order no longer to be taunted and mocked by the whole world, have been forced, because of this and the objections of Domine Johannis Megapolensius in his capacity as high commissioner of matrimonial affairs, to take refuge there where they can be helped without prejudice; therefore, they hereby declare before God and all impartial gentlemen and magistrates that they are intentionally doing nothing to compromise or disobey the customs and statutes of the laws of our fatherland but are being forced thereto out of necessity because of the unreasonable denial of that which no one else has been denied previously in a similar situation.

In order that no one may later claim ignorance of anything, this has been posted in the usual place in the city of New Amsterdam so that everyone may be informed. Below was written: After comparison the above has been found to agree with the original word for word, in the presence of the fiscal, Cor: van Thienhoven, and Carel van Brugge, 27 February 1654; was signed: Carel van Brugge, Cor: van Thienhoven; under which I signed: Cornelis van Ruyven, secretary.

[227]At the session of the honorable director-general and council was shown and exhibited a certain authentic copy of the announcement posted in various places by Johannis van Beecq, merchant and inhabitant here in this city, concerning the marriage between him and Maria Verleth. As a result of the contents of the same, the director-general and council have decided to summon the aforesaid van Beeck to show cause and to ask him whether he posted such a marriage announcement with the consent of the ordinary commissioners of matrimonial affairs or of any magistrates, and the reasons why he was not home when it was sent to his house. The director-general and council have decided that when he comes home he shall remain under arrest until the time he has satisfied the director-general and council. Done at the session of the director-general and council held in New Amsterdam in New Netherland, 27 February 1654.

To all esteemed governors, vice-governors, magistrates and Christian neighbors - [may you have] an abundance of health, honor and prosperity.

Whereas a certain Johan van Beecq and Maria Verleth, assisted by Casper Verleth and Augustines Heerman, secretly departed for New England between 26 and 27 February in order to marry there, it is presumed, without the knowledge and against the prohibition of the aforesaid Johan van Beecq's father, which was expressed in writing by the father to prevent such within this province until further advice and instructions from Mr. Isack van Beeck, father and guardian of the aforesaid minor, Johan van Beecq; therefore, all neighbors, governors, vice-governors, magistrates and servants of God's word are hereby not only informed thereof, but also amicably requested not to marry the aforesaid persons or confirm them in the state of matrimony but, [228] according to divine and secular laws to return [ ] to their competent [ ] which or in respect of Christian [ ] secular orders or with regard to our [ ], we hereby obligate ourselves in a [ ] and like measure, indeed, in a greater measure of neighborly courtesy and friendship in which we shall place our trust. After cordial greetings we are and remain . . . In the margin was written: Done at the session of the honorable director-general and high council held in Fort Amsterdam in New Netherland on the day and in the year stated above; next to it was written: your honors' cordial friends and neighbors; and was signed: P. Stuyvesant; below was written: By order of the honorable director-general and high council of New Netherland; and was signed: Cornelis van Ruyven, secretary.

3 March 1654, N. Amsterdam

Cornelis van Thienhoven, in his capacity as fiscal, plaintiff, against Nicolaes ter Haer, defendant; the plaintiff complains, ex officio, about the violence, insolence, fighting and bloodletting committed by the defendant on Poulus Heymans, tapping without the consent of the director and council and also breaking the ordinance against allowing drinking and disorder in one's house after 9 o'clock.<sup>116</sup>

The director-general and council, having heard the complaint with the defendant's reply, order that the defendant come to a settlement with the fiscal and satisfy him, ex officio, with regard to the acts of assault and tapping after hours; in addition, he is prohibited, after this date, from tapping, on pain of being punished for disobedience.

Done at the session of the director-general and council, dated as above; present: the full board.

[229]Cornelis van Thienhoven, fiscal, plaintiff against Poulus Heyman, defendant; for insolence and arrogance at the house of Nicolaes ter Haer [ ]. The parties having been heard, it is ordered that the defendant come to a settlement with the plaintiff or otherwise etc. Done as above.

3 March 1654, N. Amsterdam.

Poulus Heymans, until now supervisor of the Company's Negroes, appeared at the session and requested to be relieved of his duties.

He received the reply that the director-general and council would look for a replacement; however, he should continue until they have found another capable person. Done as above.

The notary, Schelluyne, submitted a certain petition at the session of the director-general and high council, which was acted upon as follows:

The petitioner, in his capacity, is admitted and accepted for the case of appeal, on the condition that he post security for the expenses by the court of Gravesande, to be paid to the secretary according to the ordinance. Done as above.

[230]

3 March 1654, N. Amsterdam.

Anthony Jansz van Vaes, plaintiff, against the magistrates of Gravesande; the plaintiff submits his complaint in writing. Because the magistrates failed to appear, pursuant to the summons, they remain in default. The plaintiff is ordered to provide the defendants, the magistrates, with an authentic copy of his complaint. The aforesaid magistrates are then ordered to

appear this coming first of April and reply, upon pain of a second default. Done at the session of the director-general and high council held in New Amsterdam in New Netherland; present: the entire council. Dated as above.

Concerning the right of appeal granted to Anthony Jansz van Salee on and against his brother-in-law Thomas Southart, Mr. N. de Sille and Dr. la Montagne have been appointed and authorized as commissioners to examine and review all the papers and documents written and produced by both parties, as well as the judgment pronounced by the magistrates of Gravesande, and, if possible, to bring the parties to a settlement. In case of unwillingness, the commissioners are to report their proceedings and findings to the high council which shall pass judgment after an examination of the case. The aforesaid commissioners shall meet in this city next Friday, being the [left blank], [231] where Anthony Jansz and Thomas Southart shall be held. Done as above.

7 March 1654, N. Amsterdam.

Thomas Southardt appeared at the session where he was lawfully asked whether he had let his father-in-law be detained in Gravesande. Southardt replied that his father-in-law, Anthony Jansz, had been taken from his land without his knowledge and brought to Gravesande. When he, Southardt, saw his father-in-law there, he requested that the magistrates detain him as long as it takes for him to receive satisfaction from his aforesaid father-in-law.

Asked whether he had requested that his father-in-law be shackled on the legs, he replied that he told the schout not to let Antony Jansz go, and did not request that his legs be shackled, and that he said this in the presence of two witnesses: Raeff and Walter Wael; whereupon the schout said, "I sel taek een Other Cours With hun."<sup>117</sup> Done as above.

Anthony Jansz declared that he was held prisoner for 10 days at Gravesande.

When Tomas Southart was further questioned about whether he had attached the livestock at Gravesande, he replied, no, and that he made no claims on the livestock. Done as above.

[232]

6 March 1654, N. Amsterdam.

The commissioners, N. de Sille and Mr. La Montagne, authorized to investigate the differences between Anthony Jansz and his son-in-law Thomas Southart, report that they could not bring the parties to an agreement; in addition, they exhibited at the session a certain judgment by the court of Gravesande, in which the plaintiff or complainant, Anthony Jansz, was condemned to pay, above court costs, a sum of one hundred guilders for expenses, and some other dowary which he had promised to his son-

in-law Thomas Southart, without there being any proof of the promised dowry among the supplemental documents shown to the director-general and council. Therefore, the director-general and council order that the parties once again submit interrogatories in writing before the director-general and council proceed with their case and that in the meantime the attachment on Anthony Jansen's livestock and other property by the court of Gravesande, as a result of the aforesaid trial or promised dowry, shall be withdrawn immediately and restored to Anthony Jansz, on the condition that the parties put up security for the court costs of the director-general and council. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 6 March 1654. Present: the entire council.

[233] 30 March 1654, N. Amsterdam.

At the session of the honorable director-general and high council it has been resolved and decided that Jan de Jongh presently detained at the house of Lourens Cornelissen shall be taken by the fiscal to the ship, de Coninck Salomon, where the aforesaid Jongh shall remain in detention with the skipper in the master's cabin until further orders. Done as above; below was the notation: The above resolution shall not be executed until expiration of his security; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne.

The fiscal, Cornelis van Thienhoven, submitted at the session a certain petition dated 31 March which was acted upon as follows:

The fiscal is ordered to deliver the boat and sails into the care of the skipper of de Coninck Salomon; and appointed as commissioners to witness the opening of the cargo hold and to take inventory thereof are Mr. La Montangne, Mayor Marten Crigier, Dr. Eduart Moor, Dr. Isaacq Allerton. Dated 31 March 1654. Present: the entire board.

[234] 31 March 1654, N. Amsterdam.

A certain letter sent to the honorable General by the magistrates and inhabitants of Gravesande was answered as follows:

Concerning the contents thereof, it has been resolved and decided that the magistrates and inhabitants of Gravesande must show by their patent or at least by an authentic copy of it that they enjoy both the nomination and election of their magistrates, and the right to continue in office at their pleasure.

1654, 8 April, New Netherland.

The director-general and council of New Netherland hereby announce to all merchants, factors and traders that, upon the request of Cornelis Coenraetsz, skipper of the ship de Coninck

Salemon, we have given our consent and approval, as we hereby consent and approve, the loading of the aforesaid ship as quickly as possible, and after loading to allow it to depart from here for the fatherland; therefore, all merchants and factors, who wish to go over as passengers, are notified to have their names [235] recorded at once or to do the same with any goods or merchandise to be shipped. Because of important reasons, the director-general and council have decided to allow the aforesaid ship to depart for the fatherland as soon as possible within the period of one month from this date, the sooner the better. Done at the session of the director-general and high council held in New Amsterdam, 8 April; and was signed: P. Stuyvesant, N. de Sille, La Montagne, Cor. van Tienhoven; below was written: By order of the honorable director-general and high council; and was signed: Cornelis van Ruyven, secretary.

1654 New Amsterdam 8 April.

The director-general and council of New Netherland to all who hear, see or read this, greetings; let it be known:

Whereas we have received definite reports and, in fact, experienced that some pirates and bandits, under what commission or pretext is unknown to the director-general and council, are operating on Long Island and the mainland between this province and the province of our neighbors, who, as we are informed, have been declared pirates and bandits by the neighboring governors and magistrates of New England, and therefore denied all lodging, asylum and sustenance [236] within their jurisdiction, and are accordingly to be considered runaways and exiled from New England; these pirates and bandits have not hesitated to molest the good people of this province in the countryside and plunder them of their property, of which various evidence can be seen and heard, both now and last year, that such has been perpetrated on various inhabitants. And whereas the director-general and council have received definite reports that the aforesaid pirates and bandits are abetted, favored, harbored, sustained and supported by subjects and inhabitants having established residences within this province, and are consequently so encouraged and emboldened that some of them have dared not only to frequent, spy and keep watch on the outer villages but even on this city under the guise of travelers; therefore, the director-general and council, wishing to provide for the inhabitants to the best of their ability, have considered it highly necessary to enact against the aforesaid the following ordinance and regulation:

The director-general and council of New Netherland order and command all their subjects, regardless of what nation they may be, none excepted, not to communicate with such pirates and bandits, much less harbor, conceal or hide them, or to accommodate or provide them with any necessaries; however, if anyone [237] may receive any information or knowledge of the whereabouts of such pirates and bandits or where they may reside or put themselves up, they are to report the same to the magistrates of the nearest village and court immediately, on pain of confiscation of all one's goods and of being declared an enemy of the state and banished from the country.

Secondly, all magistrates of the respective villages within this province are hereby recommended, each within his jurisdiction, to establish and to maintain such order, watch and place of assembly as they think necessary for the security of the good inhabitants of the aforesaid place, according to the circumstances of the locality; and all inhabitants are hereby ordered and charged promptly and without objection to comply with and obey such orders of the magistrates, and at their command promptly and immediately to pursue, attack and capture, if possible, such pirates and bandits, on penalty as written above. In order to encourage the good inhabitants in this their duty, the director-general and council promise the sum of one hundred daalders<sup>118</sup> for every pirate or bandit delivered into the hands of the director-general and council or their fiscal.

Thirdly, in order that the preceding may be better practised and observed by the good inhabitants of this province, the director-general and council order and command that all persons who have no residence within this province of New Netherland [238] and arrive in any village or house in this country shall be obliged, when required by the magistrate, officer of the law or any citizen or inhabitant, to show an entry and exit pass from the governor or magistrate from where he comes and where he resides, and if anyone be found without a pass, he shall be examined and heard by the magistrate regarding from where he came and for what purpose and business he has come into the aforesaid province of New Netherland, in order, according to the circumstances and facts of the case, to be so disposed of as shall be found proper; and so that the aforesaid may be better obeyed, all inhabitants are ordered not to lodge any unknown foreigners without first making known to the magistrates or officers of the place the name of such arriving travelers or foreigners, under penalty of f24.

Furthermore, in order that everyone may be better and with more certainty forewarned of any raid and impending danger, the director-general and council order and command that no person shall fire a gun within this province at night between sunset and sunrise on pain of forfeiting one Flemish pound<sup>119</sup> for each shot, unless there is some appearance of a raid, in which case everyone is not only permitted but hereby [239] commanded to give an alarm of the threatened raid by firing his gun three times in succession, as quickly as possible. When this alarm is heard by the nearest watch, village or household, such watch, village or household is hereby commanded to do the same in order, by such means, to make the raid known to all watches, villages and households so that everyone may be on his guard and appear under his authorized officer at the appointed place of assembly.

And, in order that no one may plead ignorance, the director-general and council order that this general order shall be sent everywhere throughout this province of New Netherland, so that it may be published, posted and enforced by the magistrates of the respective colonies and villages, and so that the opponents there and elsewhere may be duly proceeded against according to the tenor of this ordinance.

Done at the session of the honorable director-general and high council held in New Amsterdam. Present: The Director-General, Mr. de Sille, La Montagne, Fiscal Cornelis van Thienhooven. 8 April 1654; and was signed: P. Stuyvesant, N. de Sille, La Montagne, Cor. van Thienhooven.

[240] Copy.

At a Meeting of the [            ]  
Magistrates of Breuckelen, Mid-  
wout and Amesfoort, including the  
Gentlemen of the War Council, 7  
April 1654 in Breuckelen.

First, the gentlemen of the honorable courts and war council have met in order to appoint the officers for the companies of these places: first under-sergeant, Jan Strycker; chosen for corporal in Midwout, Daniel Terneur; and for lance corporal, Theunis Hilbrantsz; and for cadet, Luycas Eldersz and Hendrick Joris.

Second, in the village of Amesfoort: under the sergeant, Elbert Elbertsz; Willem Gerritsz, corporal.

Third, the responsibilities of the watch are placed on each person in his capacity, and a current schepen who shall select people according to their diligence and willingness, in whom he will have confidence in times of emergency.

Fourth, in case of an attack by any pirates, bandits or any others who wish to do us harm or injury at any villages, settlements or to any of our subjects, then no one shall be free [to go] to or about on Long Island into the aforesaid district if there is resistance of any kind whatsoever, upon a fine of six guilders, one half for the officer and the other half for the court, or upon arbitrary punishment at the discretion of the magistrates according to the nature of the case.

Fifth, that in the villages of Breuckelen, Midwout, Amesfoort and the other dependant places every third man shall be obligated to keep himself ready to go to the places with their appointed officer or his deputy, where they shall receive orders.

[241] Sixth, every officer, in his capacity, shall have lots drawn in the village or settlement in order to determine every third man; and whosoever draws the lot shall be bound to keep himself ready, without objection, for the aforesaid occasion.

Seventh, every inhabitant of Long Island in the aforesaid district upon detecting any enemy at night shall fire three shots in order to inform the nearest habitation, according to which they are to regulate themselves as written above.

Eighth, if anyone should cause an alarm by shooting in the absence of an emergency, he shall be fined the sum of six guilders or arbitrary punishment, as stated in the fourth article.

The above have been proposed, for the good and general welfare of the inhabitants of Long Island, for the approval of the honorable director-general of New Netherland. Was signed:

Fredrick Lubbertsz  
Jan Sneiderer  
Nicolaes Stillwill

Cornelis de Potter  
Albert Cornelissz  
Jan Strycker  
Elbert Elbertsz  
Willem Bredenbent

The above agrees with the original which is entrusted to me; thereto certifies Davidt Provoost, notary public and secretary of the aforesaid places.

[242]

Decision on the above proposals:

The above having been read and studied by the director-general and council, the aforesaid orders have been praised and approved by the director-general and council. Done at the session of the honorable director-general and high council held in New Amsterdam on 8 April; was signed: P. Stuyvesant; below was written: By order of the director-general and high council; and was signed Cornelis van Ruyven, secretary.

1654 New Amsterdam, 8 April.

Petrus Stuyvesant, on behalf of the honorable High Mightinesses, the lords States-General of the United Netherlands and the honorable lords-directors of the General Chartered West India Company, and the aforesaid director-general of New Netherland, Curacao, Bonayra, Aruba and their dependencies, together with the lords councillors, to all who shall read this or hear it read, greetings:

Let it be known that pursuant to the instructions of our superiors we have done nothing more than strive and [243] aim, as we still do, for a continuation of our previous communication, commerce and peace with our Christian neighbors and co-religionists without regard to any unhopd for differences and deplorable animosity between our respective superiors in Europe. As a result, some time ago, we sent several amicable letters to the neighboring governors. In the meantime, some pirates and bandits have appeared - we do not know under what authority or whose commission - who during last summer uttered threats and committed several hostile acts, invasions and attacks on the good inhabitants in the countryside - Dutch as well as English - on land and sea, robbing and plundering the persons of Willem Harck and Jochim Pietersz Kuyter, stealthily sailing away a bark belonging to Jan Tobyn, stealing and taking away 9 or 10 horses from the village of Amesfoorde on Long Island and 3 or 4 Negroes sent out to bring back some runaway Negroes. Because of these and other hostile actions [committed] by the aforesaid pirates and bandits not only last year but also a short time ago [committed on] the person of Willem Harck, accompanied by threats of fire and massacre to be inflicted on the good inhabitants of this province, we, the director-general and council, believe ourselves compelled by our office and [244] duty, upon the repeated complaints of our good subjects, to prevent them by all honest and admissible means as much as possible, and to protect our good subjects against all such pirates, bandits and thieves. Therefore, the director-general and council have resolved to have them pursued, attacked and captured either on land or on water, as well as by the power and means entrusted to us by God and our sovereigns, and by the weapons and self-defense of our good subjects, without, however, being inclined or intending to give thereby any cause for offense, much less any appearance of hostility. In order to inform and reassure hereof the neighboring governors, vice-governors and magistrates, we have deemed it necessary and advisable to appoint and send to our nearest neighbor, the honorable Theophilis Eton, governor of New Haven, Mr. Cornelis van Thienhoven, councillor and fiscal of New Netherland, Mr. Marten Crigier, mayor and captain of the guard companies of this

city of New Amsterdam, who are to inform and advise the aforesaid honorable governor and his council, as well as all whom it may concern, of our sincere and genuine intentions in equipping and preparing some yachts only for the protection of the trade, and the rivers and streams between us and our neighbors, as well as in issuing orders to our good subjects, both Dutch and of the English nation, to keep good order and watch and be ready for all emergencies. All of which is only intended for and aimed at the protection of the good settlers in the countryside without any thought of doing injury or damage to or molesting any neighbors, much less committing any acts of hostility against them. If, in the meantime, it should happen that in pursuit of these pirates and bandits some of our remote subjects or our neighbors might suffer losses with regard to their livestock, houses or vessels, for which we do not hope and against which we have issued strict orders, then we have bound ourselves to offer prompt and equitable compensation. Furthermore, concerning the reports we have received in regard to the apprehension and detention of a certain Thomas Bacxter, former leader and captain of the aforesaid pirates and bandits, in whose name and pretended commission the aforesaid robberies and thefts were committed, whether by himself or by his accomplices, our aforesaid deputies are especially authorized and directed to inform the aforesaid honorable Governor Eton of it and to request his wise counsel and assistance in recovering the stolen property; [245] also, to speak with him concerning the abduction of Captain Crigier's Negroes who were protected by a safe-conduct from the aforesaid honorable governor and kidnapped within his own jurisdiction. They are further to consult with his honor concerning the flight and recapture of a certain Jan de Jongh; and, finally, to propose and request a continuation of the former correspondence, commerce and neighborly friendship, we, the director-general and council promising herewith to approve, confirm and ratify all that in these matters shall have been negotiated and concluded by our deputies the honorable Messrs. Cornelis van Thienhoven and Marten Crigier. Done at our session held in New Amsterdam, 8 April 1654; and was signed: P. Stuyvesant, N. de Sille, La Montangne, Cor. van Werckhoven.

1654, 9 April New Amsterdam.

Whereas Jan Eversz Bout, an inhabitant and owner of property in Breuckelen on Long Island, has at the election of schepens in the village of Breuckelen also been elected schepen by the director-general and council, which office he has refused to accept, saying he would rather depart for Holland (than undertake such duties), whereupon the director-general then replied, "If you will not accept to serve as schepen for the welfare of the village of Breuckelen with others, your fellow inhabitants, then you must prepare yourself to sail in the ship, de Coninck Salemon, agreeable to your own statement"; therefore, the honorable director-general and high council, in consideration of the obstinacy of the aforesaid Jan Evertsz Bout and the subsequent disorders which could arise therefrom, have ordered their fiscal, Cornelis van Thienhoven to inform the aforesaid Jan Evertsz by the Schout, Davidt Provoost, of his summons to depart. Thus done at the session of the honorable director-general and council, dated as above, held in New Amsterdam in New Netherland; and was signed: P. Stuyvesant, N. de Sille, La Montangne and Cor. van Werckhoven.

1654, 13 April New Amsterdam.

Whereas Isaack Allerton the elder, Eduart Moor, Robbert Coo, and Jan Lourens posted security on the 16th of March, new style, against the flight of Jaen de Jongh, as can be seen and read in more detail in the bail-bond, and they, the aforesaid sureties, now find that the aforesaid de Jongh has fled, leaving them to satisfy the security, and concerning which they appeared in person at the session of the honorable director-general and high council and requested that the bail-bond be dismissed and the document of the aforesaid date, which was signed by them, be handed over and destroyed. Therefore, (although the matter concerns government finances) the director-general and council are inclined to favor the aforesaid sureties' urgent request, as much as possible, and to be of assistance to the extent it can be done in the most convenient and civil way without injury to justice. Thus the director-general and high council, recommending on the petition as before, have ordered that if the aforesaid sureties deliver in person the fugitive, Jan de Jongh, into the hands of the high authorities of this province of New Netherland or into the hands of the honorable Theophilis Eton, governor of the colony of New Haven in order to be questioned, examined and disposed of, according to circumstances, by the respective governors and councils *salvo justiae jure*. When this is done, the director-general and council of New Netherland promise to have the fiscal deliver the bail-bond to the sureties and annul it. Thus done 13 April 1654 in New Amsterdam; and was signed: P. Stuyvesant, N. de Sille, La Montagne, C. van Werckhoven.

[246]The director-general and council having heard, seen [ ] the judgment of the mayors and schepens of this city [ ] January, concerning the suit between Jan Lourenssen [ ] against Mattheus de Vos, defendant and appellant [ ]<sup>120</sup> After examination of the papers produced for this purpose, the director-general and high council declare the judgment to be just and [ ]. Thus done at the session of the director-general and high council held in New Amsterdam, 14 April 1654; and was signed: P. Stuyvesant, N. de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.

1654, 14 April New Amsterdam.

Cornelis van Thienhoven, fiscal, submitted a complaint at the session concerning the insolence and arrogance of a certain Joris Tybousz van Bruggen which he committed at his house (being drunk). Joris Tybousz also having appeared, asked forgiveness because he was drunk and did not know what he was doing. Therefore the director-general and council mercifully fine him 6 guilders to be paid to the deaconry of this city of New Amsterdam, dated as above. Present: the director-general and all the councillors.

The bearers hereof, namely, the honorable Cornelis van Tienhoven, councillor and fiscal of New Netherland, and the honorable Marten Crigier, mayor and captain of a militia company of this city, are commissioned and authorized by the director-general and council of New Netherland to go as envoys on behalf of this province to the honorable governor Theophilis Eton at New Haven and as much farther as circumstances require. Therefore, all Christian neighboring governors, vice-governors and magistrates are hereby requested to receive and acknowledge the aforesaid persons and to allow them to come and go with their yacht named de Prins Willem and accompanying persons and goods, according to the law of nations, which we promise to reciprocate under similar circumstances. Done at New Amsterdam, 14 April 1654, New Netherland.

[247] Upon a petition sent to the director-general and high council by the commissary and magistrates of the court of Fort Orange and the village of Beverwyck dated 16 March 1654, it was decided as follows:<sup>121</sup>

Concerning the first point, the director-general and council allow that in due time the lords-directors shall be informed of it in order to hear their advice thereon. In the meantime it has been resolved that the court of the Colony<sup>122</sup> shall have jurisdiction as heretofore, and until further instructions have been received from the fatherland, within the limits of the fort and the village of Beverwyck, except that they shall not issue summons or make arrests within these limits unless they have first asked permission thereto and then it is to be done by the regular messenger of the fort and the village of Beverwyck.

1654, New Amsterdam.

The director-general and council consider the second, third, fourth and fifth points to be reasonable and shall therefore transmit to the court proper orders and documents, drawn up for this purpose, as soon as possible.

Concerning the sixth, the director-general and council allow that the lands granted to the patroon or patroons, according to the exemptions,<sup>123</sup> must remain at their disposal until further orders from the lords-directors. Therefore, the director-general and council refuse to reply thereto until the limits of the Colony have been determined either by the decision of the authorities in the Colony or by an order of the director-general and council pursuant to the instructions of the lords-directors, and consequently it has been resolved that the commissary, Dyckmans, and two magistrates serve the written summons to the commander, Renselaer<sup>124</sup> and the officials of the Colony.

Concerning the seventh point for completing the inferior court of justice for Fort Orange and the village of Beverwyck; the following names have been selected from the submitted list: Sander Leendersz, Pieter Hartgens and Frans Barentsz. Thus done at the session of the director-general and high council held in New Amsterdam, 14 April 1654.

Your honors cannot be ignorant of the fact that the director-general and council of New Netherland wrote in the beginning of April of 1652 to the commander of the colony of Renselaerswyck, at that time Brant Aressen Slechtenhorst, and his fellow councillors or magistrates,<sup>125</sup> giving them the choice of selecting the starting point of the boundaries of the Colony so that in the future the arguments about *meum et tuum* and the quarrels, which have arisen because of it between the officers and inhabitants of Fort Orange and the people of the aforesaid Colony, might be prevented. According to the exemptions, the patroons were granted four miles on one side or two miles on both sides of the North River, where navigable. The choice thereof and the determination of the starting point, going either southward or northward along the river, were left to the pleasure and discretion of the aforesaid commander and his fellow officers appointed by the honorable patroon and directors of the aforesaid Colony, to which the warning was added that, if the commander and his council should refuse the just offer of the director-general and council or neglect to make the selection, then the director-general and council would be forced by their official position and duty, and for the aforesaid reasons, to determine the boundaries of the Colony according to the exemptions. To this written request and just offer the aforesaid Slechtenhorst and his council replied in writing that they were not authorized to act in that matter by their superiors.<sup>126</sup> The director-general and council then thought it advisable to delay the settling of the boundaries until further advice from the superiors on [248] either side has been received. Whereas the commander, Slechtenhorst, and the present chief-officer of the Colony have now had two years'time to communicate thereon, however unnecessary it may be, with their superiors and receive the desired authority, and whereas the director-general and council do not know what your honors may have written on the point in question to their superiors or what their reply may have been, while the long delay admits of a presupposed disinclination and unwillingness to accept the offer of making the choice themselves; therefore, the director-general and council find themselves compelled, as stated above, to determine the boundaries, all the more as they have been expressly directed to do it by the instructions in two letters (since received) from the honorable lords-directors of the Chartered West India Company.<sup>127</sup>

However, desiring to avoid for ourselves and our superiors all reproaches and blame, the choice is once more left to your honors to begin and determine the boundaries of the Colony belonging to your honors' superiors, pursuant to the exemptions, either four miles on one side or two on both sides along the river, not including the territory of Fort Orange, as your honors may conclude and consider for the best of their superiors; otherwise, in case of refusal or disinclination to accept this offer, your honors shall have no cause to plead ignorance or any exceptions, if we, pursuant to the authority given us by our superiors, should legally select the starting point and determine the boundaries of the Colony belonging to your honors' superiors, pursuant to the exemptions, and dispose of the lands beyond these boundaries as the public welfare and service of the Company might require. We await your honors' prompt and categorical reply. Done at Fort New Amsterdam, 16 April 1654; was signed: P. Stuyvesant, Nicasius de Sille, La Montangne, Cor. van Thienhoven.

Reply to the above by those of  
the Colony of Rensselaerswyck.

To the summons of 16 April 1654 read aloud and submitted to the court of Rensselaerswyck on the 30th of the same month by Mr. Joannis Dyckman, assisted by Rutgert Jacobsz and Jacob Schermerhorn, we reply as follows:

We have written to our lords-superiors concerning the first summons of the honorable director-general and high council of New Netherland dated April 1652, but have received no answer, which we expect shortly. Concerning the last letter on the question of determining the boundaries, in which we were described as being unwilling, we have also written to our superiors for instructions.

As the matter now stands, we refer to and claim benefit of the 26th article of the exemptions of New Netherland;<sup>128</sup> however, wishing to avoid any cause for differences during these dangerous and sorrowful times, and considering that no man can be judge in his own case, we herewith state to your honors, the director-general and high council of New Netherland, that we are willing to submit the dispute over the boundaries to the decision and findings of our superiors on both sides in the fatherland, which we believe can be done suitably. By such means we (who are small in numbers) shall be allowed to live in peace and harmony with the others in this country. Done at the session of the colony of Rensselaerswyck, 2 May 1654; and was signed: Jan Baptist van Rensselaer, Johan de Hulter, B. van Slechtenhorst, Arent van Curler, Johan van Twiller, Cornelis van Nes, G. Swart, officer; below was written: In my presence; and was signed: Anthonyo de Hooge, secretary.

[249]

Decision upon a petition of  
Adriaen Jansen van Leyden, re-  
siding at Fort Orange.

According to a previous resolution of the director-general and council, no new houses are to be constructed between both of the kills<sup>129</sup> whereby the fort might be obstructed; however, after careful consideration of the petitioner's request by the director-general and council, and the need for accommodations for travelers and foreigners, we hereby permit the petitioner to erect close by the palisades of Thomas Jansz a house suitable for an inn for travelers, upon the condition that the aforesaid house shall always be used by the petitioner or his heirs and assigns according to the true intent and meaning of his petition and not be turned into a common saloon and tavern, but used only as a lodginghouse and inn for travelers. Done at the session of the director-general and council held in New Amsterdam, 30 April 1654, New Netherland; and was signed: P. Stuyvesant, N. de Sille, C. van Werckhoven, La Montangne.

1654, New Amsterdam, 30 April.

The director-general and council, having heard the complaint of the fiscal against Dr. Francois Frans, order that the aforesaid Dr. Francois Frans deliver to the fiscal a copy of the inventory of goods which Dr. Francois brought into this jurisdiction and traded here. The fiscal was ordered to furnish Dr. Francois with a copy of the complaint for reply by Dr. Frans next Monday, being the 4th of May, new style. The end of April 1654 in New Amsterdam. Present: the General and all the councillors.

Dr. Francois Frans acknowledges before the high council that he brought out of New England 670 lbs. of gunpowder, English weight, into the jurisdiction of New Netherland at Heemstede. Dated as above.

[250]

The honorable and highly esteemed  
Director-General and High Council  
of New Netherland.

Honorable gentlemen:

Whereas a matrimonial suit has been instituted before us, mayors and schepens of the city of New Amsterdam, between Pieter Cock, plaintiff, and Anna van Vorst, defendant; therefore, we have thought it proper to send the same papers, under cover, to your honors, in order to obtain your honors' decision thereon. Done at the session of the mayors and schepens of the aforesaid city of New Amsterdam, 19 February 1654, in New Netherland; below was written: By order of the aforesaid mayors and schepens; and was signed Jacob Kip, secretary.<sup>130</sup>

The director-general and high council, after seeing and reading the above, make the following recommendation:

Whereas the suit is completed, the sentence must follow. If either of the parties should find themselves injured by the decision of the mayors and schepens, they can address an appeal to the high council. 30 April 1654, New Netherland.

1654 in New Amsterdam 30 April.

The following answer was given to a petition from the commissary and magistrates of Fort Orange and the village of Beverwyck, sent to the director-general and high council under the date of 17 March 1654, the original of which is kept by the secretary:<sup>131</sup>

[251]The director-general and council leave the first matter to the discretion of the court; however, the commissary and magis-

trates should take proper measures and guard against smuggling. The director-general and council deem it advisable to let the clerk or the court-messenger keep an account of and receive the excise money for a year or six months so that it might be determined how much comes in from the excise, and the letting of it can be regulated accordingly. The commissary and magistrates are further hereby authorized to draft, publish and execute such orders and fines against smugglers as the circumstances of time and place may require.

After careful examination of the second point, the director-general and council order that until further advice and until the boundaries of the Colony are determined, no wine, beer or distilled spirits shall be dispensed, tapped or sold, by the small measure, within one thousand rods around the fort without proper notice having been given and the usual tapsters' excise paid on it to the commissary and magistrates of the aforesaid fort, or to those who may have been authorized by them.

Concerning the third point, the director-general and council directed their fiscal to republish the ordinance about the bakers and to punish those accordingly who disobey the same.

Concerning the fourth point, a quantity of skipples<sup>132</sup> have been ordered by first ship sailing.

Concerning the last point, the director-general and council considering the troubles, the loss of time and the private expenses which the magistrates have to bear, they being mostly men who earn their living either as farmers, traders or craftsmen, give our consent that the magistrates may receive and enjoy out of the revenues, levied on the inhabitants of Fort Orange and the village of Beverwyck, a sum of 150 guilders annually. Done at the session of 13 May 1654, New Amsterdam; and was signed: P. Stuyvesant, N. de Sille, La Montangne and C. van Werckhoven.

[252]

1654, 13 May New Amsterdam.

The director-general and high council have taken notice of Thomas Bacxter's deteriorated yacht and unfinished house which he abandoned on the beach of this city near the Capsken<sup>133</sup> when he fled during the night. The director-general and council give their consent that this yacht and house shall be sold to the highest bidder by the fiscal, ex officio publicq. The fiscal is ordered by the director-general and council to promote the sale through the auction master on the 11th of this month, who shall keep an account of it. Done at the session, 6 May 1654, New Amsterdam, New Netherland.

The director-general and high council have received several petitions from the inhabitants of Midwout, Middelborch as well as of Mespacht, requesting an allotment of their hayland etc. The director-general and council have decided to order commissioners to inspect the lands and to give everyone his share. Appointed, commissioned and authorized as commissioners are

Messrs. Nicasius de Sille, La Montangne and Cornelis van Thienhoven who are to allot 8 morgens of marsh for every 25 morgens of land, if it is possible. Done at the session of the honorable director-general and high council held in New Amsterdam, 13 May 1654; present: the director-general and all the councillors.

Whereas Dr. Francois Frans was previously ordered by the director-general and high council on 30 April to submit an inventory of the goods which were brought into New Netherland by him, Dr. Frans, and whereas he has yet to do so, the attachment made on his goods by the fiscal, is declared in force by the director-general and high council. 13 May 1654, New Amsterdam, New Netherland; present: the full board of the high council.

[253]

1654 New Amsterdam 23 May.

Whereas the director-general and council have received several complaints of the bad behavior, inordinately [ ] and dissolute lifestyles practised for some time now, to the shame and disgrace of our nation, by Mareye de Truy, otherwise called Eenhoorn,<sup>134</sup> presently innkeeper and wife of Jan Peeck, innkeeper on the Heere Wech; by Cristyntien Greveraecht, otherwise called Liestentien, wife of Hendrick Hendricksz, tailor, also living on the Heere Wech; as well as by Geertien Jacobsz,<sup>135</sup> commonly known as the Schoone Boerin,<sup>136</sup> wife of Geurt Coerten, drayman, also living on the Heere Wech. Therefore, the director-general and council hereby order and direct their fiscal to notify the aforesaid women and other consorts of theirs, passed by here unnamed for propriety's sake, that they either have to change their way of living, or else, with failure to do so, they are to make themselves ready to leave this province at the first opportunity. The fiscal is further ordered to keep a close watch on the aforesaid women and their associates; and if during the night any other whores or whoremasters are found with the aforesaid persons at other places or uncommon places among the English, they are to be apprehended along with the aforesaid women and brought before the director-general and council. Done at the session of the director-general and high council held in New Amsterdam in New Netherland, 23 May 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne.

At the session attended by the director-general and the entire high council, Philip Geraer submitted a certain petition which was decided upon as follows: Whereas the high administration of our fatherland have declared the prizes<sup>137</sup> to be legal, therefore the petitioner shall be satisfied with his share. Done at the session, 23 May 1654.

The same decision has been made on the petition of Joresy Rapaelie, 2 June 1654.

[254]

Proposals both verbal and [written], submitted by the director-general, Petrus Stuyvesant, to the high council of New Netherland, 30 May 1654.

Gentlemen:

Rumors have been circulating for several days, which were confirmed in detail last evening by Dr. Isaacq Allerton, that 10 or 12 days ago six ships arrived at Boston from Old England, namely, two merchantmen and four capital ships of the parliament or the present government of England, having on board Colonel Sussex, Captain Leveredt and Captain Huc, and a certain number of soldiers aboard each ship, also some munitions of war and engineering equipment. However, he, Allerton, declared not to know whether they were intended to be used against us or against the French, because the instructions had not yet been opened and were not to be opened until ten days after their arrival at Boston. According to our calculations this must have been done yesterday or the day before, but we cannot and shall not know their contents and correct meaning until the blow is struck and then it will be too late. The continuation of Captain Leverett, the losses suffered at the hands of and the deeds committed by Captain Huc last year and the often repeated reports that they had both gone to Old England last fall to request extensive commissions against this province and its people, augurs no good for us and warns us to be on our guard, and, while trusting in God, to consider all possible means of defense. How and in what manner to carry out the defense of this place for the sake of our honor and our nation's honor, is the reason for calling this meeting, which will have to consider these things among others. We shall first give your honors our impressions, then we would like to hear your opinions in order to come finally to unanimous and responsible conclusions.

First, we and your honors are aware of the weakness and inability of the militia to man and defend the works here, although they have been sufficiently repaired, without the help and assistance of the countrypeople; much less being able to assist the country places, whether forts, villages or settlements, any more than offering an expected enemy our heads all together.

Secondly, the experience which we had last year when we requested that the countrypeople of our own nationality bring their grain to this city for the greater safety of this place and fort but were reluctant to do so; also, when the expedition of the militia against the pirates was made and they were requested to take their position in helping to guard this city and to man the works but were opposed to it; all this has instilled in us a fear that if a considerable hostile force comes, none or only a few of the country people, even of our own [255] nation, will contribute to the protection of this city and come to our assistance, but in the hope of retaining possession of their property, they will not stir a foot.

The English, living among and near us, would, we believe, plot with our enemies, they being of their nation, to our great detriment; especially the people of Gravesant, whereof, unfortunately, we have already heard and seen some proof.

Therefore, nothing remains but to consider how we may, for our own and the nation's honor, protect ourselves for a period of time against a surprise attack and massacre; whereto the following are required without any dispute:

1. Repair of the works and fortifications.
2. The enlistment of soldiers under pay so that in an emergency they can be better ordered about and can assist the militia.
3. Money and means to carry out the preceding.
4. Weapons for the enlisted soldiers; where one or the other is to be obtained and how implemented, your honors will please advise.

1. Furthermore, we must take into consideration whether for the purpose of garrisoning and better defending one place, which if lost, the country and all is lost, and if held with sufficient assistance, the country also is held, it is not better at this time to abandon other places, particularly Fort Casimier, and to withdraw the freemen and meager defenses from the South River to this place.<sup>138</sup>

2. Concerning the ship, den Coninck Salomon, now almost loaded and ready to sail: whether to let it sail or to keep it here? Both have their cautions and difficulties.

Concerning Fort Casimier, our feelings concur with the general public's that it is best for the greater protection of this place to recall the few soldiers from there and to recommend the defense of the fort to the freemen; however, here we have to consider whether the freemen, being few in number, will or can do it and may not be in danger of or at least fear of being massacred by the Indians, about which they already have apprehensions, having, because of this, together with the company's servants, asked us for more soldiers and assistance, otherwise they would be obliged to leave the river. Recalling all the soldiers from there would be as good as ceding possession and surrendering this beautiful river to others; and if the enemy threat abates, whether by treaty agreements or other means (God knows best whose hand offers the most assistance), how will such an abandonment be justified?

Concerning de Coninck Salemon, there are arguments pro and contra keeping the ship here: to let it depart would be most profitable to the aforesaid Company and merchants; however, the administration could then expect the discontent and clamors of the whole community regarding the lack of experienced gun crews and sailors to [256] man the cannon on the ramparts, and 1600 to 1700 lbs. less of gunpowder, which is already in short supply; besides, many people will want to leave by this ship. Thus done and delivered, dated as above.

30 May 1654, New Amsterdam.

At the direction of the director-general appeared at the session of the director-general and high council, together with the representatives from the mayors and schepens of this city of

New Amsterdam, the schout and magistrates of the respective villages of Breuckelen, Midwout and 's Gravesande, to whom, pursuant to resolution, the present rumors were communicated; and they were then kindly requested to assist first in repairing and afterwards, if needed, in defending the general works of this city and fort, and to submit their categorical, candid and sincere opinions thereon.

The magistrates request the proposals in writing, and to have until next Monday to consider them. Dated as above.  
Present: the director-general and the entire high council.

The fiscal is ordered and directed to remind and give notice to the mayors and schepens that the domines have petitioned us for their past due salaries. Since the mayors and schepens have been collecting the excise, one half year's salary has fallen due; therefore, the mayors and schepens will please furnish these half year salaries out of these receipts according to promise. Done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 1 June 1654.

[257]Marten Jansz, petitioner in the case of appeal against Thomas Spicer, defendant; the petitioner finding himself injured, submits his written complaint and conclusion to the session of the high council at which appeared the schout of the respective courts of Midwout in order to subpoena, pursuant to the summons, the judgment passed by the aforesaid court. Therefore, the director-general and high council of New Netherland, having examined and studied the papers submitted to the aforesaid court by the respective parties at the request of the plaintiff, and the allegations and verifications by the schout, conclude that the judgment pronounced on 24 April by the court of Midwout against Marten Jansz and to the advantage of Thomas Spicer was just, and that the plaintiff submitted a bad appeal, condemning the plaintiff to pay court costs and in addition a fine of twelve guilders.

1654, 2 June, New Amsterdam.

The verbal and written proposals made by the honorable director-general, having been heard and carefully considered and further debated, we, the undersigned director-general and council of New Netherland, have unanimously come to the conclusion that the community of this city is too weak to repair and strengthen alone and at their expense the works made by them last year for the defense of this city and its inhabitants; much less would they be able to man the repaired works in case of an attack and to defend them against a considerable hostile [258] force when the situation requires it. Although previous experiences lead us to fear that the cuntrypeople, despite most of them belonging to our nation, will do little for the repair of the works, hoping to keep their property if they do not take

up arms against our neighbors of New England, much less be willing to come to this city to assist in its defense in time of need; nevertheless, we find it unadvisable at the present time to compel the countrypeople thereto by preemtory order, for reasons which will be elaborated on in due time. However, in order to exonerate ourselves from accusations of negligence and carelessness, and to deprive them of all excuses in case of refusal, we have unanimously resolved to summon the magistrates of the villages of Breuckelen, Midwout and Amesfoort, and to inform them in the most simple terms of the news and rumors received by us, as well as show them the need to repair the works of this city; furthermore, persuade them in a polite way to assist the militia in its defense. In case of refusal, which is anticipated and feared, their weapons are to be collected in the most suitable manner; especially those loaned out of the Company's magazine.

[259]Concerning the English villages, it has been sufficiently proved by their statements and actions that, although under oath to us, they would rather fight against rather than for us; therefore the director-general and council have unanimously resolved to pass them by in silence and not call upon them either for repairs or defense so that we do not ourselves draw the Trojan horse within our walls. With the assistance of God, who will bless our small force and means, we shall do our best and be constantly on our guard, leaving the final outcome to God, whose arm never fails to help through thick or thin. In the meantime, all possible means, which He has been pleased to give and shall give us hereafter, must be employed, first in repairing the fort and providing it with gabions and palisades, finishing construction on that which was begun in the canal and attempting to enlist, as soon as possible, some soldiers for monthly pay: at least 60 or 70 men, if we can get them without any commotion or beat of the drum. Whereas money is required for repairing, maintaining and finishing the fortifications, as well as for paying and supporting the soldiers, either now in service or to be enlisted, and whereas they must be paid weekly and because of the scarcity of provisions, the soldiers and workers shall henceforth be obliged to furnish or buy their own provisions so that some can be stored in case of a seige. And whereas the greatest difficulty at present is to reduce the scarcity of cash and to raise [260] some money as soon as possible; therefore, we are compelled first to lay hands on and use the beavers or money received for freight by the skipper Cornelis Coenraetsz from the passengers and for the cargo brought over, and, furthermore, to try to negotiate among the most agreeable merchants and traders some revenue for the account of the honorable Company. For the security of the merchants, the director-general pledges his credit and property, belonging to him here and in the fatherland, provided that if the country can be protected and remain in peace and undisturbed, which we hope and pray the good and almighty God may grant, means shall be considered and measures taken by which the loan to the honorable Company, negotiated on the credit and property of the director-general, is to be satisfied and repaid. Under these circumstances we, the undersigned director-general and council, have not been able to find a better expedient or measure, aside from the duties on merchandise, than to impose an honest and fair tax upon real property such as land, houses or lots and milk cows or draught oxen in the manner as follows, to wit: on each morgen of land, possessed one year or more, 10 stivers annually; on each house or lot within this city or in Fort Orange or in the village of Beverwyck, according to

its size and situation, one to one and a half beavers, gardens and orchards excepted which belong to persons who pay 10 stivers per morgen; on each horned animal over three years old, one guilden annually, one half to be paid around the time of the next [261] Amsterdam fair,<sup>139</sup> the other half in the following month of May. Out of these revenues the loan shall be repaid.

Concerning the following proposals, whether to abandon Fort Casimier or not and whether the ship, de Coninck Salomon, shall be allowed to sail or be retained here for some time, it is resolved, in consideration of the reasons given in detail in the aforesaid proposals, that Fort Casimier not be abandoned nor the garrison be recalled from there at the present time.<sup>140</sup> Concerning the ship, de Coninck Salomon, it has been found necessary to retain the ship for the greater security and peace of mind of the good inhabitants of this city until we have further and more accurate information from the north<sup>141</sup> concerning the aforesaid rumors or until a ship comes from the fatherland with news. Thus done and enacted at the session of the honorable director-general and high council held in New Netherland in New Amsterdam, 2 June 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne; was written below:

[262]That what has been stated concerning the tax to be levied on cattle and the 10 stivers per morgen, which by a later resolution of 24 August,<sup>142</sup> was increased to 20 stivers per morgen, shall be considered provisionally, subject to the approval of the lords-patrons, as redeeming the tenths, for reasons given in detail in the resolution. By the same resolution, the 100th penny was to be levied on the houses and lots of this city and other villages where no land tax is paid, so that by virtue of the last resolution, this is hereby repealed and declared void. Thus done at the session on 2 September 1655, New Amsterdam in New Netherland; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.

Willem Bredenbent and Anthony Jansz Vaes appeared at the session, having been summoned by the fiscal through the court-messenger to show their patents, along with those of their neighbors at Gravesande, to the high council in order to determine the boundaries between the neighbors. Whereas the magistrates failed to appear the matter has been postponed until further notice. Thus done 2 June 1654, New Amsterdam.

[263]Cornelis van Thienhoven, fiscal, by virtue of his office summoned the magistrates of Gravesande, defendants.

The defendants commit the first default.

Eghbert van Bossum, plaintiff, against Albert Lintwever, defendant has taken people over on the ferry which was farmed out to him, the plaintiff.

The director-general and council, having heard the above complaint, order and direct that he henceforth take heed not to carry any more people over so that he shall not incur displeasure.

The defendant gives promises not to do it anymore. 2 June 1654.

To the honorable mayors and  
schepens of the city of New  
Amsterdam.

As soon as I had heard the news and rumors from the north regarding the arrival of Captain Leverett, four parliament ships and some soldiers, and even though his intentions and the accuracy of the news were unknown to us, I came in person to your honors' meeting the next day to inform you of the news and remind your honors of our precarious situation, and recommend consideration of means of defense and resistance [264] in case it should happen that we might be visited by our neighbors, as the rumors say.<sup>143</sup> As of yet we have not been able to learn that your honors have done anything for the defense of this city or the repair of the fortifications, but instead your honors seem to have relaxed upon an idle rumor of peace. Today we take God and our own consciences, your honors and other persons of repute as witnesses, that we have now and before this repeatedly reminded your honors of the precarious situation and requested your thoughts on assistance and financial aid. Your honors' word and promise were sufficient, and influenced by them, we let your honors provisionally have the tapsters' excise on the promise that your honors would provide means and take care that the servants of God's word be paid their salaries. In addition, we gave your honors our ammunition, materials and engineering equipment upon your promise to pay for them or return them; we now need them ourselves so that we can go on with the repairs to the fortifications as the situation presently requires. It must especially be feared that, in case of an attack, our own ordnance, which was brought to the unrepaired outer works last year against our wishes and advice, may be turned [265] against us, thereby increasing our difficulties rather than adding to our safety. Therefore, we repeat our request that if the outer works cannot be repaired and made defensible, as your honors claim, the ordnance be taken away from there and brought to a place where it is not a detriment and can do no damage to the fort, which, with God's help, we intend to defend and protect for the honor of our nation, as long as God gives us his blessing thereto. It is further requested that, by virtue of your duty and promise, the small arms and engineering tools be returned or paid for so that we can enlist and arm some more soldiers for the better defense of this government and fort with which we are entrusted. I also request that the domines be paid their past due salaries from the time when your honors have been collecting the tapsters', excise, which was provisionally granted to you under that condition. We are relying thereon, but in case of neglect, we shall hold ourselves [266] blameless before God and the world for any possible misfortunes which may befall us and our good subjects. Remaining your honors' devoted friend and governor; signed: P. Stuyvesant; in the margin was written: Done in New Amsterdam, 8 June 1654.<sup>144</sup>

Whereas yesterday we once again heard some uncertain reports and news told by an Englishman to several of our subjects, among others, Govert Loockermans, Pieter Wolfersz, Jacob van Couwenhoven and Jacobus Corteljouw, tutor to Mr. Werckhoven's son, who reported the same to us; namely, that the English in the north are recruiting soldiers and offering 25 to 30 guilders per month, and that three large ships were to come into the bay or headlands in order to blockade [267] us; also, that soldiers in barks were to be landed near Hellegat, preceded by a ketch which would demand the surrender of the fort and offer us many wonderful conditions; and that the countrypeople on Long Island were to retain possession of their property unmolested. Consequently, the Englishman advised Pieter Wolfersz to take whatever possessions he wished to keep over to Long Island where he considered it the safest. The aforesaid informants declare that the Englishman told them this with a sad face and with tears in his eyes; however, he requested that his name not be mentioned, promising to inform the honorable director-general and council by day or night if he received further news. Although some might disregard this news, we, the director-general and council, nevertheless believe that we ought neither be caught napping nor neglect anything. [268] Therefore, we consider it our duty to make immediately all preparations for the defense and protection of this city and especially of the fort, which it is in our power to do in the following manner: First, it is considered absolutely necessary that, in addition to repairing and strengthening the fort, the old canal be dug up and fortified with gabions.<sup>145</sup> When this is done, the City Tavern<sup>146</sup> is to be fortified with a small rampart and breastworks, upon which 2 or 3 light artillery pieces are to be placed. Regarding the outer works, made last year, which not only we but also everyone else thought were impossible to man and defend with so few soldiers, unless all the countrypeople came in, which we are certain they will not do, we have decided that the ordnance brought there last year be hauled away so that they not be turned and used against us; [269] moreover, as the works, especially the points, are in total disrepair and no repairs are being made because the mayors and schepens claim that it is impossible for the small number of townspeople to do anything without the assistance of the countrypeople; and even if repaired they would be impossible to defend unless, as stated above, the countrypeople come in. Therefore, it is necessary to make a smaller trench and to hear the opinion of the mayors and schepens hereon, asking them to give a prompt and definite answer whether they will lend a hand with the townspeople and help defend this place for the honor of our nation, as long as God shall be pleased to give us His blessing. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 13 June 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne, Cor. van Thienhoven.

[270] Proposals made by the honorable director-general and high council to their honors the mayors and schepens of this city of New Amsterdam, which were delivered to them in writing.<sup>147</sup>

## 1.

The first question is whether the mayors and schepens are resolved and inclined (although the countrypeople will not assist in everything) to help strengthen, maintain and defend these major places to the utmost for the honor of our nation and superiors; first, the city and the retrenchment made out of apprehension, and lastly, this fort. We, the director-general and council hereby pledge ourselves with these our signatures and solemnly swear thereto. MAY GOD ALMIGHTY HELP US.

The mayors and schepens respond to the first point that they are willing to help strengthen and defend this city of New Amsterdam according to their capacity.

## 2.

Secondly, whereas the director-general and council find the proposal repeatedly made by the mayors and schepens, that the countrypeople should also lend a hand in construction, repairing and defending the fortifications, to be just and equitable; therefore, the director-general and council are disposed to order it by a public summons. Thus the countrypeople may judge for themselves that it is only just and equitable to help to fortify and defend this city in return for the services and the expeditions which the mayors and schepens organized 3 or 4 times last year for the benefit of the countrypeople; all the more, as such assistance is as much for their own safety and freedom as for the safety and freedom of the community. However, if it should happen that the countrypeople remain absolutely obstinate and recalcitrant, which the director-general and council hope will not be the case with everyone, will the mayors and schepens help to punish those who disobey, according to the law?

They agree on the second point that such an order is necessary, and if anyone within the jurisdiction of this court is found to be disobedient, they will assist to the best of their power to constrain him thereto, which it is the duty of other courts under your honors' government to do as well.

[271] Finally, will they, with the director-general and council begin to work punctually next Monday and persuade and induce the townspeople to do the same to the best of their ability? Thus done at the session of the director-general and high council held in New Amsterdam in New Netherland, 13 June 1654.

On the third point, they will use all possible diligence and means to go to work, after passing good and proper resolutions concerning the mode of repairing and constructing the fortifications.

Thus done at the session held 13 June 1654 at the City Hall in New Amsterdam; was signed: Arent van Hattem; below was written: By order of the mayors and schepens of this city of New Amsterdam; and was signed: Jacob Kip, secretary.

[272]At the session, Jacob Hendricksz Varrevanger showed by petition that his term of service had expired some time ago and that for some years he has been receiving medicines from Holland at his own expense; therefore, he requests that he be given some compensation for the use of his medicines. After due consideration, the director-general and council order the commissary to credit the aforesaid Dr. Jacob's account f12 per month from the first of July 1652 for the use of his medicines and as a salary increase. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven and La Montangne.

[273]We, the mayors and schepens, are fully aware of and understand the necessity of thinking of and providing for some general measures by which the expenses, already incurred or hereafter to be incurred for the defense and maintenance of this and other cities, places and forts of this province, might be paid. Therefore, we declare that, whenever the director-general and council deem it necessary, we shall contribute our share, as other good and faithful subjects, to the best of our means and circumstances, together with the other inhabitants of this province. Done in New Amsterdam in New Netherland, 13 June 1654.

The foregoing pledge was made at the session of the director-general and high council by the mayors and the majority of the schepens; however, they declined to sign it because they were not all present.

[274]In consideration of the rumors and threats to which this province and especially its capital city are exposed, the director-general and council have deemed it highly necessary to consider all possible means of defense for the protection of this city and the fort, and to fortify for this purpose, besides the works constructed last year, other places in the city; erecting some inner works to retreat behind, if necessity should require, so that we would be able to give up the larger outer works whether because we and our subjects are too weak to man them or because of strong enemy pressure. Whereas the director-general and council know by experience that the good inhabitants of this city cannot alone bear the heavy burdens from a disruption of navigation and trade without receiving just compensation, [275] and that the cuntrypeople, who number the most, can hardly be called from their plantations without considerable damage and loss of time; therefore, the director-general and council, together with the mayors and schepens, have deemed it most suitable to contract for the work on a daily basis or to have it done as quickly as possible, for which the necessary funds have to be found. Thus, for the better defense of these places, the director-general and council are compelled to keep here and to collect the tenths of all the goods and merchandise to be sent to the fatherland this summer or the just value thereof, for compensation and payment. For the security of the creditors involved in this, the director-general and council hereby promise that, in case the same is not satisfied and paid within a year,

the value thereof, both here and in the fatherland, shall be balanced off against the recognition duties, for which the director-general [276] and council obligate themselves as securities, in addition to pledging the property of the honorable Company. Thus done at the session of the honorable director-general and high council (present: the mayors and schepens of this city) held in New Amsterdam in New Netherland, 13 June 1654; signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.<sup>148</sup>

[277]The director-general and high council have taken into consideration the daily rumors and threats, by which this province and especially this our capital city and place of residence, the city of New Amsterdam and its fort, has been at least warned, if not actually menaced; therefore, they regard it their duty to consider all possible measures and to execute them promptly, by which this city and fort might be defended and protected against any enemy attack and violence for the preservation of the entire country, and for the honor of our nation and sovereigns. Consequently, the aforesaid director-general and high council have found it absolutely necessary not only to repair the works constructed last year, but also, after repairing and strengthening [278] the fort, to build some new inner lines of fortifications, so that one can be protected by the other and, if necessary, we can retreat from one to the other. It is necessary to do this as soon as possible, for which we require diggers and laborers. Therefore, we hereby call upon and direct all schouts, mayors, schepens, commissaries and magistrates of the inferior courts of this province, upon sight and publication hereof, to employ all possible diligence in hiring, or ordering out of each village, colony or settlement, some capable diggers and excavators to come promptly on next Tuesday to this city of New Amsterdam; each provided with a spade and ox, where they are to help make and repair such works as the director-general and council or their representatives shall indicate, under the condition that the laborers shall earn two guilders a day in grain, beavers or sewant, to be paid promptly every week; anyone here who has been called upon or directed by his respective magistrates and does not report promptly [279] or is recalcitrant shall be fined for each day of his absence (sickness and incapacity excepted) one pound Flemish. Thus done and enacted at the session of the honorable director-general and high council held at our place of residence in New Amsterdam, 14 June 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.

To the honorable, highly esteemed  
Gentlemen, the Director-General  
and High Council of New Netherland.

Esteemed Gentlemen.

The distressing rumors and threats directed at this province and especially this capital city of New Amsterdam have troubled us now for some time, and after your honors had demonstrated to us verbally and in writing their good and earnest intentions of making all possible resistance and defense at your honors' meeting on the 13th of this month,<sup>149</sup> at which the mayors and

schepens of this city were present, we have examined the matter to the best of our ability and assure your honors now (recalling the good example given us by [280] our forefathers in what they did in time of need for the defense and protection of their fatherland and themselves) that we are quite willing to do the same, pledging our property and lives.

Whereas we have learned in your honors' aforesaid written resolutions that the director-general and high council find themselves compelled to keep here and collect the tenth on all goods and merchandise to be sent to the fatherland this year, or the just value thereof, for the better defense of these places.

1. Therefore, having considered everything and realizing that there is extreme periculum in more,<sup>150</sup> we agree, as far as we are concerned, without your honors' aforesaid resolution, however, with the restriction and reservation that the revenues and goods, which we have advanced for the repair of the fortifications, as well as the aforesaid tenths on goods and merchandise to be shipped this year, shall be repaid and restored promptly within one year, according to your honors' aforesaid resolution.

[281]2. Furthermore, we are quite satisfied with your honors' promise to pay or make restitution either by a balancing against the recognition duties or otherwise; we do not fear that your honors will disappoint us after seeing our willingness in the matter.

3. We are grateful to your honors for offering security by reimbursement through the recognition duties which must be paid in Holland; however, we expect in place of this, from your honors and the aforesaid mayors and schepens, a special bond and mortgage on the revenues and income of this city, as already enacted or yet to be enacted.

4. And, so that the monies obtained by the aforesaid measures may be properly administered, we humbly request (for the sake of preventing any reproaches) that the aforesaid honorable mayors and schepens be allowed to nominate six capable persons out of the citizens of the city, from which your honors are to choose three, who shall administer the aforesaid monies and distribute the same, according to the orders [282] of your honors and the aforesaid mayors and schepens.

And, if it should happen that peace has been concluded between Holland and England, which with God's help we hope to learn by the next ships, we request that we may be exempt from the aforesaid tenth. In the margin was written: New Amsterdam, New Netherland, 15 June 1654; below was written: Your honors' faithful subjects; and was signed: Oloff Stevensz, Govert Loockermans, Hendr. J. vander Vin, Reynier Rycken, Jan Witthart, Johannes van Brugh, Johannis de Peyster, Anthony van Hardenberch, Johannes van Beecq, and Cornelis van Steenwyck and Pieter Cornelissen vander Veen.

[283] Anno 1654, June 15, New Amsterdam.

Petrus Stuyvesant, on behalf of their noble High Mightinesses, the lords States-General of the United Netherlands and of the noble lords-directors of the Chartered West India Company,

director-general of New Netherland, Curacao, Bonaire, Aruba and their dependencies, to all who read this or hear it read, greetings. Let it be known that for the purpose of promoting trade and commerce between these governments entrusted to us and other neighbors, we have decided to equip and send from here directly to the island of Curacao the yacht named de Haen. Whereas we need, above all, a capable and experienced person to take the aforesaid yacht to sea; therefore, upon the good reports and recommendations concerning the person of Carsten Jeroensz van Amsterdam, who has previously served us, to our great satisfaction, as pilot aboard the ship, de Prins Willem, we have for the present appointed and commissioned, as we hereby appoint and commission him, as skipper and chief officer aboard the yacht, de Haen, with the instruction and authority to man the aforesaid yacht and provide it with munitions of war as is necessary, giving us a list thereof. [284] Thus manned and equipped, he is to sail from here directly to the island of Curacao and return here, without touching, unless compelled by necessity, at any other islands or places and committing any acts of hostility on his way out and back against other barks or vessels, those of the English nation not excluded, because we have been informed by good authority that the differences between our two nations in Europe have been arranged and compromised. However, if approached, he will defend himself as best as possible. Therefore, we instruct all our subjects and request all our neighbors, generals, governors and captains to recognize and receive the aforesaid Carsten Jeroensz according to this his commission and not to hinder or delay him, his ship's crew and cargo on his voyage to and from Curacao, but rather to give him all the assistance and preference requested by him, which assistance and preference we shall accordingly reciprocate and be indebted for. Given under our usual hand and seal, 16 June 1654, New Amsterdam in New Netherland.

[285] Anno 1654, June 16, New Amsterdam.

Whereas the director-general and council, in consideration of current rumors, have resolved it to be most urgent to secure this place promptly and quickly by constructing some necessary new works, as well as by repairing the old ones of the fort and city; and whereas for this purpose some laborers have been summoned and hired who must necessarily be strictly superintended, so that we are not defrauded of a day's wages through laziness. Therefore, the director-general and council authorize, appoint and commission hereby as overseers and foremen of the works at the fort:

Mr. Nicasius de Sille, councillor.  
Mr. Arent van Hattem, mayor.

As overseers and foremen of the city of New Amsterdam:

Mr. La Montagne.  
Captain Criger, mayor.  
Paulus Leendersz, schepen.

As overseers and foremen of the carpenters:

Pieter Wolfersz, schepen.

As overseerers of brush and woodchoppers to make gabions:

Willem Beeckman.

As treasurers:

Oloff Stevensen, schepen.  
Cornelis van Ruyven, secretary

All laborers are directed and commanded to obey the aforesaid overseers individually [286] and jointly, and to carry out with care and diligence the work assigned to them by the aforesaid overseers and foremen. The wages earned by them will be settled every Wednesday and Saturday afternoon by presenting to us certificates from the aforesaid foremen, for which we will issue vouchers to be paid by the treasurers or paymasters. Done at New Amsterdam in New Netherland, 16 June 1654;<sup>151</sup> was signed: P. Stuyvesant etc; and, by order of the same; and signed: Cornelis van Ruyven, secretary; agrees with the original, Jacob Kip, secretary.

At the session was presented a petition of Ritchert Gildercleve, as curator of the minor children of Jan Smith, which was acted upon as follows:

To inform the aforesaid that they have been ordered to appear before the director-general and council in fourteen days from today, being the last of this month, [287] and to show proof of title, sale and conveyance of the land in question. Thus done at the session, 16 June 1654, New Amsterdam.

A petition presented at the session by the fiscal, Cornelis van Thienhooven, received the following recommendation:

Having read the complaint, the director-general and council authorize the fiscal to be allowed to receive the money of Lourens Cornelissen, who is ordered to pay the same to the fiscal who shall issue a receipt [to indicate] payment of the debt. Thus done, 16 June 1654, New Amsterdam in New Netherland.

Anno 1654, 29 June, New Amsterdam.

Duty and (next to God) the safety of the country demands that the ship,<sup>152</sup> pursuant to the aforesaid resolution, <sup>153</sup> is to remain here until the arrival of another or [ ] [288] another 14 or 16 days, or [ ] better and more certain news [ ]. In regard to the complaints of the petitioners concerning the spoiling of their tobacco loaded on board, the director-general and council, wishing to give them total satisfaction, have already directed the skipper, as he is now being directed, to keep all the hatches of the ship open, so that if the freighters feel that their tobacco is in danger of

spoiling aboard the ship, they can choose to have it brought to the Company's warehouse, at the expense of the director-general and council, where it will be inspected and kept until the ship departs. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 29 June 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cornelis van Thienhoven.

[289] Anno 1654, 29 June, New Amsterdam.

Dirck Bensich submits a petition at the session of the honorable director-general and high council, which is acted upon as follows:

The petitioner is permitted to return upriver and attend his business. Done in New Amsterdam, dated as above.

Thomas Wandel submits a petition at the session of the honorable director-general and high council, which is acted upon as follows:

The petitioner is granted a writ of appeal, for which he shall be summoned. Dated as above.

#### Ordinance concerning the Ferry.

To all those who shall see or hear this read, greetings. The director-general and high council of New Netherland let it be known that great confusion and disorder prevail more and more among the ferrymen on both sides of the ferry of Manhattan, to the great disservice of the passengers and inhabitants of this province, so that those needing to be ferried across often have to wait whole days and nights, and then not without great extortion of double and even more excessive fares, quarreling and other unmannerly practices, forcing cancellation of their trip to the great expense and detriment of foreigners and the good inhabitants of this province. [290] THEREFORE, the director-general and high council of New Netherland, wishing to prevent all such confusion and irregularities, henceforth, and for the service of the passengers as well as the inhabitants of this province, order, for maximum service and accommodation and minimum expense, as follows:

#### 1.

First, from now on, no person, no matter his capacity, except for the farmer of the ferry thereto authorized by the high administration, shall be allowed to keep or have any ferryboats to carry over any foreign passengers or inhabitants of this province or livestock, goods or anything else (his own property excepted) on pain of paying one pound Flemish for the first

offense, two pounds Flemish for the second, and for the third offense forfeiture of the boat and arbitrary punishment, of which the farmer shall receive one third, the officer one third, and the remaining one third to be at the discretion of the judge; therefore, it is ordered that no one shall keep any boat at the ferry for the purpose of conveying over therewith any persons or goods, his own family and goods excepted, or be allowed to loan it to anyone or hire it out, directly or indirectly, to any other persons, his own family and goods excepted, on pain of the aforesaid punishment.

[291]

2.

Second. The farmer shall be bound to keep his ferry constantly provided with proper boats and experienced men, and to maintain on both sides of the river for the passengers and inhabitants of this province a covered shed or shelter to protect them from the rain, cold and so forth.

3.

Also, the farmer shall be allowed to build, for his convenience, a punt to convey across wagons, carts and draft animals, and receive:

For each wagon or cart with two horses or oxen . . . f2:10

For a cart or wagon with one horse . . . . . f2

For a cart or plow . . . . . f1

For a hog, sheep or goat, 8 stivers for two, and 3 stivers for each one above that amount.

For each man or woman, Indian male or female . . . . f0:6

For two or more persons, each one . . . . . f0:3

For a child under ten years, half fare.

For a horse or four footed horned animal . . . . . f1:10

For a hogshead of tobacco . . . . . f0:16

For a barrel of beer . . . . . f0:16

For an anker of wine or spirits . . . . . f0:6

For a tub of butter, soap or the like . . . . . f0:6

For a mudde of grain, 4 stivers, and what exceeds that  $\frac{1}{2}$  stiver per skipple.

Bundles of goods and other articles not specified herein are to be agreed upon by the parties proportionally.

[292]

4.

Also, the farmer shall not be bound to convey any person over or to carry any goods, unless he so desires, until he has received the specified fee.

## 5.

Also, the farmer shall only be bound to accommodate passengers for the aforesaid fees on summer days from 5 o'clock in the morning until 8 o'clock in the evening, provided the windmill has not been shut down.<sup>154</sup>

## 6.

Also, he shall be allowed to ask for a double charge or fee at night, before or after the specified time.

## 7.

Also, the farmer shall receive regular fees during the winter from 7 o'clock in the morning until 5 o'clock in the evening; however, he shall not be bound, unless he so desires, to convey anyone over in bad weather or when the windmill has shut down as a result of a storm.

## 8.

Also, no one shall be exempt from paying a fee, whosoever he may be, except for the honorable director-general and high councillors, as well as warrant officers or court-messengers or others sent over by the high administration with a pass from the secretary.

## 9.

In order that no one may plead ignorance hereof, we order and direct the farmer to post a copy of this in plain sight on both sides of the ferry [293] in the ferry houses, because we have deemed such to be for the service of the travelers and the good inhabitants of this province. In witness whereof we have caused our seal to be appended hereto. Done in Fort New Amsterdam, 1 July 1654; below was written: By order of the honorable director-general and high council; and was signed: Cornelis van Ruyven, secretary.

Anno 1654, 2 July, New Amsterdam

Whereas we have been informed that some meetings have been held on the 28th and 29th of June in the village of Gravesande by some Englishmen, numbering around 50, among whom were some pirates from the north, the rest being English subjects of this province from the villages of Gravesande, Heemstede and Middelburgh; and that these persons intended to seize the ship, de Coninck Salemon, and sail it off to Virginia. And whereas we have also been informed that some of the magistrates of the village of Gravesande have again spread the rumor that some French and Indians had been hired, incited and bribed by us to plunder and kill the English living among us, [294] and that upon hearing this rumor a meeting was held at Middelburgh the day before yesterday, the last of June, by all the inhabitants, at which great confusion prevailed, some desiring, as they promised to themselves and even strongly stated, to anticipate the same

and be the aggressors by attacking the French and Dutch before they attacked them; in addition to this, those of Gravesande are supposed to have written a letter which was carried by a certain Ritsert Pantem to Boston, where the assembly of the colony is now in session, the contents of which is unknown; however, the parties reporting this presume that the people in the north have been told that the situation was now clear, namely, that we had incited and bribed the Indians to massacre the English. Although we do not know how truthful these reports are, except that they go to show that the aforesaid meetings at Gravesande and Middelborch had been held, without exactly knowing their intent, and although these reports ought to be fully investigated and proper punishment administered, but considering the present situation and our own weakness, as well as the fact that the English living both among [295] and around us only wait for and desire some occasion by which we might give them cause to initiate trouble or war against us, we have, for the good of the country and our own defense, resolved to close our eyes at the present time and desist from an all too strict examination by only summoning the magistrates of the two villages; first those of Middelburgh and then the magistrates of Gravesande, in order, when they appear, to inform them of the matter as a current rumor, asking them what they know about it, and to continue to govern ourselves according to the situation and the passage of time. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 2 July 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.

[296]The director-general and council of New Netherland, to all those who hear, see or read this, greetings.

Whereas experience has now frequently shown that some Englishmen, pretending to be citizens and inhabitants of this city of New Amsterdam, nevertheless maintain contact in the meantime with other disaffected people of this place, and that such so-called citizens and inhabitants of this place, the moment they receive any unfavorable rumors from the north or elsewhere, either verbally from spies or in writing from friends, countrymen or correspondents, do, without informing us or the inferior court of this city of such news or rumors, immediately remove their furniture, household goods, beavers and other valuables to the English villages, which are less fortified and secure than this city; with such removal of furniture, household goods and merchandise, which we have now seen proof of several times, causing not only irritation, disruption, faintheartedness and inciting the good and well-disposed citizens of this city and others residing in the rural areas, so that many disputes and quarrels have been thereby created, and subsequent complaints referred to us. However, what is worse yet is that such people exhibit so [297] little love, affection and loyalty for this place, except so far as their own personal profit is concerned; besides, what is still more dangerous is that pirates and other enemies threatening the state are, by such removal of furniture, household goods and peltries, encouraged, assisted and informed of the conditions and situation in this city, to the notable discredit, disparagement and weakening of this important place. Therefore, the aforesaid director-general and council, wishing to do as much for it as possible, hereby order and direct that no one, of whatever capacity or nation he may be, shall, because of any unfavorable rumors, remove any goods of any kind out of this city

of New Amsterdam to any outlying village or settlement where they are in more danger of attack by pirates, bandits, robbers and other enemies of this state, on pain of forfeiting all such goods removed; and those who now and heretofore have repeatedly removed their goods or any part of them, or have caused them to be removed, are hereby deprived of their rights as citizens<sup>155</sup> and at the same time ordered and directed to leave this city of New Amsterdam within 24 hours after [298] publication of this (during which time they are granted a safe-conduct for their person and property), and to follow their previously removed goods, and not to come back into this city on pain of arrest and arbitrary punishment. We direct our fiscal, after publication of this, to notify the people hereof whom this concerns and to order their departure. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 7 July, New Netherland; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, Cor. van Thienhoven.<sup>156</sup>

The director-general and council of New Netherland, to all those who see or hear this read, greetings. Let it be known:

Whereas we have been reliably informed that some among our subjects once again, as last year, have taken up and circulated false, spurious and self-contrived rumors, dishonoring the [299] high administration of this province and Netherlandic nation; namely, that some members of the high council together with some Dutch inhabitants were to have hired and incited some Frenchmen and Indians to massacre and plunder the English people residing among us; which circulated rumor, although false, unchristian and completely without foundation, was, nevertheless, disseminated so obstinately and impudently by some (mostly English refugees from New England) in order to incite greater turmoil among the good inhabitants; and in order to give more credence to their lies, they abandoned their houses and plantations, most of them going to the village of Gravesande, where some robbers, bandits and pirates have banded together and quartered themselves for some time now, among them being Samuel Brocquet, the leader and [300] bandit who stole the horses. Therefore, for reasons best known to themselves, the director-general and council find themselves duty-bound and constrained, for their own vindication and the maximum security possible for their inhabitants, hereby to order, command and direct all their schouts, officers and magistrates of the respective villages and settlements of this province to apprehend and to deliver before us here, in the most secure way possible, not only the initiators and disseminators of these false, spurious self-contrived rumors, but also those who pass them on to others, whether they be fourth, fifth or sixth hand, so that thereby not only the turmoil may be halted, but also, if possible, through examination and arrest, the initiators may be discovered and duly punished as an example to others. And in order to [301] prevent in the future such turmoil among the good and well-affected [inhabitants], the director-general and council hereby declare all persons, of whatever nation or rank they may be, who by reason of such false, injurious and forged reports have fled from or abandoned their property, without making inquiry, as is duty-bound, of the director-general and high council or inferior magistrates concerning the same, to be deprived of their rights of citizenship<sup>157</sup> and abandoned lands, unless the persons who have run away, do, within 24 hours after the publication hereof, return with their families and all their removed furniture and livestock to their abandoned lands, whether they

moved or fled to the village of Gravesande near the pirates or elsewhere. Furthermore, if anyone can furnish definite [302] proof and information of the person or persons who may have forged and circulated such fake, slanderous and unchristian lies and deliver them into the hands of justice, he shall receive a reward of 300 guilders, with the promise of the first office for which he may be qualified. Thus done at the session of the director-general and council of New Netherland, 11 July 1654, New Amsterdam; and was signed: P. Stuyvesant, Nicasiaus de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.

The director-general and council of New Netherland, to all those who see or hear this read, greetings. Let it be known that the works of the fort have been now repaired and rebuilt 2 or 3 times at considerable expense and labor, and time [303] after time trampled down and rutted up by the hogs, from which the recently repaired and constructed works are exposed apparently to the same great danger. The director-general and council, desiring to act against such damage, for the preservation of all the outer and inner works, order all good inhabitants of this city to secure their goats, sheep and especially their hogs so that they do no damage to the works, and, at the same time, warn all persons that those hogs, goats or sheep found, 24 hours after the publication hereof, on the walls or constructed works of the fort, either on the outer or inner works, shall be rounded up and impounded, with one pound Flemish forfeited for each hog, goat or sheep for the benefit of the person who catches it, or he shall be forfeited the hog, goat or sheep, if the owner fails to claim it within the period of 24 hours. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 11 July 1654, New Netherland; below was written: By order of the honorable director-general and council; and was signed: Corn. van Ruyven, secretary.

[304] Account [ ]

The honorable director-general and council, having reviewed the account of expenses incurred in the suit of Jan Appel against Mattheus de Vos, and after debating the case, pro and con, settled it as follows:

On the first point: Deleted, because each is responsible to pay his arbitrators himself.

On the second point: Deleted, because it was demonstrated by a paper of the advocate.

On the third point: Mayors and schepens are hereby given f20 instead of f30. Secretary Kip f3 instead of f6. The court-messenger f1,10 instead of f3.

On the fourth point: Vos is obligated to pay for half of what was consumed on the first two days.

On the fifth point: Secretary Kip claims no more than . . . f22; and Claes van Elslant . . . . . f6,11.

On the sixth point: Having reviewed Schelluyne's bill and finding it to be much too high, we order and direct him hereby not to demand any more, and the parties to pay no more than the sum of f33. Thus done at the session of the honorable director-general and high council held in New Amsterdam, New Netherland, 21 July 1654; and was signed: P. Stuyvesant, Nicasiaus de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.<sup>158</sup>

[305] Pursuant to the orders and instructions of the lords-directors addressed to the director-general and council of New Netherland, as well as to the mayors and schepens of this city, concerning the appointment of a schout for the inferior court, independant from the fiscal's office, the director-general and council have, in consideration of the good recommendations for Jacobus Corteljou, formerly tutor to the son of Mr. Werckhoven, unanimously appointed him to this office under the instructions given him and to be given hereafter.<sup>159</sup> [306] Thus done at the session of the director-general and high council held in New Amsterdam, New Netherland, 21 July 1654; present: the director-general and all the lords councillors.

N.B.: Whereas Jaques Corteljoue quarrels with the instructions offered to him, it is necessary to delay matters until another qualified person can be found.

Anno 1654, 21 July, New Amsterdam.

For important reasons and for the sake of greater harmony, it has been resolved by the director-general and council not to investigate further what the mayors and schepens have done nor to make any changes among them for the time being; however, it has been deemed advisable to summon them before the honorable director-general, in the presence of the servants of God's word, to call to their attention the mistakes and errors made in their addresses to the director-general and council and to the lords-superiors [ blank ], reminding [307] them seriously of their duties and the obedience and respect which they owe to the high administration, after which what has happened will be forgotten forever. After this admonition, the letters from the lords-superiors will be handed over to the mayors and schepens, and the good intentions therein made known to them. Thus done at the session of the director-general and council held in New Amsterdam, New Netherland, 21 July 1654; present: the director-general and all the high councillors.

[308]

To the honorable, highly esteemed director-general and high council of New Netherland.

With all due reverence, the undersigned merchants, residents here and those recently arrived with the ships from the fatherland, respectively present how they, the petitioners, learned

that some additional taxes have been imposed by your honors which concern the petitioners' commercial activities; and whereas they (being mostly factors) are duty-bound to their masters (merchants in the fatherland) to take good care of their business; whereas they also firmly believe that the masters have sent their goods in conformity to the contracts, as it has been the custom until now to make with the honorable Company; and whereas their masters are ignorant of the aforesaid order which your honors have been pleased to draft in this country; [309] therefore, they most humbly request that the matter be referred to the honorable Company in Holland and that the petitioners be allowed to discharge, receive and dispose of their consignments as formerly. Anticipating your honors' favorable decision; next to which was written: N. Amsterdam, New Netherland, 21 July 1654; below was written: Your honors' devoted servants; and was signed: Govert Loockermans, Hend. J. vander Vin, Reynier Rycken, P. Cornelisse vander Veen, Jon. Witthart, Cor. Steenwyck, Johannis de Peyster, Jacob Backer, Johannes J. van Bruch.

The Following Decision was made  
on the Foregoing Request:

Pursuant to the general, old and well-known contract, all merchants are obliged to pay here to the director-general and council one percent of all their goods and merchandise, in addition to as much more as may have been imposed before their arrival, of which the merchants cannot be ignorant. Because of the benevolence of the director-general and council, [310] it has not been collected. However, current excessive expenses and borrowed revenue have reduced the funds in the treasury so that the director-general and council would be unable to pay the civil, ecclesiastical and military personnel, much less repay the loans, if they desist any longer from collecting the one percent and other revenue sources. However, they realize that greater hardship and trouble would be created for the community and more expense for the merchants, if the director-general and council were to collect the one percent on all goods and merchandise pursuant to the old and well-known contract; therefore, they have decided it would be more suitable and bearable, pursuant to their enacted resolution in place of the general one, to collect the equivalent amount only from the Indian goods and the least necessary merchandise, which, nevertheless, bring in the most profit and cash or payments and causes the least trouble for both the community and the factors. Therefore, the director-general and council think that it is unnecessary to refer the matter to the directors in the fatherland, especially as the paucity of funds and the [311] increase in expenses will not tolerate delay. In the meantime, desiring to show our good will and inclination to promote commerce and to deprive the petitioners of causes for complaints because of too much strictness, the director-general and council herewith release the petitioners from the payment of about one fourth of the demanded duty and staple right, so that one shall pay for a price of duffels, commonly 38, 39 and 40 ells long . . . . . f3

one ell of cloth, lining or carpet . . . . . f0,1,8  
one Indian coat . . . . . f0,6  
100 lbs. of kettles . . . . . f3

one dozen of blankets . . . . .	f3
one hogshhead of Rhenish or French wine . . . . .	f6
one anker of brandy, spirits or Spanish wine . . . . .	f2,10
one tun or half pipe of overseas beer . . . . .	f2,10
(Larger or smaller amounts in proportion.)	

We direct herewith our fiscal and receiver neither to demand nor take more, and after he has complied with this order, the merchant or trader shall not be delayed, but shall receive absolute permission to remove his goods from the warehouse, and to transport and sell them to his satisfaction and at his wholesalers' profit. Salt is presently excluded [312] from duty because of its great scarcity. Thus done at the session of the honorable director-general and council held in New Amsterdam, New Netherland, 22 July 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhooven and La Montangne.

Honorable and dear friends:

Whereas it has always been the custom and practice in the church and among God's people when beleaguered and threatened by war, pestilence, hard times or any other emergencies and difficulties, that the superiors and regents order and institute days of humility, fasting and prayer for the purpose of preventing, impeding and mitigating the wrath, menace and visitation of the Almighty, the same is incumbent on me, pursuant to God's command, in times of emergency; so it has also been, on the other hand, always a bounden duty and custom in God's church and by his people that offerings of praise and thanks be made to God for received benefits, mercy and any notable turn of events which have been clearly impressed for [313] a period of time with the signature of the just [ ] God [ ] both such old and neighboring allies and [ ] kinsmen, England and Netherland, have not only related for some time the sad events of the shedding of so much Christian blood, loss of trade and the nearly total ruin of such recently flourishing republics, but also their threats almost caused us to taste a bitter sauce in this country, if God had not been moved with compassion and grace, for the sake of Christ and His covenant, to bestow on us a merciful deliverance by disposing the hearts and minds of the regents and commanders on both sides in Europe not only toward the cessation of all hostilities but also toward the formation, renewal and establishment of an unbreakable and eternal alliance between Juda and Benjamyn - England and Netherland; all done to the wonderful rejoicing of those who desire and love the honor of God, the protection and promotion of His service and the welfare of their fatherland, and, on the other hand, to the notable amazement, astonishment, indeed, terror of the antichrist and all his adherents. If then God's church [314] and His people ever have [ ] any [ ] for a quick and [ ] alteration of the menacing hand and [ ] of God, as it seemed to be manifesting itself [ ] for the ruin and destruction of His people and church; even more now, His people and church have cause to admonish one another and say, "Praise be to England's Jerusalem, Netherland's offspring praises the Lord your God because he makes fast the bolts of your gates and brings peace to

your frontiers." Especially, we in this country, whose stirring to life of the menacing embryo of war were lately producing labor pains but whose moment of birth was halted by God, have more than cause to laud, praise and extol the only good God for such a sudden, unexpected and merciful turn of events; and not only on account of a merciful deliverance from a threatening war and the subsequent fear of total ruin of the good inhabitants in the countryside but also, which is no less laudable, that the only God did the same for this province and the good inhabitants who were about to become a carcass for their neighbors as a result of the interruption of water traffic which produced a scarcity of bread and other provisions; however, through the merciful providence of God they were not only sustained but blessed that the prohibition intended for their destruction became a means for their abundance, [315] so that we [ ] from our brothers and neighbors, to the honor of God, [ ] you have thought it bad of me but [ ] that one thought good so that he might do [ ] to consider these acts of mercy and other innumerable gifts and charities of God which we have so far received from the only good and merciful God. Thus the director-general and council, moved by virtue of their office and duty, order and proclaim a general day of thanksgiving and rejoicing within this province and its dependencies on the second Wednesday in the month of August, being the 12th, to be observed by having everyone gather on the aforesaid afternoon where one is accustomed to hear the word of God, and after hearing the same to praise, laud and extol the only good and merciful God, especially for the desired peace and alliance between both republics and as well as for God's merciful protection and underved preservation of this province and its inhabitants; and on the hand to pray to God that He will so dispose and alter the minds on both sides that they maintain a genuine and just peace with each other but especially with God and their own consciences in a righteous improvement of life, in a genuine diligence for the word of God and the use of His holy sacraments, which are the means instituted by God in order to increase one's awareness, faith and piety. Therefore the servants of God's word are requested to formulate their sermons, prayers and offerings of thanks [316] for this purpose, and all our subjects, who are confirmed [ ] religion, are directed to find [ ] time, where one is accustomed [ ] to offer praise, to praise the Lord, and, after God's service, to rejoice in a temperate and humble manner as each sees fit; and hereby forbidding each and everyone from the pursuit of any other endeavors on the aforesaid day, upon the penalty as previously stated. Thus done at the session of the honorable director-general and high council of New Netherland, 29 July 1654 in New Amsterdam; and was signed: P. Stuyvesant, N. de Sille, La Montangne, Cor. van Thienhoven.

The director-general and council have, at various times and opportunities, reminded the previous aldermen as well as the present mayors and schepens of the absolute necessity to devise, as is customary in other countries and especially in our fatherland, some means to provide revenue from which the civil, ecclesiastical and military personnel might be supported and maintained, and their officers satisfied; however, the director-general and [317] council have received no satisfactory answer so far nor seen a sign of inclination and willingness for such a necessary and customary matter, although the necessity has been

demonstrated as clearly as the day. In spite of the fact that the director-general and council last year granted the mayors and schepens, with fair promises which were not fulfilled, as their petition shows, the receipts of the tapsters' excise for their own treasury, on the condition that they pay from it the ecclesiastical personnel and provide for any deficit therein themselves. The mayors and schepens have so far not only been remiss in the one as well as in the other, but have also not even favored the director-general and council with a reply concerning the ordinance passed by the mayors and schepens on behalf of the clergymen, much less with a return or proof of what has been done with the proceeds of the tapsters' excise (which heretofore has always been paid into the general treasury). Therefore, the director-general and council are compelled by their office and duty to remind the mayors and schepens, under instructions from the honorable lords-superiors, of the necessity to provide revenues for the support and maintenance of the civil and ecclesiastical officers as well as of the honorable Company in the latest ships [318] and of the larger force still to arrive. The mayors and schepens will therefore be pleased to consider, without further delay and excuses, how to raise their quota pursuant to the orders and instructions of the aforesaid lords-superiors and the remonstrances made to us repeatedly; and they are to order at once their clerk and receiver to submit to us next Monday their reply and an account of the proceeds and expenditures of the tapsters' excise, upon which we are relying. Thus done at the session of the honorable lord director and high council held in New Amsterdam in New Netherland, 2 August 1654; and was signed: P. Stuyvesant, N. de Sille, C. van Werckhoven, La Montagne, Cor. van Thienhoven.

10 August 1654 in Fort Amsterdam.

Fiscal Thienhoven brought to the session the prisoner Jan Cry and charged the same, *ex officio*, of various crimes. The fiscal is directed to provide the aforesaid Jan Cry with a written copy of these accusations to which he is to respond. Jan Cry requests that Thomas Hal and Carel van Brugge be allowed to serve as his attorneys and advocates; which he is granted. It is agreed that as soon as the proceedings are [ ] (in the presence of the magistrates, Nicasius de Sille and La Montagne), the sentence [ ]. [319] Done at the session in the presence of the director-general and all the councillors, 10 August 1654, Amsterdam in New Netherland.

Provisional orders and regulations regarding the weighhouse of this city of New Amsterdam:

The director-general and council of New Netherland to all those who see this or hear this read, greetings. Let it be known that they, in order to prevent the complaints of some malevolent people that no regulations are observed in this country with regard to weights and measures, have therefore had made and constructed, at the direction and expense of the honorable directors at the chamber of Amsterdam, lords and patroons of this province,

a proper weighhouse; and, in addition to the standardized weights, they have located therein a standardized skipple and ell in accordance with the weight, volume and length used by the city of Amsterdam, according to which all other weights, measures and ells shall be regulated, observed and employed within this province, on the penalty and fine previously established. In order better to implement the same, the director-general and council have ordained and enacted, as they do hereby ordain and enact, that all goods and merchandise subject to the measure of the skipple or weight, from this time forward, which are brought in or taken out of this city, shall be weighed and measured by the sworn and appointed master of weights and measures before such merchandises or goods are brought into this city or taken out of it and exported elsewhere, for which the buyers and suppliers jointly or the buyers and suppliers separately, according to the conditions of the sale, shall pay weighing or measuring fees as follows:

[320] First concerning the Weighhouse.

For all sorts of silk goods . . . . .	}	15 stivers per hundred.
florets, cochineal or saffron . . . . .		
For indigo . . . . .	}	10 stivers per hundred.
preserves . . . . .		
sugars . . . . .		
all sorts of spices . . . . .		
Spanish leather . . . . .		
beavers . . . . .		
For tobacco . . . . .	}	5 stivers per hundred.
sarsaparilla . . . . .		
sassafras . . . . .		
elephants' teeth . . . . .		
all sorts of dyewoods . . . . .		
cotton and cotton yarns . . . . .		
wool and woollen yarns . . . . .		
dried hides . . . . .		
copper kettles . . . . .		
butter . . . . .		
cheese . . . . .		
starch . . . . .		
dyewood <sup>160</sup> . . . . .		
candles . . . . .		
hops . . . . .		
tallow . . . . .		
For dried fish . . . . .	}	4 stivers per hundred.
salted meat . . . . .		
bacon . . . . .		
suet . . . . .		
pitch . . . . .		
sulphur . . . . .		
harpuys <sup>161</sup> . . . . .		
cordage . . . . .		
lead . . . . .		
iron . . . . .		
copper . . . . .		
raisins . . . . .		
prunes . . . . .		
rice . . . . .		
hardtack . . . . .		
flour . . . . .		

And for all odd weights, above and below one hundred pounds, shall be paid: from one to 25 pounds, one fourth part; from 26 lbs. to 50 lbs. inclusive, half fees; from 51 to 75 lbs.,  $\frac{1}{4}$  of the hundred; and above 75 lbs. to one hundred, full weight fee. However, if a man delivers at the same time and to the same person more than one amount of the same sort of goods, all the aforesaid amounts or weights of the one and other shall be added together, and payment [321] made therefore according to the product of the whole; and for each amount or measure weighed shall be paid  $\frac{1}{4}$  of one stiver.

And all the goods subject to the weighhouse, or those sold by weight, shall pay the weighing fee as often as they are sold, transported, transhipped or exported. However, in order to avoid the heavy charges for labor to which the goods may be subjected in transporting them to and from the weighhouse, whether by cart, sleigh or boat, the delivery may be made from ship to ship or from house to house by the shortest and quickest route; provided that before the shipment or transfer takes place, the weighmaster be notified thereof and the weighing fee be paid, on pain of forfeiting the goods and merchandise or the just value thereof, or otherwise at the discretion of the honorable director-general and high council.

Also, any goods and merchandise sold by the lot or parcel shall not be delivered before and until they are weighed; however, the contracting parties shall be allowed to send for the weighmaster, scales and weights, in loco, and have the goods and merchandise weighed there and then delivered, upon payment to the weighmaster of four guilders per day and the like sum for the use of the scales and weights, but if the buyer or seller has his own scales or weights, it will suffice to pay only the weighmaster.

Provisionally and for the first year, more or less, until the director-general and council have an opportunity to farm out the weighhouse, agreeable to the praiseworthy custom of the city of Amsterdam, the proceeds of the weighhouse or the weighing fees shall be turned into and paid in current [322] money at the General Treasury; the duties of weighmaster shall be provisionally performed by [                      left blank                      ].

The goods and merchandise which are brought to, or are received at the weighhouse, and belong to the honorable Company, this city, the deaconry and other charitable institutions, being really and truly their property and to be converted to their use only, shall be exempt from the weighing fee; all of which the weighmaster shall be obliged to weigh free of charge and for the sake of God.

The director-general and council reserve to themselves, with the consent and ratification of the honorable directors, the lords and patroons of this city, the right to alter, diminish or enlarge this regulation according to the circumstances of the times and the state of affairs. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 10 August 1654; present the honorable General and all of his councillors.

The above regulation was renewed and amplified on 11 April 1661. <sup>162</sup>

The petition submitted to the session by Thomas Wendel was answered as follows:

The magistrates are ordered to stay execution of the sentence until the fugitive Joseph Fauler personally comes before us here and gives testimony. Done in New Amsterdam, 10 August 1654.

[323]The petition submitted to the session by Dr. Isaack Allerton was answered as follows:

This petition is denied because it is contrary to the regulations and ordinances enacted by us. Done in New Amsterdam, 10 August 1654.

The director-general and high council have examined the accounts submitted by the mayors and schepens concerning the excise on beers and wines, which had been granted to them provisionally on the condition that the ecclesiastical personnel should be paid from it. The mayors and schepens did not only fail to comply with this condition but they also have entered several items in this account which are not acceptable; for instance, a certain amount of money paid by them to Francois Le Bleu and several payments on his behalf made to Abram La Noys and several others, which for decency's sake [324] the director-general and council pass over in silence.

Induced by these and other reasons the director-general and council have resolved to farm out the excise on beers and wines consumed within this city to the highest bidder, according to the customs of our fatherland, and they have further resolved that the same be farmed out by the 25th of this coming November. Thus done at the session of the director-general and high council held in New Amsterdam, 13 August 1654; and was signed: P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montangne.

The fiscal brought to the session the prisoner Jan Gry, who is accused of various crimes, most all of which he denies; however, he does confess to have prevented Marshal Bely from seizing certain livestock because it belonged to his children. He says further that if he called the magistrates of Middelburgh thieves and threatened that it would cost lives if anyone fined him over taxes assessed by the council, it must have happened out of rage because he does not remember saying it. He also denies having threatened to shoot [325] Mr. Coo or having given lodgings to some of the pirates; he says he only gave shelter to his son and Thomas Willekeson. Done at the session held in New Amsterdam, 15 August 1654; present the honorable director-general and all the councillors.

The fiscal Cornelis van Thienhoven brought to the session the prisoner Laurens Hansz, lance corporal, who was charged with insubordination against his officer. The aforesaid Laurens Hansz replied that it had happened when he was drunk. The director-

general and council having heard the accused, who deserved to be punished as an example to others, decided, in consideration of the aforesaid Laurens Hansz' nearly 13 years of service on land and sea, to forgive this mistake and pardon him on the condition that he promise to behave himself from now on as befits a loyal and obedient soldier. Thus done at the session of the director-general and high council held in New Amsterdam in New Netherland, 17 August 1654; present: the honorable General and all the gentlemen of the high council.

[326]The confession of Jean Gry made on 15 August 1654 in New Netherland in the presence of Thomas Hal and Carel van Brugge.

He declares himself not guilty of the theft of Hendrick Jansz' muskets. The reason why he took the trouble to return them, was because his wife had become security for their delivery, without his knowledge, because her brother and son were the ones who had committed the theft.

He admits guilt in refusing to obey the magistrates' order and in resisting the marshal; he admits to making the threats which were to be carried out by his son Luyck in order to create an uproar in the village of Middelborgh; he admits that he uttered the threat that if anyone came to seize his property for village taxes, it would cost lives; he further admits to all his misdemeanors and requests of the director-general and council a merciful sentence; was [327] signed: John Gray, Thomas Hal and Carel van Brugge; below was written: Thus done in my presence; and was signed: Cornelis van Ruyven, secretary.

To the noble and highly esteemed Petrus Stuyvesandt and the gentlemen of the high council residing in Fort Amsterdam in New Netherland.

My Lords:

Jean Gray, a resident of the village of Middelburgh or of its jurisdiction on Long Island, arrested in March 1653 for stealing and marking two calves belonging to Thomas Grydi, was condemned by your honors, after proper investigation and verification of the aforesaid crime [328] on the 24th of March of the same year, as exhibited by the sentence appended hereto,<sup>163</sup> not to leave his land or boundaries within the three months following the pronouncement of the aforesaid sentence, to which was added the order that he must dispose of his property within this time, and after its expiration to leave the district of Middelburgh and, in addition, to pay a fine of 300 guilders and all the expenses of the proceedings. However, the aforesaid Gry has paid no attention whatsoever to this sentence of your honors. Against the order expressed therein, he has remained on his land (going to the village of Middelburgh and elsewhere) until the third of this month of August when the aforesaid Jan Gry was sent here to Fort Amsterdam by the magistrates of Middelborgh and delivered into the hands of the fiscal as a prisoner.

The aforesaid magistrates of Middelburgh and others have bitterly complained of the insolence and misconduct of the aforesaid Gry, now a prisoner, as the depositions submitted by them at Middelburgh to the honorable director-general show. Jan Gry, having been examined and [329] heard in regard to these declarations before your honors' board on the 10th, 13th and 15th of this month,<sup>164</sup> confessed without torture and bonds according to the statement signed by him on the 15th as follows:

First, he admitted verbally that he has paid no attention to the sentence passed against him by your honors nor has he paid the fine imposed upon him.

Second, that he opposed the order issued by the magistrates of Middelburgh and resisted the marshal's attempt at seizure, according to his own deposition which was repeated in Gry's presence on the 13th of this month.

Third, Jan Gry has sheltered and concealed two bandits or pirates who have robbed and attempted to plunder the inhabitants of this province both on land and sea.

Fourth, he admitted that together with his son Luke he threatened the inhabitants of Middelburgh, saying that they would cause such an uproar there as has never been seen before. This is evident by the declaration repeated in Jan Gry's presence.

Fifth, he admitted that he uttered a threat, saying it would cost lives if anyone came to seize or attach his property for village taxes.

[330]The aforesaid all tends to a vilification of your honors' sentence and order, and to a disobedience of the high authorities, which, in countries where justice is valued, ought and cannot be tolerated, but must be punished for the maintenance of justice and as an example for others. Therefore, the fiscal moves that Jan Gry be taken to the place where justice is customarily administered, and there to be whipped with rods and banished from the country; in addition, after receiving the sentence and punishment, he is condemned to remain in prison until the fine imposed by the sentence of 24 March 1653 and the costs and expenses of the court have been paid.<sup>165</sup> Below was written: 17 August 1654, New Amsterdam, New Netherland; was signed: Cornelis van Thienhoven, fiscal.

The director-general and council of New Netherland have read the charge and motion of the fiscal, Cornelis van Thienhoven, against Jan Gry, a resident of the jurisdiction of Middelburgh on Long Island, now a [331] prisoner, and have further read and heard the confession of the prisoner, according to which the fiscal's charge is to be approved. However, considering that by virtue of the sentence of 24 March 1653<sup>166</sup> the aforesaid Jan Gry, now a prisoner, was allowed to remain on his property undisturbed, if he would conduct himself properly thereafter and give no new cause of complaint, so that the magistrates of Middelburgh and his other neighbors could not find fault with him; and further that it has not been proved to the satisfaction of the director-general and high council that the aforesaid Gry has received any further summonses either from the fiscal as plaintiff or from the magistrates of Middelburgh concerning this case.

However, confession and the testimony of others only show that the aforesaid Gry has not conducted himself since that time to the satisfaction of the magistrates and his neighbors but has behaved very wickedly, insolently and disobediently against the aforesaid magistrates of Middelborgh and his neighbors, as is shown by the appended testimony of the witnesses and his own confession. It must further be [332] taken into consideration that the aforesaid insolence and disobedience were, as he himself admits, the result of an ungovernable temper aroused by the prisoner's belief that he was not their<sup>167</sup> subject and that the land belonged to him absolutely by virtue of a patent and conveyance, therefore he had a right to defend and protect it. Now that the prisoner has been shown and proven otherwise, to wit, that the land claimed by him and which he bought from others had first been given and granted to the village in common, on the condition that they would surrender the patents which they had received, and, in the interest of the community, assert no claims of more right and title to the lands covered by the patents than other inhabitants, if more people should come to the village of Middelborgh and settle there, as they have done afterwards, with the first patentees, Jan Carreman, Robbeson and N. Forman,<sup>168</sup> inviting the greater part of the present inhabitants and inducing them to come from the north.<sup>169</sup> The prisoner, now having been informed thereof and understanding the situation better, regrets his actions and words in this regard and humbly submits a prayer for mercy. Having duly considered and weighed all these points and everything connected with the case, and being satisfied that nearly all the troubles, threats and profanities were caused thereby, also, desiring to prevent such occurrences in the future, the director-general and council, administering justice to the best of their knowledge and experience on behalf of their noble High Mightinesses, the lords States-General of the United Netherlands and the lords-directors of the [333] General Chartered West India Company, command and decide herewith that the aforesaid Jan Grey, at present a prisoner, as well as his neighbors shall first surrender and make no further claims on their alleged patents in conformity with the stipulated conditions and pursuant to their own request and promise given to the present inhabitants of Middelborgh; with the proviso, however, that the land which he, Gry, has cultivated, improved and fenced in shall remain the property of himself and his heirs, and as much more land as shall have been granted or allotted by the magistrates to other inhabitants of the village. For this land, he or his heirs and the other inhabitants shall in due time receive proper patents and title deeds. Therefore, the alleged patent which he already has is hereby annulled and canceled; in addition, the prisoner is condemned to pay the fine and court costs, and before the final sentence is pronounced, he is to beg God, the high administration and the magistrates of the village of Middelborgh, with uncovered head and on bended knee, for forgiveness; and furthermore, [334] he is to pay the costs of his present incarceration and these proceedings, remaining in confinement until he has completely confirmed with the terms of this sentence or has produced sufficient surities satisfactory to the fiscal. When this is done, the further complaint and motion of the fiscal will be denied. Thus done and sentenced at the session in Fort Amsterdam in New Netherland, 17 August 1654; present: the honorable General Petrus Stuyvesant, Mr. Nicasius de Sille, Mr. Cornelis van Werckhoven and Mr. La Montangne.

## ORDINANCE

According to which the provost marshal <sup>170</sup> in New Netherland on the island of Manhattan is to regulate himself.

First. The provost marshal shall be obedient and compliant, and must take the oath of allegiance to the honorable director-general and high council according to form.

[335] Furthermore, he shall keep his residence in Fort New Amsterdam where he will be assigned quarters; and he will be provided with keys, locks and chains of the prison; and he shall be obligated to take good care to lock up and feed the prisoners in the manner ordered by the fiscal.

Also, every morning and evening he is to visit the prisoners, examine the locks and take particular care that no fire, rope, iron or sharp objects be left with the prisoner.

Also, the provost marshal shall not secure anyone with heavier or lighter irons than he is ordered to do by the fiscal, unless the prisoner lies in wait for night in order to break out, in which case he shall do his best to maintain security and then report the matter to the fiscal.

And, if it happens that a prisoner or prisoners be brought in by schouts or ships' captains to the provost marshal to be locked up, he shall have the authority to place the same immediately in confinement; however, he must notify the fiscal at the earliest opportunity and deliver in writing the names of the injured parties and of the prisoners.

Also, the provost marshal may separate and imprison all soldiers whom he finds fighting with unsheathed swords in the fort or on the street.

[336] Also, he shall impose a fine of 2 stivers on all soldiers whom he finds without side arms, or in the evening, after nine o'clock, with candles in their quarters.

Also, the provost marshal shall receive for the incarceration of each soldier 10 stivers, and for each citizen or officer 20 stivers.

Also, for major officers or respectable persons occupying his quarters, 30 stivers, and for the board in proportion, according to the regulation devised thereon.

Also, soldiers who avoid parade, either by leaving too soon or arriving too late, shall not only serve double sentry duty but shall pay the provost marshal a fine of 2½ stivers, and if anyone leaves his weapon unattended on guard duty, it shall be held for safekeeping until it is redeemed with the payment of 2½ stivers.

The provost marshal shall receive twelve stivers per day for the board of a common prisoner, on the condition that he provide them weekly with the equivalent of the ordinary ration allowed by the Company, namely:

1½ lbs. of meat  
 ¾ lbs. of bacon  
 1 lb. of fish  
 1 gill of oil  
 1 gill of vinegar  
 A suitable pottage and a supply of bread per week.<sup>171</sup>

Also, the provost marshal shall not be at liberty to absent himself from the fort at night after the guard is posted, except with the special knowledge of the fiscal and by permission of the director-general.

And, the provost marshal shall receive for his salary the sum of 24 Carolus guilders per month, payable quarterly, exclusive of his board stipends and extraordinary incomes mentioned above.

And, if it should happen that the provost marshal, with his assistants, is not strong enough to perform his duties because of the strength of hostile forces, in the absence of the fiscal, the director-general, or, in the absence of the latter, the commanding officer, shall, at his request, detail some soldiers from the guard to enable him to execute his orders.

If the provost marshal arrests one or more soldiers, no person, whosoever he may be, shall oppose him or secure the prisoner, on pain of being punished according to the law.

[337]The provost marshal shall be obligated to assist the fiscal in making arrests, inspections and in executing the duties of his office. Thus done at the session of the honorable director-general and high council, 20 August 1654 in New Amsterdam in New Netherland.

On 23 August 1654 Arent van Vlieringen was entrusted with this ordinance and the oath of loyalty was administered to him by the honorable director-general, Petrus Stuyvesant, in the presence of the fiscal.

[338]At the session, present: the director-general and all the councillors (except for Mr. Werckhooven), Fiscal Cornelis van Thienhooven [ ] that Cornelis Willemsz, presently a prisoner, shall be examined for the maintenance of justice; and if he remains obstinate, that he be examined more closely and severly<sup>172</sup> in the presence of two commissioners from the high council so that the truth and his accomplices may be discovered; and he requests that it be done as soon as possible. Done at the session in Fort New Amsterdam, 24 August 1654.

At the session, present: the director-general and all the councillors (except Mr. Werckhooven), who having examined and heard Cornelis Willemsz, presently a prisoner, and confronting him with his previous testimony, found it to be disparate and defective. First, concerning the entry, which he, the prisoner, declares was done through the gate which stood open, but appears to have been otherwise because the gate was locked with a night bolt and even was secured below with a door bar. Second, concerning his first statement that he had come there looking for

the servant Fernande, and afterwards said that he, the prisoner, had come to talk to the maid. However, it is quite apparent that he, the prisoner, did not enter through the gate. And concerning his further declaration that he then must have climbed over near the gate, without the prisoner absolutely declaring that he climbed over there and on which side of the gate, it is concluded as being probable from the prisoner's confession that he climbed over near the gate. From the layout of the place and the height of the fence it is deduced [339] and [ ] that he, the prisoner, [ ] help and [ ]; however, the principal point in the confession is that the prisoner committed breaking and entering which fact is aggravated by the time element: that it happened at night [ ] evening's bonfires were burning and everyone was rejoicing about 2 to 3 hours before daybreak; and by the layout of the place: that the prisoner had first to climb over a high fence before he could reach the glass.<sup>173</sup> Having considered all this, the director-general and council conclude by allowing the plaintiff<sup>174</sup> to expose the prisoner to more rigorous examination in order to discover his accomplices and the truth. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 24 August 1654.

We, the director-general and council of New Netherland, have on several occasions seriously considered the instructions of the honorable lords-directors at the chamber of Amsterdam, lords and patrons of this province of New Netherland, concerning the collection of the tenths and in regard to providing revenues for defraying past and future expenses. After holding several meetings and consultations on these matters, we find that the collection of the tenths is for the present, and as long as the inhabitants live so far from each other, very difficult and almost impossible, so that the expenses of collecting the tenths would almost be as great as the receipts. In addition to this, some settlers in the country claim by virtue of their patents, each for himself, large tracts of land which remain wild and unimproved, without any hope of producing tenths for years to come. In order to preclude the avarice for land on the one hand and on the other to prevent the great expenses which would be incurred by collecting the tenths, the director-general and council have, for these and other important reasons, deemed it best, most useful and profitable for the honorable Company (subject to the approval of the lords-patrons) not to demand and collect the tenths for some years to come, until the population has increased, [340] levying instead a tax on cattle and land, to wit: for each morgen which a party claims or desires to own under patent, one guilder or 20 stivers shall be paid yearly; for each head of horned cattle over 3 years old, one guilder; for each head of two years 12 stivers, payable one half in November, the other half promptly in April at the General Treasury. The tax on houses and lots in the respective villages, the owners of which neither claim nor enjoy any land, shall be the 100th penny of their real value payable yearly, the assessments to be made by three impartial men, one being a member of the high council and the other two members from the respective courts in the villages, appointed by the director-general. After these assessments are completed, vacant lots shall be conveyed to others, if the owners have neglected or are unwilling to build thereon in pursuance to the printed and published ordinances.<sup>175</sup> Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Nether-

land, 24 August 1654 and revised on the 28th of the same month; and was signed: P. Stuyvesandt, N. de Sille, C. van Werckhooven, La Montangne, C. van Thienhooven.

The director-general and council of New Netherland, to all those who see this or hear it read, greetings. Let it be known that during the tenure of their administration, now continued for seven consecutive years, they have constantly and at various times and occasions explained to the representatives of the commonalty of this province of New Netherland the great expenses and charges which the honorable directors have now for about 30 years borne and sustained in supporting various civil, ecclesiastical and military personnel, besides other heavy and excessive outlays in furnishing quantities of munitions, materials and other necessities required for construction and maintaining fortresses and other public works, which expenses have greatly increased from year to year; especially these last two years, for which the director-general and council, as representatives of the lords-patrons, have not been able to obtain any supplemental funds up to this time except the duties on merchandise which do not amount to a third part of the necessary expenses; [341] consequently, their treasury is depleted and henceforth insufficient to meet any longer the charges growing annually by the increase of population. Although this has been demonstrated with valid and clear reasons to the representatives of the commonalty, up to this date still no subsidies have been obtained, not even the tenths for which all inhabitants of this province have been in arrears for a long time, pursuant to the exemptions and freedoms of New Netherland. Whereas these tenths, with regard both to those of the honorable Company and those inhabitants in the countryside, are difficult to collect and deliver, the honorable director-general and council have, pursuant to their resolution, adopted on 2 June and revised on 28 August, <sup>176</sup> resolved and concluded to levy in place thereof an equitable tax on land and horned cattle in the following manner: every morgen of land that anyone claims or is entitled to by virtue of a patent shall pay once annually twenty stivers; and for every head of horned cattle (goats and sheep excepted) above three years of age or thereabouts, twenty stivers; for every head of two years, twelve stivers; for houses and lots granted for building purposes, located in the city of New Amsterdam, the village of Beverwyck, near the ferry<sup>177</sup> and elsewhere, belonging to persons who do not claim or own any land, shall be paid to the General Treasury, once annually, the hundredth penny of the real value. The assessment thereof shall be made and done by a commissioner from the high council and two impartial persons from the respective courts of the aforesaid city and villages, each in his jurisdiction, according to which assessment the vacant lots also shall be conveyed and sold if the present owners and proprietors either neglect or are disinclined to build on the aforesaid vacant lots, in accordance with the printed ordinances. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 24 August 1654 and revised on 28 August.<sup>178</sup>

Cornelis van Thienhooven, fiscal, plaintiff by virtue of his office, against Johannes van Beecq, defendant; the defendant does not appear and is issued his first default. 28 August 1654, New Amsterdam.



The director-general and council of New Netherland, to all those who see or hear this, greetings.

Let it be know that they see and observe by lamentable experience, notwithstanding their previous and frequently renewed ordinances enacted against the selling or giving of strong drink to the Indians or natives of this country, that many Indians are daily seen and found intoxicated, and while drunk they commit many serious acts of insolence, not only in the countryside, from where various complaints have been brought to us, but also, as our experience proves, many and diverse Indians are almost daily seen drunk and intoxicated within the city; and whereas up to this time the persons who sell, furnish and give the natives drink cannot be discovered; however, in consideration of the needs of the country, together with the danger that is to be expected therefrom if such selling, furnishing or giving of strong drink [344] to the Indians is not prevented, discovered and punished. Therefore, the director-general and council of New Netherland do hereby expressly forbid the aforesaid selling, furnishing, supplying or giving of any strong drink to Indians either here, in the countryside as well as on the rivers, streams and kills, out of sloops or in any manner or by any means, or by what persons soever the same may be done and practised, not only on the penalty formerly expressed, namely, 500 Carolus guilders, but in addition such persons shall be corporeally corrected and punished at the discretion of the judge. In order to discover and prevent the same more effectively, the director-general and council of New Netherland have, with the approval of the commissioners and representatives from the magistracy of this city, deemed it highly necessary that, from this time forward, all drunken Indians shall be arrested and imprisoned, and kept in confinement until they have told and declared who had furnished, sold or given them the drink. Such confessions and declarations of theirs shall, according to the circumstances of the case and the persons, be accepted and believed on that point, and the violators hereof shall, on the declaration of the Indians, be punished according to the ordinance and the exigency of the cases. We order our fiscal to have this published and posted in all the usual places as soon as possible, and after the publication and posting to put the same into execution without respect of persons, because we consider such to be for the public service and the peace of the inhabitants, in order to prevent greater dangers and misfortunes. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 28 August 1654; and was signed: P. Stuyvesant, Nicasiaus de Sille, C. van Werckhoven, La Montagne and Cor. van Thienhoven.

28 August 1654, New Amsterdam.

Cornelis van Thienhoven, fiscal, plaintiff against Anna Tchuy, presently a prisoner. The fiscal charges that she was found between the 28th and 29th of August at night along the Heere Wech near the house of Jan Vinje lying on her back against the clapboards with her skirts pulled up and her body bared; on top of her was Samuel Cromstock with his pants undone. Anna Tchuy falls on her knees and begs for mercy, claiming that Cromstock had done no more. She is ordered to be taken away until the next session. Thus done, present: the director-general and high council, except for Mr. Werckhoven, dated as above.

[345]

Extract from the Resolutions of the Mayors and Schepens of the city of New Amsterdam.

The mayors and schepens of the city of New Amsterdam (except Mr. Marten Crigier) having assembled to read a certain document dated 4 August delivered to them by the director-general and council,<sup>181</sup> instructing them to consider measures for raising their quota of paying for the fortifications built for the defense of the country, and having made an estimate of the expenses incurred, they came to the conclusion that the outer and inner lines of works made for the defense of the city, this and last year, cost about 16000 guilders. They have resolved to contribute their quota with the other districts and believe that 3000 guilders shall be their share, which they promise to pay, if the honorable General and council will authorize the mayors and schepens to levy a tax on real property within their jurisdiction. Thus done and resolved at the aforesaid session this 10th of August 1654, New Amsterdam in New Netherland; and was signed: Arent van Hattem; lower down: By the order of the mayors and schepens of this city of New Amsterdam; and was signed: Jacob Kip, secretary.<sup>182</sup>

[346]

To the noble, very esteemed and honorable director-general and high council of New Netherland.

With all due reverence and humility, the mayors and schepens of the city of New Amsterdam show how on the 20th of July, while in session, they were summoned before the honorable director-general,<sup>183</sup> where, in the presence of two clergymen, domines Megapolensis and Driesius, his honor communicated to them the letter from the honorable lords-directors at the chamber of Amsterdam, lords and patroons of the province of New Netherland, and told them what their honors desired. His honor thereupon admonished them to forget what has passed before and to live henceforth in harmony, which was promised by both sides. Thus the honorable director-general handed over the letters sent to the mayors and schepens by the lords-superiors according to which we have been inclined to govern ourselves by obeying what was mentioned therein.

Now the honorable director-general and high council have been pleased to reprimand us in a certain document sent to us on the 4th of August<sup>184</sup> concerning some negligence and to propose the great necessity to consider some source of revenue by which the civil, ecclesiastical and military personnel (arrived by the last ship, with more expected soon) might be supported and maintained; also, to determine our quota of the amounts to be paid for everything expended in the construction of the common walls and the breastworks; and also to recount that the mayors and schepens had obtained last year from the director-general and council the receipts from the tapsters' excise, under the condition that the ecclesiastical personnel be paid therefrom and that the mayors and schepens make good any deficit from their own sources.

[347] Hereupon the mayors and schepens of the city of New Amsterdam, having no other aim but the welfare of and harmony between this city and their superiors, the government of this province, and wishing to pay off all debts, have offered as their quota the sum of 3000 guilders, as shown by their resolution delivered to the honorable director-general on the 10th of August,<sup>185</sup> with other districts to pay in proportion. By so doing, they believe that the expenses and debts incurred can be paid.

Whereas the honorable lords-directors, as lords and patroons of this province, have consented that the excise shall be paid into our treasury, as indicated by the 4th article of their letter to the mayors and schepens; therefore, we agree and engage ourselves hereby on behalf of this city of New Amsterdam to pay from now on for the ecclesiastical personnel:

One of the clergymen.

One precentor who is also to be schoolmaster.

One dog-beater.<sup>186</sup>

For the civil personnel:

The schout

Both the mayors.

The five schepens.

The secretary.

The court-messenger and for whatever else we consider necessary. The mayors and schepens will further provide, pursuant to the directions from the lords-directors, for some minor revenue, of which they will inform the honorable general and council, if the amount is insufficient.

[348] Concerning the proposition of the director-general and high council to support the military, the mayors and schepens believe that the community of this city is not able to bear it and ought not be burdened with it because it concerns not only this city, but also the country in general, and because we and the militia have always supported all general works, expeditions, watches and other heavy burdens, and have been willing and the first in times of trouble to defend ourselves.

And, whereas the honorable director-general proposed to us on the 21st of July 1654 that Jacques Corteljou take the office of schout of this city of New Amsterdam, and whereas nothing has come of it, the mayors and schepens herewith request that the schout may be appointed according to the instructions of the lords-superiors.<sup>187</sup>

Whereas last Thursday, the 27th of August, P. Leendersz and Oloff Stevensz were summoned to the session of the honorable director-general and council on account of some prisoners, and whereas at the same time a proposal was made to them by the honorable director-general and council to inform the board of mayors and schepens that their honors intended to impose a tax of the 100th penny on all real property, and whereas the mayors and schepens submitted on the 10th of August a resolution to the honorable general,<sup>188</sup> in which they promise to raise as their quota the sum of 3000 guilders, if permitted to levy it on the real property; therefore, they have resolved to impose a tax of the 100th penny on the real property within their jurisdiction, and

trust that the honorable director-general and council will not object to it. Thus done at the session of the mayors and schepens (except for Marten Crigier and Willem Beeckman) this 31 August 1654 at City Hall in New Amsterdam; and was signed: Arent van Hattem; lower down: By order of the mayors and schepens of the city of New Amsterdam; and was signed: Jacob Kip, secretary.<sup>189</sup>

[349]

Answer to the letters of the Mayors and Schepens dated 10 and 31 August submitted to the Session of the Director-General and Council.<sup>190</sup>

We had not intended to reply in writing to a matter so often discussed and sufficiently proved to be not only just but also necessary, and we would not have involved ourselves in the matter any further if it had not been for the purpose to give, at the request of the mayors and schepens, a more detailed report to the lords-directors, and whomever it concerns, of our attempts to solicit sources of revenue and money, and of the dilatory excuses and evasions of the mayors and schepens proposed to obstruct so reasonable and urgent a measure.

We assent to and pass over the statement of the mayors concerning what took place between them and us in the presence of both clergymen.

We had hoped that the mayors and schepens would have valued their promise more concerning the raising and procuring of a subsidy; however, as they have failed to keep it, we deemed it our duty, acting under the urgency of the matter, to remind the mayors and schepens in writing of their duties and promises, of which they acknowledge the major part, omitting, however, any reference to the payment of everything which was expended for the [350] construction of the common walls and breastworks. It has never been our intention that the mayors and schepens should pay for and support everything, because that would be less just than impossible, and our letter of 4 August<sup>191</sup> was not meant so much to reprimand as to remind the mayors and schepens, who are acquainted with the necessity as well as we, to keep their promises made and signed by them on the 13th of March 1653,<sup>192</sup> namely:

"The mayors and schepens of this city of New Amsterdam (except for Marten Criger) advise and declare it to be necessary to enclose at once the greater part of the city of New Amsterdam with palisades; and after this has been done, as quickly as possible, then to put the fort in good shape for defense in order to serve as a place of retreat. For this they offer to provide the sum of 5 to 6000 guilders, etc."

The consent given thereto by the director-general and council, and their reasons for it are stated in their resolution of the following day, the 14th March;<sup>193</sup> however, the promise of the mayors and schepens to assist in repairing the defenses of the fortress after completion of the interior breastworks of the city, has never been carried out and the 5 to 6000 guilders, offered for payment of materials, have been used by the mayors and schepens only for the defenses of their city and not for the

works in [351] general. This [money] was borrowed from some merchants who are now dunning the Company, because the mayors and schepens have so far failed to repay the loan, and ask that their loans be set off against the tariffs.

Furthermore, as can be seen by their petition of last November,<sup>194</sup> the mayors and schepens obtained from the director-general and council the receipts of the tapsters' excise, on the promise and under the condition that they would induce and compel the citizens to provide means for the support of the clergymen and to pay the debts incurred for the breastworks; also, to raise some further revenue. In addition to this, they obtained, upon their request of 19 February,<sup>195</sup> some municipal revenues for the purpose, as they state in their petition, of defraying the expenses for the breastworks and of paying debts incurred therefrom. Impartial people may judge how deceitfully and perversely the mayors and schepens have misled, if not ridiculed, the director-general and council in each case, and frustrated them of their income; the returned accounts and the requests or remonstrances of the 10th and 31st of August, annexed thereto,<sup>196</sup> show with [352] sufficient accounts that the revenue from the excise was not employed according to the intentions and stipulated conditions in paying the clergyman's salaries and the expenses for the fortifications, but rather in entertaining and sending off a certain Le Bleu; from the last, namely: the request or remonstrance of 31 August (to which what follows hereafter may serve as a reply) it is deduced that the necessary revenues were not provided although they were promised.

It seems strange to us that the mayors and schepens claim that in order to liquidate their debt for the constructed breastworks their quota should only be f3000, which sum they offer to pay as a good example, according to their statement of 10 August,<sup>197</sup> in which they plainly state that the whole amount of the debt is f16000.

The mayors and schepens will first be pleased to consider, what has been related before, that they were not common works but rather private works for the city, and that neither the mayors nor the citizens of New Amsterdam have done or contributed anything for the common works.

Second, they will be pleased to consider, what has also been related before, that they promised last year to contribute to the works of this city, constructed to their satisfaction and again torn down, 5 to 6000 guilders, according to their assigned petition and offer; in addition, they are obligated, together with us and others, [353] to contribute toward the repayment of the loan negotiated this year. Furthermore, the mayors have had the use of and drawn from the tapsters' excise over 3000 guilders, which heretofore had always been paid into the General Treasury for the benefit of the entire country, so that the mayors and schepens are quite mistaken in believing that they set a good example in offering f3000 as their quota, when they have already collected more than that sum out of the excise, belonging to the entire country.

No less strange and mistaken is the statement of the mayors and schepens that the lords-directors, lords and patroons of this province, intended that the tapsters' excise should be received by and paid into their treasury, as they themselves had written to the aforesaid lords who expressed in plain words that the aforesaid tapsters' excise had been granted to them only condi-

tionally by the director-general and council, consequently not by the directors, who by no means disapprove of this limitation, but rather deny the assertions and proposals of the mayors and schepens. As to the further remonstrance and complaint that the excise obtained conditionally from the director-general and council - not from the directors - was not sufficient for the support of the civil and ecclesiastical personnel and for the maintenance of the city's walls; therefore, they request authority to impose some new taxes, with which [354] they say the community is satisfied. The mayors and schepens are referred to the decision of the director-general and council: cessante conditione, cessant obligatio.<sup>198</sup> Whereas the mayors and schepens have not been fulfilling their promises and carrying out the conditions to provide some other revenue in place of the tapsters' excise, and whereas they have failed to farm out the same for the purpose of paying the salaries of the clergymen and of placing them above want, the director-general and council are compelled to farm out the aforesaid excise to the highest bidder in conformity with their resolution of 13 August last past,<sup>199</sup> and to employ the proceeds promptly to provide for the support of the clergy. By these means the mayors and schepens will be excused and relieved from carrying out their offer to support at their expense one clergyman, one schoolmaster and one dog-beater; the intentions and order of the lords-patroons will be executed, the jus patronatus<sup>200</sup> will be preserved, and both the clergymen paid and placed above want.

Concerning the proposition in regard to the support of the military: the director-general and council never intended, as the mayors and [355] schepens apprehend, to place the entire burden on this city. This would be more impossible than unjust. However, the intention of all the former propositions, remonstrances and memoranda has been and still is that the mayors and schepens, as the most prominent men of this capital and our place of residence, should contribute their equitable and just share of the past and future expenses, increasing from year to year so that other less prominent people may see their good example and follow it. As we have not been able to obtain this by persuasion, we are obliged to find the means ourselves or else to report to the lords-patroons the excuses, pretexts and recalcitrance of our subjects in this matter; all the more, as it is well-known and proved that the export duties on peltries, amounting annually to hardly more than 20 to 22 thousand guilders, are not sufficient to support the present civil, ecclesiastical and military personnel, and also defray other expenses and outlays necessary for the acquisition of munitions, maintenance of forts, public works, churches and houses, and whatever depends thereon.

[356]Concerning the request that a schout be appointed to complete the court, according to the order of the lords-directors: the mayors and schepens are correct in stating that at the urgent request of Mr. Werckhooven we intended to appoint the person of Jacques Corteljouw for this position, who, however, found fault with the instructions presented to him; therefore, we have been compelled to delay the matter until the lords-patroons have approved the changes or altered the instructions as first conceived, or until we find another qualified person.

Concerning the last point: the mayors and schepens have been correctly informed by their colleagues Poulus Leendersz and Oloff Stevensz that the director-general and council, for payment on that which has been previously related, have found it neces-

sary and advisable to collect the 100th penny on the lots and houses of those who own neither land nor cattle and pay neither land nor horn tax. The mayors state that they have also resolved to levy such a tax in order to raise their quota which they claim to be 3000 guilders. [357] This point has been substantially answered before. The director-general and council care little whether the 100th penny is levied by their order or by that of the mayors and schepens, as long as the proceeds are employed according to the instructions of the lords-directors in order to relieve their burden and to support their civil or military personnel.

We have spent more time than intended in explaining and answering these points; however, it was done for the better understanding of the mayors and schepens, as well as of the lords-patrons, to whom this letter, together with the request or remonstrance of the mayors and schepens, and our resolution regarding the collection of the 100th penny, will be sent for their disposition according to their usual wise counsel. Done at Amsterdam in New Netherland, 16 September 1654; was signed: P. Stuyvesant; below: By order of the honorable director-general and high council; and signed: Cornelis van Ruyven, secretary.

[358]Whereas Elias Emmens [ ] the Company of the honorable [ ] of New Netherland, for years now serving garrison duty in the south at Fort Casimier<sup>201</sup> and afterwards here at Fort Amsterdam, being constantly very insolent, headstrong, willful and disobedient; exhibiting mutinous behavior; dissuading the soldiers from their duties and attempting to incite discord; in addition to this, he appeared one night, after watch was set, on the Heerenstraet before the citizens' doors with an unsheathed sword in his hand making a great racket and noise; also, he has not omitted threatening and verbally abusing his lord director and captain. All of which the fiscal has proved with credible witnesses in the presence of the aforesaid Elias Emmens at the session in Fort Amsterdam. Therefore it is Fiscal Cornelis van Thienhooven's request and conclusion that the aforesaid Elias Emmens be corporeally punished as an example to others. The director-general and high council, having seen the charge and the testimony exhibited at the session and having seen and [359] [ ] the reply of Elias Emmens, made both written and verbally at the session, and having taken everything into consideration; therefore, we, the director-general and high council, at the request of the fiscal, in the name and on behalf of their honorable High Mightinesses, the lords States-General of the United Netherlands, the honorable lords-directors of the General Chartered West India Company, lords and patrons of this province, after evoking God's holy name, do hereby condemn the aforesaid Elias Emmens to be stripped of his weapons in the presence of the entire Company and declared unsuitable for further Company's service; and in addition, to be fined six months' salary, to be satisfied however possible. Thus done and sentenced at the session of the honorable director-general and high council held in New Amsterdam, 1 September 1654; present: the honorable Director-General Petrus Stuyvesandt, Mr. Nicasius de Sille and Mr. La Montagne.

[360]Cornelis van Thienhooven [ ] plaintiff, against Johan van B[ ],<sup>202</sup> [ ] who fails to appear and is issued [ ] default. Dated as above.

Cornelis van Thienhooven, fiscal, against Samuel Touw, presently a prisoner; the plaintiff, submitting his charge in writing, requests that Samuel Touw be asked whether he has not sheltered any pirates. The defendant, having been so asked, replies that during the time of the troubles he was forced to give shelter to some pirates against his will, because he was afraid in his remote location. He further requests that he be allowed to post bail and be released from detention, on the condition that he always would be ready to appear before the court when summoned. He is granted this by the honorable director-general and high council, and posts therefore as security all his movable and immovable goods, especially his house and plantation in Mespats, as appears by the bond signed by him and held by the fiscal. Done at the session, 2 September 1654, New Amsterdam.

[361]On the day, date underwritten, the magistrates of the village of Midwout submitted a petition which was answered as follows:

The honorable director-general and high council of New Netherland hereby authorize the schout and magistrates of the village of Midwout, at their request, to levy one time six guilders from each lot lying within the jurisdiction of the aforesaid village, in order to defray past and future expenses. Done in New Amsterdam, 2 September 1654.

The honorable director-general and high council of New Netherland have seen the charge of the fiscal against Anna Tchuys, being a married woman and presently a prisoner for having committed adultery with Samuel Cromstock, being a married man, along the Heeren Straet under the naked sky between the 28th and 29th of August, last past, at night around 12 o'clock, which the fiscal has confirmed with three witnesses at the session; whereupon, according to form, Anna Tchuys was heard in full session by the director-general and council, and after she had heard and seen the depositions, voluntarily and without pain and bonds, confessed that [362] she had committed adultery with the aforesaid Samuel Cromstock, which crime, being confessed, demands punishment according to the form and custom of our fatherland. Therefore, the honorable director-general and council of New Netherland, in the name and on behalf of the honorable High Mightinesses, the lords States-General of the United Netherlands and the honorable lords-directors of the General Chartered West India Company, lords and patroons of this province, having judged the aforesaid Anna Tchuys, have condemned, as the aforesaid director-general and council, do hereby condemn her to be brought to the place where justice is customarily carried out, and there, together with Samuel Cromstock, to be placed in the pillory; and, in addition, to pay a fine according to the ordinance,<sup>203</sup> as an

example to others; and with failure to pay, they shall be beaten with rods. Thus done at the session held in New Amsterdam, 2 September 1654; present the honorable director-general and all the councillors.

[363]The honorable director-general and council of New Netherland have seen the charge of the fiscal against Samuel Cromstock, being a married man and presently a prisoner for having committed adultery with Anna Tchuys along the Heerenstraet under the naked sky between the 28th and 29th of August, last past, about 12 o'clock, which the fiscal has confirmed with three witnesses at the session; whereupon, according to form, the accused was heard in full session by the director-general and council, and after he had heard and seen the depositions, voluntarily and without pain and bonds, confessed that he had committed adultery with the aforesaid Anna Tchuys, which crime, being confessed, demands punishment according to the form and custom of our fatherland. Therefore, [364] the honorable director-general and council of New Netherland, in the name and on behalf of the honorable High Mightinesses, the lords States-General of the United Netherlands and the honorable lords-directors of the General Chartered West India Company, lords and patrons of this province, having judged the aforesaid Samuel Cromstock, have condemned, as the aforesaid director-general and council do hereby condemn him to be brought to the place where justice is customarily carried out, and there, together with Anna Tchuys, to be placed in the pillory; and, in addition, to pay a fine according to the ordinance, as an example to others; and with failure to pay, they shall be beaten with rods. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 2 September 1654.

[365]The honorable director-general and high council have seen the criminal charge made on 1 September of this year 1654 by Cornelis van Thienhooven, fiscal of New Netherland, and in this capacity, plaintiff against Cornelis Willemsz van Linden from the Velue in Gelderland, presently a prisoner. In his charge, the fiscal accuses the aforesaid prisoner with breaking and entering which was committed by Cornelis Willemsz during the night between the 13th and 14th of August around two o'clock. It was at this time when the bonfires were burning in celebration of the peace and alliance between the states of Holland and England. The fiscal has confirmed this accusation in full session with depositions; also, the prisoner has voluntarily confessed, without pain or bonds, that he willfully sneaked to the residence of Govert Loockermans, where he broke a window and climbed into the house through the opening; he was then chased and seized by Govert Loockermans who put him in jail. Whereas breaking and entering must be punished with all due vigor, according to the customs of our fatherland, and cannot be tolerated or endured in countries where justice flourishes, but must be punished as an example to others; therefore, the aforesaid honorable director-general and council, administering justice in the name and on behalf of their noble High Mightinesses, the lords States-General of [366] the United Netherlands and the noble lords-directors of the General Chartered West India Company, having considered his past behavior and service, have

therefore mitigated the punishment by condemning the aforesaid Cornelis Willemsz to be brought to the place where justice is customarily administered, and within the hearing of the delinquent, this shall be read in public and he shall be banished from this jurisdiction and government of New Netherland. Thus done and passed at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 2 September 1654.

Copy. The honorable director-general and high council of New Netherland authorize, upon the petition of Cornelis Willemsz, presently a prisoner, Dirck van Schelluyne to represent the aforesaid prisoner before the director-general and high council against the fiscal, and to interpret the points of law as is necessary. Done at Amsterdam in New Netherland, 1 September 1654. N.B. This belongs on folio 233.

Copy. My Lady.

According to your honor's petition and our promise, we have commissioned Messrs. Nicasius de Sille and Johan de la Montangne, from the high council, [367] and Paulus Leendersz van de Grift and Oloff Stevensz Cortlandt, schepens of this city, to settle the boundaries between the lands of the village of Gravesande, Antony Jansz, Conynen Island and the land formerly owned by Robbert Peynoyer, according to the patents and deeds.<sup>204</sup> These our aforesaid commissioners shall report to her place early tomorrow morning (God willing) and let this serve to admonish and request of your honor that someone be sent at this time to represent your honor's interests. In conclusion, after cordial greetings, we commend your honor to God's protection and remain, my lady, (below was written) your honor's devoted friend (and was signed) P. Stuyvesant (and dated): Done at New Amsterdam, 3 September 1654 (the address was) To My Lady Debora Mody at Gravesande.<sup>205</sup>

[368]Cornelis van Tienhooven [ ] by virtue of his office, plaintiff, against Thomas Hal, defendant; the plaintiff says that Thomas Hal brought or had brought into Isaack Allerton's house a good quantity of English malt, which was not reported to the official, according to the ordinance. Consequently the seller or buyer, Thomas Hal, has attempted to swindle and cheat the government out of its revenue, in violation of the ordinance passed in New Netherland on 4 July 1647.<sup>206</sup> Therefore, the fiscal requests that the director-general and council declare the aforesaid malt to be confiscable. The defendant, Thomas Hal, confesses at the session that he bought 184 skipples of malt from Mr. Willett and paid him 3 guilders per skipple. He furthermore requests a delay until the next court session in order to speak with Mr. Willett, and offers himself as security for the value of the aforesaid malt, which is granted him at the fiscal's request, and pursuant to the ordinance the attachment is declared valid. Thus done at the session held in New Amsterdam, 8 September 1654; present were the honorable director-general, Mr. Nicasius de Sille, and Mr. La Montangne.

[369]Cornelis van Tienhooven, fiscal, plaintiff, against Johannis van Beeq, defendant; the defendant fails to appear, and because this is his third default, the director-general and council declare his marriage to be illegal and judgment is passed against him. Done in New Amsterdam, 8 September; present: the entire council (except for Mr. Cornelis van Werckhooven).

The housewife of Goetman Harck appeared at the session and complained that on the morning of 7 May her barn containing hay was burned down and that also some other implements were lost in the aforesaid barn. She also said that she suspected (without knowing for sure) that the fire was set by the pirates, and that a certain Ritchert Pontum was standing by the fire in the morning. When Harck came by and grabbed him, asking what he was doing there, he said, "As long as you side with the Dutch and French, it will always be so." 8 September 1654; present: the honorable director and the entire council, except for Mr. van Werckhooven.

[370]At the session [ ] Gerritsz submits a petition requesting a patent for a certain piece of land. It is recommended that the petitioner refer himself to the printed ordinances concerning this. Done in New Amsterdam 8 September 1654.

The provost marshal, Arent Jansz, appeared at the session to accuse Sergeant Juriaen Laecken of abusing him with various curse words, because he, Arent Jansz, had put him in irons for having found him gambling in the tavern during church service. Whereas the honorable director-general and council have heard numerous complaints about the aforesaid Sergeant Juriaen Laecken, the aforesaid director-general and gentlemen of the council order the sergeant to depart on the same ship which brought him here. Done in New Amsterdam, 14 September 1654; present: the honorable Director-General P. Stuyvesant, Mr. Nicasius de Sille and Mr. La Montagne.

[371]Whereas Jan Lubbertsz, soldier, who arrived aboard the ship, de Beer, on [ ] July has competent handwriting and promises to apply himself diligently; therefore, he is hired as clerk with a salary of eighteen guilders per month and one hundred guilders annually for board. Done in New Amsterdam, 8 September 1654.

[372]Whereas the honorable director-general and council of New Netherland have heard the charge of the fiscal against Johannis van Beeq, a free merchant and resident of this city of New Amsterdam, defendant, who has been duly summoned by the court-messenger, Elslandt, in the name of the fiscal, to three different court sessions, because the aforesaid Johan van Beeck had himself married by an unauthorized countryman named Goetman Crab

who lives in Groenwits,<sup>207</sup> contrary to the praiseworthy laws and customs of the United Netherlands (as the fiscal further specifies and proves in his complaint), without the advice of the elders and against the prohibition of his legal guardian, the honorable director-general, and without previously publishing bans, and because the aforesaid van Beecq has failed to appear, the fiscal requests that the aforesaid van Beecq be condemned on the charge submitted at the session on the first of September 1654, and this by virtue of consummation; therefore, the honorable director-general and council of New Netherland, after invoking God's holy name, in the name and on behalf of [373] the noble High Mightinesses, the lords States-General of the United Netherlands and the noble lords-directors of the General Chartered West India Company, at the request of the fiscal, administering justice as they hereby do, declare the fiscal's charge to be true and lawfully based, and therefore the marriage of Jan van Beecq to Maria Verleth, solemnized at Groenwits and confirmed by an unauthorized person contrary to the praiseworthy laws and customs of the United Netherlands, and without previous publication of bans, is hereby declared by the honorable director-general and council illegal, and the aforesaid Johan van Beecq and Maria Verlett are ordered to separate and live apart under penalty of being punished according to the law against concubinage. Thus done at the session, 14 September 1654; present: the honorable director-general, Mr. Nicasius de Sille, Mr. C. van Werckhoven, Mr. La Montangne.

[374]

1 October 1654.

Copy.

If Mr. Johan Rysingh (presently commander in chief on behalf of the Crown of Sweden's people on the South River) should desire to come here at the request of Mr. Hendrick van Elswyck, the aforesaid Crown's factor, in order to settle some undesired differences, then this is to assure the aforesaid Mr. Hendrick van Elswyck that his honor shall have and enjoy all due cordial reception, treatment and departure, without any hindrance to his pleasures, his honor's own person and accompanying suite, property and vessels. Issued in haste under our usual hand and signature. Done at New Amsterdam, 1 October 1654, in New Netherland (was signed) P. Stuyvesant.

3 October 1654.

Appeared before me, Cornelis van Ruyven, secretary, Govert Loockermans, attorney for Jacob Visch to appeal a certain judgment of 22 September 1644 by the mayors and schepens of this city of New Amsterdam, which was handed down in the suit of Jacob Visch as plaintiff against Johannis Withardt, defendant.<sup>208</sup>  
Dated as above.<sup>209</sup>

[375]At the session, present: the honorable director-general, Mr. Nicasius de Sille and Mr. Johan La Montangne, it is requested

by the fiscal, Cornelis van Thienhooven, that Francis Gabriel, presently a prisoner, (being the servant of Willem Mosgrouw) be questioned and heard concerning any knowledge he may have about his master's shooting or killing and eating some hogs which belonged to other people. He answers, no, and says that he knows nothing about the person except good things. Persisting with this reply, he was returned to prison. 9 October 1654.

Cornelis van Thienhooven, fiscal, by virtue of his office, plaintiff against Elias Emmens, presently a prisoner; the plaintiff declares and shows that the prisoner was very headstrong and insolent [376] on 19 September, last past, before the house of the director-council, saying that he was abusive and unjust to him [ ] other similar expressions, and requests [ ] justice that the aforesaid Elias Emmens work one year with the [Company's] Negroes; the defendant requests a written copy of the charge, which is granted, to which he is to reply at the next court session. Done at New Amsterdam, 9 October 1654.

Johannes Dyckmans submitted a petition at the session which was acted upon as follows: The petitioner shall receive from now on f50:0 per month, which shall be recorded accordingly by the commissary.<sup>210</sup> Done at New Amsterdam, 9 October 1654; present: the honorable director-general and Messrs. Nicasius de Sille, La Montagne, and Cornelis van Thienhooven.

The magistrates at Midwout and Amesfoort submit a petition at the session, which is copied into the "Book of Petitions F," and is acted upon as follows:

[377]It is resolved upon the petition of the magistrates of Midwout and Amesfoort, concerning first the proposition to continue the teacher: that they must proceed in this matter according to the rules of the church and await the reply of the lords-directors to the petition made by the aforesaid magistrates or their commissioners. Meanwhile the director-general and council are satisfied that the present teacher, Do. Polhemius,<sup>211</sup> attend to the divine service among them, until further orders have been received from the fatherland; and they also agree that he shall enjoy a proper and honest salary in conformity with the teachings of Paul: that he who serves the altar, must live by it. Concerning the further request for assistance for a house in which divine service may be held: The director-general and council consent that some persons duly qualified by the aforesaid courts may solicit assistance from others and take up a collection, to which the director-general and council will contribute their share according to their means. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 13 October 1654; present: The honorable director-general, Messrs. Nicasius de Sille, La Montagne, and the fiscal, Cornelis van Thienhooven.

[378]Cornelis van Thienhooven, fiscal, by virtue of his office, plaintiff against Gerrit [Trompetter], presently a prisoner for [ ] committed against Anna Tymens, a servant girl. The fiscal, submitting his charge in writing, declares and demonstrates at the session that he, the prisoner, is the father of the child to which Anna Tymens gave birth on 9 October; also, that the aforesaid prisoner went to Anna at Hillegont's house around 10 o'clock at night on the [blank] of this month, and attempted to sleep with her which she refused. The aforesaid Gerrit then tried to force his will upon her by threatening her with an unsheathed knife. Therefore, the plaintiff concludes that the prisoner should be whipped with rods at the customary place; also, that all his wages and credited monthly allowances be confiscated for the benefit of the deflowered daughter's child, and the treasury to have rights to the prisoner's estate for the committed crimes. The prisoner confesses at the session that he had carnal intercourse with the aforesaid Anna Thymens; however, the threats are the drawn knife are unknown to him. It is ordered that the prisoner be returned to prison until the next session. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 13 October 1654; present: The honorable director-general and Messrs. Sille and La Montangne.

[379]Govert Loockermans, attorney for Jacob Visch, submits a certain petition at the session which is acted upon as follows: the petitioner's case of appeal is accepted on the condition that the secretary be paid what is necessary, and the parties are ordered to deliver their documents to us by this coming Tuesday. Done at the session, 13 October 1654.

At the session, present: the honorable director-general and Messrs. Nicasius de Sille and La Montangne, at the request of the fiscal, Cornelis van Thienhooven, hear and examine for the second time Francois Gabriel, the servant of Willem Mosgrou, presently a prisoner, who confesses that the hog, which was found lying in the meadow, was a young sow killed by his master inside his fence with a weedhook; and that his master had said, "Come help me carry it," and they put it down in a meadow; and that his master had said further that if it came out, I would pay. The prisoner declares further that yesterday Willem Mosgrou's wife appeared before the window at the guardhouse and told him that it was his fault that her husband has been locked up so long; also, that he, Francois, had eaten ham and bacon at his master's place in April. He was returned to jail. Done at New Amsterdam, 13 October 1654, in New Netherland.

[380]Whereas Mr. Hendrick van Elswyck, factor, on behalf of the Crown of Sweden and the South Company in the aforesaid kingdom, verbally requests permission to sell some hides (seized and detained in and with the ship, de Hay),<sup>212</sup> for which a good opportunity now presents itself; after deliberation, the director-general and council respond that they never intended nor designed, and do not now intend nor design, anything else with

their neighbors than fraternal harmony, friendly communication and commerce; therefore, they can easily agree that the aforesaid Mr. Factor sell not only the aforesaid hides, but also all other merchandise to his and his honorable master's profit, provided that the equitable proceeds be paid into the hands of the honorable attorney and counsel of the Chartered West India Company, the honorable Fiscal Thienhooven, until such time that we as representatives of the aforesaid Company are given proper restitution and legal satisfaction for the surprise and capture of our Fort Casumier with all its munitions of war, buildings and effects pertaining thereto, by Mr. Johan Rysingh, the aforesaid Crown's present commander on the South River; without any previous declaration of war or differences, it was surprised and attacked on the 30th of May, last past, and continues to be kept as of today, with all the private property and effects of our officers and private subjects, from the honorable Company and us, for which, in return, the director-general and council could do no less than seize and detain, without damage, the aforesaid ship and its cargo until, as stated above, restitution and satisfaction [381] has been given. In the meantime consent is given to the factor, as stated above, to seek profits with his masters' cargo, provided the proceeds be paid at full value into the hands of the aforesaid honorable attorney and counsel of the honorable director-general and high council held at New Amsterdam, 15 October 1654, in New Netherland; and was signed: P. Stuyvesant, N. de Sille, La Montange, C. v. Tienhooven.

Dirck van Schelluyne, attorney for Arent van Corler, plaintiff, against Mr. Thomas Spycer, attachee; the plaintiff concludes that the attachment be continued in order to affirm or deny his signature on the contract dated 26 June 1643 concluded between the aforesaid Corler and the attached.<sup>213</sup> If yes, the plaintiff requests a judgment for the full satisfaction of the aforesaid contract, namely, to deliver the leased farm in the same condition that it was received, or the plaintiff calculates his losses to the sum of f3000, requesting interest in addition to the losses, according to provisions in the conditions; and that the attachment not be removed except with sufficient security for your honors' judgment, with expenses. Having heard [382] this, the director-general and high council answer the [ ] as follows:

The aforesaid is to be placed in the hands of the parties, and it is ordered that the respective parties shall post security for the judgment and the proceedings resulting therefrom. Thus done at the session, 15 October 1654; present: the honorable director-general and Messrs. de Sille, La Montagne and Fiscal Thienhooven.

Whereas Mr. Johan Rysingh, on behalf of the Crown of Sweden, presently commander of the Swedish forces on the South River of New Netherland, on the 30th of May, last past, without having given us any previous indication or announcement of differences (as representatives of their noble High Mightinesses, the States-General of the United Netherlands and the noble lords-directors of the General Chartered West India Company) did surprise [383] the honorable Company's Fort Casimier with all its munitions, buildings and other effects belonging thereto; there-

fore, in return, we, the director-general and council of New Netherland could do no less than temporarily seize, detain and attack a certain Swedish ship called de Hay, a small flyboat of about 80 to 90 tons,<sup>214</sup> with the goods shipped in her, of which Mr. Hendrick van Elswyck from Lubeck, the highly esteemed Crown's factor, declares and represents himself to be the factor and master. This ship belonging, as the aforesaid factor has repeatedly declared before us, to the New South Company, which was established in the aforesaid Kingdom of Sweden, accidentally came into this North River of New Netherland on the 22nd and 23rd of last month, September, and was seized by us on the 25th of the same month. After this ship and its cargo of goods were brought up to this city, we, the director-general and council, notified and offered the aforesaid factor that if he could arrange with the aforesaid Mr. Johan Rysingh for the restitution of our Fort Casumier with the effects belonging thereto, we on our part would be inclined to restore the ship with everything therein and place her at his disposal, and to observe immediately all due neighborly friendship, communication and commerce with him and the subjects of the Crown of Sweden. The aforesaid Mr. Hendrick Elswyck, showing a very good disposition for the one and the other, only requested time to inform Mr. Johan Rysingh of it by letter and of our safe-conduct or pass for the aforesaid Mr. Rysingh or his deputy to come here for the settlement of the aforesaid differences. [384] This has been willingly and amicably granted and given to the aforesaid Mr. Elswyck at his request, and the aforesaid ship and its cargo of goods in the meantime has been left in the hands and under the control of the aforesaid factor or his deputy, taking away only the rudder. Also, two Company's servants have been placed with the ordinary ship's crew for the greater safety of the ship and goods; in addition, the aforesaid factor has been given permission, on his verbal request (as can be seen by our previous document dated the 15th of this month), to sell according to his desire, not only the goods claimed as his own, but also anything else for the profit of his lords-masters; however, the proceeds thereof are to be paid and delivered into the hands of the attorney and counsel of the Company, the honorable Fiscal Thienhooven, until such time as the above demanded restitution of the fort and other property of the Company has been made and carried out, according to justice and equity. In the meantime the aforesaid factor, having been summoned to the session yesterday, the 19th of this month, informed us that Mr. Johan Rysingh was not inclined to come here nor to send any deputies nor to surrender the surprised fort. Therefore, the aforesaid director-general and council consider it to be their duty and at the same time right, equitable and justifiable, to seize, detain and attack the aforesaid ship and its cargo of goods, under benefit of inventory made in the presence of the factor himself or his attorney and two impartial witnesses, until such time that they receive further orders and letters concerning the one and the other from their superiors; also, to store the durable and perishable goods in the honorable Company's warehouse, allowing the perishable ones to be sold either by the factor himself according to his desire or, in case of refusal, publicly [385] by the auctioneer to the highest bidder, or to have them appraised by impartial men as the factor thinks best. Concerning the ship: to have the same appraised by impartial men and to let the aforesaid factor choose whether he himself will post two or more of his men on board to guard her, or, if he refuses, to place two men on board at the expense of the interested party, until restitution is made by either side and the differences are settled, or further advice is received.

In addition to receiving a copy hereof, the factor will also be given a copy of the inventory in proper form for his benefit. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 20 October 1654, New Netherland; was signed: P. Stuyvesant, N. de Sille, La Montagne, Cor. van Tienhoven.

[386]INVENTORY taken today [ ] 1654 in the presence of Mr. Thomas Willett, captain [ ] resident in New Plymouth [ ] England and Mr. Poulus Leendersen van der Grift, schepen of the city of New Amsterdam, as impartial men requested thereto by the director-general and council of New Netherland on the one side; and Swen Huyck, lieutenant of the flyboat or ship called de Hay, commanded by Mr. Hendrick Elswyck, factor on behalf of the Swedish South Company, as he styles himself, on the other side. Therefore, in the presence of the aforesaid, the following was found in the aforesaid ship and unloaded in the roadstead before Fort Amsterdam in New Netherland:

In the First Hold.

One small barrel of coarse St. Ubes salt.  
 One barrel of white peas.  
 One barrel of tar, one third empty.  
 One rotten seine.  
 One barral of groats.  
 One rope of about forty fathoms.

One spritsail.  
 One fore topsail.  
 One mainsail.  
 One foresail.  
 One large topsail.  
 One foresail bonnet.  
 One mizzenmast.  
 One large bonnet, weathered and rotten.  
 One new mizzenmast.

[387]

One mainsail.  
 One lower foresail.  
 68 dead-blocks, large and small.  
 Two small topsail parrels.  
 One large parrel.  
 100 blocks, large and small.  
 Two dozen nails.  
 One pump of five feet.

In the Second Hold.

27 small barrels of flour, with one half barrel.  
 Nine small barrels of peas.  
 14 muskets }  
 Nine old swords } rusted  
 One small chest of tobacco pipes.  
 One small barrel and one small box of sugar.  
 Two small barrels of groats.  
 Two small barrels or ankers of pitch.  
 One hide, mostly rotten.  
 One pitch kettle.

## In the Third Hold.

14 small barrels of flour.  
 One anker of peas, spoiled.  
 One small barrel of groats, mostly spoiled.  
 One horse-line, half worn-out.  
 One newly reworked buoy rope.  
 One large single strandrope.  
 One old horse-line.  
 One old buoy rope.  
 One rusted sword.  
 One old piece of rope.  
 One rotten sail-rope.  
 One buoy rope.  
 One foresail rope of reworked materials.  
 One old sail-rope.  
 Two pieces of tackle.  
 Four spanning tackles.  
 [388]  
 Seven empty barrels.  
 One reworked line.  
 Two old spritsail sheets.  
 One old seine line.  
 Three spanning foresail tackles.  
 One piece of a spritsail sheet.  
 One new main-stay.  
 One old rotten fore topsail.  
 Eight bandeliers.  
 [left blank] lbs. of bread, good and spoiled.

The Ship Called De Hay.

62 feet long from stem to stern and 13 feet wide on the deck, with rigging and tackling, and all blocks in place as when it came in from the sea.

Two half worn-out and one new rope.  
 Two anchors, with one beam for both.  
 Two small iron cannons of two pounds iron, weighing together 1120 pounds, with their carriages and tackle.  
 Two cannon spoons.  
 Two copper pans.  
 Two small copper pots.  
 Two shark hooks.  
 Two halbards.  
 One harpoon.  
 Two crowbars.  
 Some old blocks.  
 Seven plated dead-blocks.  
 One whetstone.  
 One pewter bowl.  
 Two Swedish flags, one white and one colored.  
 One pennant  
 Three old short broadswords.  
 One medicine chest.  
 Two tarpaulins, five compasses and two nightglasses.

[389]We, the undersigned, attest and declare on [ ] truth that we have seen today [ ] above-written inventory of the ship, de Hay, being an old and leaky flyboat, of which two copies were made; the one deposited with the lieutenant of the aforesaid

ship and the other with the fiscal, Cornelis van Thienhooven, in whose presence this was recorded by order of the honorable director-general and high council of New Netherland. He further declares that nothing else was found or unloaded than what has been recorded. The document was signed by us at the request of the fiscal on 22 October 1654, aboard the aforesaid ship lying in the roadstead before Fort Amsterdam in New Netherland; and was signed: Bartel Jansz Constapel, Carel van Brugge, Barent Arentsz, Symen van der Straeten; below was written: Before me; and was signed: Cornelis van Thienhooven.

We, the undersigned, Thomas Willeth, Paulus Leendersz van der Grift, Oloff Stevensz, Pieter Schaeffbanck attest and declare at the request of the fiscal, Cornelis van Thienhooven, that we were asked to observe the receipt, weighing and delivery of the goods from the ship, de Hay; also, that Lieutenant Swen Huygen was asked many times to observe the receipt and weighing of the flour and other goods. Therefore, the aforesaid Lieutentant Swen Huygen declared in our presence that [390] the above-written inventory was taken [ ] presence and that he [ ] agree [ ] inventory with the aforesaid [ ] had taken into the ship, de Hay, [ ] word [ ] word; however, certain reasons prevent them from signing the aforesaid: they found the flour [ ] small barrels, weighing 15,750 pounds net. Whereas the flour is spoiled and almost worthless for human consumption, we estimated, in all fairness, it at 50 stivers per hundred pounds. This we declare to be true and so attest by our signatures. Done in New Amsterdam, New Netherland, 23 November 1654; and was signed: Tho. Willett, P. L. van die Grift, Oloff Stevensz, Pieter Schaeffbanck; in the margin was written: As witness: Adriaen van Tienhooven; signed: Jan Lubbersz.

In the year 1654, New Amsterdam, the 24th of October, at the request of the honorable director-general and council of New Netherland, Mr. Thomas Willett, captain and merchant from New England; Poulus Leendersz vande Grift, schepen of the city of New Amsterdam and Lourence Cornelisz, resident of the aforesaid city, being all seafaring men, appraised and valued, in the presence of the fiscal, the ship, de Hay, with everything found on board, as follows:

[391]First. Appraised and valued was the ship, de Hay, [ ] feet in length from stem to stern, 13 feet wide above on the deck before the [ ] mast, with rigging, all blocks, and just as before the ship, being old and leaky, came from the sea; to be worth the sum of ..... f1200  
 Two ropes, half worn-out, weighing about 2400 lbs.  
     at 2½ stivers ..... 300  
 One new rope, 1200 lbs. at 5 stivers ..... 300  
 Two anchors, 1300 lbs. at 4 stivers a lb. .... 260  
 One anchor beam, 100 lbs. at 5 stivers ..... 25  
 Two iron cannons, 1120 lbs. at 8 guilders ..... 89.12  
 Two carriages and tackle, one spoon ..... 6  
 Two copper pans, two ditto pots ..... 10

Two shark hooks, two halbards, one harpoon .....	2.10
Two crowbars .....	5
Some old blocks, with seven dead-blocks .....	13.10
One whetstone .....	3
One dish and one pewter bowl .....	2
Two Swedish flags, one pennant .....	10
Three old short broadswords .....	3
One medicine chest .....	5
Five compasses, two nightglasses, two tarpaulins .....	6
One anchor rope of about 40 fathoms .....	50

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Sum ..... f2290.12

[392] Carried over from the other side f[      ]

One large spritsail	}	All old and half worn-out .....	337
One fore topsail			
Two mainsails			
One foresail			
One large topsail			
One foresail bonnet			
One mizzenmast	}	weathered and rotten .....	10
One old bonnet			
One old foresail			

One new mizzenmast .....	60	
Fourteen muskets ..... f42 }	52	
Ten old swords ..... 10 }		
Two ankers of pitch .....	15	
One iron pitch kettle .....	8	
Two horse-lines .....	45	
Two buoy ropes .....	10	
One large single-strand rope .....	}	15
One old piece of rope .....		
One rotten sail-rope .....		
One foresail rope .....		
One old sail-rope .....		
One reworked line .....		
Two old spritsail sheets .....		

Two pieces of rigging .....	}	45
Four spanned rigging .....		

Seven empty barrels	}	worthless	
One old rotten topsail			

Three spanned foresail riggings .....	30
One new mainstay .....	25
Eight bandeliers, nothing special .....	4
One rotten boat, without pole.....	12

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Sum ..... f2958.13

[293] We, the undersigned, have today appraised and valued the ship, *de Hay*, and all the goods recorded herein, to the best of our knowledge and ability, and everything which we found of no

value; to the sum of 2958 guilders and 13 stivers. This which we, as impartial men asked thereto by the director-general and council at the request of the fiscal, Cornelis van Tienhooven, have signed. Done the 24 of October 1654 in New Amsterdam, New Netherland; and was signed: Tho. Willett, P. L. vandie Grift, Lourens Cornelisz; in the margin was written: Carel van Brugge, Claes van Elslandt, as witnesses.

In the presence of the above-signed persons, the following was appraised and valued:

68 dead-blocks, large and small .....	f10.4
2 topsail parrels .....	0.10
1 large parrel .....	1.10
100 blocks large and small mixed together .....	30
2 dozen wooden nails .....	0.14
One end of a pump, worthless .....	0.0

The hard bread was spoiled and not fit for human consumption, estimated at 100 lbs., f2.10; below was written: Acknowledged by me; and was signed: Cornelis van Ruyven, secretary.

[394]We, the undersigned, attest [ ] today, date underwritten, the copy [ ] attached inventory of the ship, *de Hay*, [ ] a resolution<sup>215</sup> by the honorable director-general and council of New Netherland dated 20 October 1654, which was placed in the hands of the factor, Mr. Hendrick van Elswyck by the secretary, Cornelis van Ruyven, promising to confirm the same by oath if required. Done at New Amsterdam in New Netherland, 26 October 1654.

Honorable, Discreet and Very Esteemed Gentlemen:

Whereas it has pleased God to end the short, but nevertheless, bloody conflict between such old friends, allies and co-religionists, and to transform it into a closer union, firmer friendship and closer alliance than has ever existed between the two nations, of which we in this American wilderness (God be thanked) shall enjoy [395] the desired benefits, yet still considering the present constitution of the world and its sudden changes, we, therefore, deem it our duty and that of others, whom God has placed in authority, to take all possible care, which our knowledge and power may allow, that jealousies and misunderstandings between nation and nation, especially when believing in the same religious doctrine, should be avoided or made impossible, and in their place a new alliance be made, by which the subjects of either might be assured and confidently attend each to his business. If this is necessary in some places of the world between nations, how much more it is the case in these remote quarters between your honors' subjects<sup>216</sup> and our subjects, who have been called and placed by God's providence into a barbarous wilderness beyond the reach and help of friends, left to themselves among numerous savages, who seek only the ruin and destruction of both, and would accomplish it, if they were not

restrained by a higher power. Before and during the European differences, we [396] addressed several letters to this effect and made friendly overtures to your honors and the other neighboring governments, declaring repeatedly our real intentions in this matter, which we still maintain. If our affairs had permitted, we would have presented ourselves or sent deputies to the general assembly of the honorable commissioners, had we had timely notice of the day and place of the meeting; however, with great regret, we must now postpone it until better circumstances permit. In the meantime, we are duty bound to remind and inform your honors, in a neighborly and friendly way, that some of your honors' subjects are beginning to form settlements far within our boundaries on land bought and paid for by us a long time ago, both on Long Island at Schout's [397] or Marten Gerritsz' Bay and on the mainland opposite the white stone less than two miles from Manhattan Island. We do not know by whose authority and under whose commission they do this nor whether it is with or without the honorable commissioners of New England; however, we hope it is without their knowledge, because it would be quite contrary to the agreement made between their deputies and ours at Herfort.<sup>217</sup>

We dislike very much to broach anything which might increase the jealousies between our nations in this country; however, our honor and oath forbid us to ignore or allow such illegal encroachments and usurpation of lands bought, paid for and partly settled and inhabited by us, without doing something to prevent it. By the authority and detailed instructions both from the lords States- [398] General, our sovereigns, and the lords-directors, our masters and patroons, we are further compelled to resist these illegal encroachments and appropriations with all possible force and means, [if] the high administration of New England, herewith once more requested thereto in a friendly manner, [does not interfere.] Before we undertake this, we have resolved, in order to prevent further troubles, first to have the Company's law officer, our fiscal, issue an interdict to all these usurpers, summoning them to desist in their activities and to depart. We request that your honors, as neighbors, most kindly and earnestly assist us herein and await your reply, offering our humble services in similar and more or less important matters. In closing, after salutations, we commend your honors to God's protection [399] and [blessing], and remain your honors' friend and neighbor; was signed: P. Stuyvesant; dated: 26 October 1654.<sup>218</sup>

Whereas Willem Mosgrou lived for some years on Long Island in the Walloon quarter<sup>219</sup> and then in Gravesande where there were constant rumors that he shot, carried away and ate other people's hogs; consequently he was forced to leave there and came to live on Manhattan Island. Before his arrival, there were few if any complaints by the husbandmen and farmers [400] [ ] lost hogs or [ ] and then such a small [ ] now it happened that the common husbandmen and farmers all began complaining that since Willem Mosgrou's arrival here they have not dared to let their hogs pasture in the woods, because as soon as they come near the Wolvegatt<sup>220</sup> (the name of the place where Willem Mosgrou lives), they stay there and are never seen again; therefore, at great expense, they have to keep their hogs at home. Also, the fiscal has proven at the session with reliable witnesses that the aforesaid Willem Mosgrou killed another man's hog on his land, which

tends to the great prejudice of the inhabitants of this province and its agriculture. Therefore, the fiscal has entered his charge and recommendation on and against the aforesaid Willem Mosgrou, and requested that he be banished from this province forever and that he pay for the slain hog together with the court costs and a fine for the profit of the [401] officer. The director and high council, having seen the [ ] of the fiscal and heard the defense of Willem Mosgrou and his confession, and having carefully considered everything pertaining to this dangerous case, at the request of the fiscal and for the satisfaction of the complainants, in the name and on behalf of their High Mightinesses, the States-General of the United Netherlands, the honorable lords-directors of the General Chartered West India Company, lords and patroons of this province, administer justice to the aforesaid Willem Mosgrou by condemning him herewith to depart from this province of New Netherland with his wife and servant, Francois Gabriels, within 14 days and never to return upon pain of arbitrary punishment; in addition, to pay the court costs and for the slain hog. Thus done at the session of the honorable director-general and high council of New Netherland held in New Amsterdam, 20 October 1654; and was signed: P. Stuyvesant, N. de Sille, La Montangne.

[402]Dirck van Schelluyne, attorney for Arent van Curler, plain-defendant; the defendant requests a 14 day delay to answer the plaintiff's charge. This is granted to him by the director-general and high council, 20 October 1654, New Amsterdam.

Cornelis van Thienhooven, fiscal, by virtue of his office, plaintiff against Thomas Hal, defendant; the plaintiff demands satisfaction for some smuggled malt. The defendant answers that he bought and paid for the same from Thomas Willeth, who instructed him to fetch it from Thomas Santfoort's bark.

Mr. Willeth, examined at the session, acknowledges selling the malt to Thomas Hal for the account of a young man named Thomas Santfoort, and [says] that Thomas Hal fetched it from the ship.

The honorable director-general and high council, having seen the charge of the fiscal and heard the answer of the defendant, have ordered that the defendant, Thomas Hal, pay to the receiver the tariff on the aforesaid malt and to settle the [403] dispute with the treasury. Done in New Amsterdam, 20 October 1654; present: the honorable General Petrus Stuyvesant, Mr. de Sille and Mr. La Montangne.

20 October 1654, New Amsterdam.

Dirck van Schelluynne, representing Govert Loockermans as attorney for Jacob Visch, plaintiff in the case of appeal against Johannes Withardt, defendant; the parties are ordered to exchange copies of the papers. Dated as above.

Whereas Gerrit Tides van Norden in East Friesland, about 33 years old, trumpeter and household servant of the [404] honorable director-general, presently a prisoner, [ ] (still [ ] married and has a wife) in the aforesaid lord general's house [ ] deflowered and made pregnant a [ ] young girl named Anna Thymens, one of the aforesaid lord general's maids; and whereas, in addition to the adultery, has brought dishonor, scandal and shame to his master's house, against whom the fiscal, Cornelis van Tienhooven, as plaintiff and law officer, has brought legal action; therefore, the director-general of New Netherland, having heard the charge of the fiscal and the confession of the prisoner, and having examined everything thoroughly, find the action to be of evil consequence which cannot be tolerated in just countries; thus, administering justice in the name of their High Mightinesses, the lords States-General of the United Netherlands, and the noble lords-directors of the General Chartered West India Company, have sentenced and condemned the aforesaid Gerrit Tides, as they hereby do sentence and condemn, to be brought to the place where justice is customarily administered and there to be severely beaten with rods, [405] and in addition to pay the sum of 300 guilders to the [ ] of the deflowered maid. Done at the session of the honorable director-general and high council held in New Amsterdam, 27 October 1654; and was signed: P. Stuyvesant, N. de Sille, La Montangne.

A petition of Andries Harperts (copied in the Book of Petitions)<sup>221</sup> was read at the session, in which he requests permission to purchase from the natives a small island opposite Fort Orange and as much woodland on the east bank of the river for a proper farm, so that he may take possession of and cultivate it as is befitting. After consultation, it was decided to grant the petitioner's request because the island in question has been used as a thieves' den by the Indians [406] [to conceal their plunder,] to the great prejudice of the inhabitants of Fort Orange and the village of Beverwyck. Done at the session of the honorable director-general and high council held in New Amsterdam, 27 October 1654; and was signed: P. Stuyvesant, Nicasius de Sille, La Montangne, Cor. van Thienhooven.

The Noble Lord General, Director  
of New Netherland, and the  
Gentlemen of the High Council.

Highly esteemed gentlemen.

Your noble honors are aware that, when on the 12/22 of last September<sup>222</sup> I arrived in this river of New Netherland with the ship, den Gulden Hay,<sup>223</sup> entrusted to me [407] by the Royal Swedish Board of Commerce on behalf of the honorable South Company, I sent some of my people in a boat here to New Amsterdam, as to our good friends and neighbors, to hire a pilot, who for a monetary consideration would guide us to the South River. When they (both born Swedes) arrived here, not only were they immediately taken as prisoners to the guardhouse and I removed from my post by the honorable vice-commander with eight musketeers, and escorted to the house of Sergeant Daniel Litschoe, but the aforesaid ship was also taken out of the Raritans Kil by the honorable director-general himself, our flag taken down from the staff and the ship constantly occupied by soldiers. Although it is now claimed that the honorable Jan Rysingh, director of the government of New Sweden, [408] has taken your honors' alleged Fort Casumieres, and that for this reason your honors have seized this ship with its cargo, such a pretext has no basis or foundation whatsoever, because the aforesaid fort was erected on the South River by your honorable director-general, more by force than with justice and equity, on the land and soil of Her Royal Majesty, our most merciful queen, against which our previous governor, Mr. Johan Prince, protested; therefore, the aforesaid Governor Johan Rysingh has not taken it from your honors, but has only repossessed himself of that which belongs to Her Royal Majesty of Sweden. It shall never be proved that he has taken anything of value from any of the private parties among these subjects; however, when the freemen living there, desired to remain and took the oath of allegiance, everyone has had his possessions protected, and what is more, none of those, who lived there and wishes to move back here again, has been detained by the honorable governor, but everyone is free to depart with all his property wherever he desires. However, I now experience the exact opposite here, because not only has my lords-superior's ship and cargo been detained but also my own private things been taken away (which I have already sold to others and for which the money is [409] forthcoming). Therefore, no just sensible man could find fault with us if we were to do the same with the private parties' goods as the honorable director-general presently demonstrates to us. I understand that my lords-masters' ship and cargo is partly being appraised here by people commissioned by the honorable director-general, and that this shall be continued; therefore, I herewith declare expressly that I have not delivered nor allowed to be delivered by my people to your honors either the ship or any cargo, whatever it may be called, but rather that I must presently submit against my will to what is done or may be done hereafter, because I am unable to prevent it. I am also extremely dissatisfied, on behalf of my lords-superiors, with the appraisal, but consider the damage received by unloading the ship, for good and important reasons, to be ten times as much as this ship and cargo are worth. Therefore, I protest herewith in optima forma against your honor and the high council for all the damages and inconveniences done hereby to my lords-superiors and yet to be done, and remain, except for the bounden duty [410] towards my lords-superiors, the obedient servant of the director-general and high council; and was signed: Hendrick van] Elswyck, factor of the honorable South [Company]; below was written: The honorable notary<sup>224</sup> will [please to deliver this] protest to the honorable general in the presence of both witnesses and bring me a receipt for it; in the margin was

written: Done in New Amsterdam, New Netherland, 1654, 17/27  
 October; below was written: Agrees with the original; and was  
 signed: Cornelis van Ruyven, secretary.

Answer to the preceding protest:

We reply to the unfounded protest of Mr. Elswyck, factor on behalf of the South Company of the Kingdom of Sweden, that although his honor claims that he made land in this river through carelessness or wanton malice of his pilot, and had sent his men "as to good friends and neighbors," we have yet to perceive this in the hostile acts of Director Rysingh, who arrived under guise of friendship before our Fort Casimier on the South River of New Netherland, fired two shots in salute, then sent thirty men ashore, who [411] were received and welcomed as friends and neighbors by our commander and other officers. When they saw the weakness of our garrison, they treated the few soldiers of their High Mightinesses, the Lords States-General and the West India Company not as friends and neighbors of the Crown of Sweden, but disarmed them as open enemies, taking even their side-arms contrary to all military practice; took possession of Fort Casimier in a hostile manner, with all the munitions, buildings, materials and other effects of the aforesaid West India Company, and holds it still; diverted and released from their oath and allegiance some of our officials and almost all the freemen, bound to us as representatives of their High Mightinesses, the lords States-General and the lords-directors of the General Chartered West India Company by their oath, duty and allegiance as subjects, accepting them into the allegiance of the Swedish Crown. For brevity's sake we shall pass over the damages, injuries, affronts, insults, hindrances and usurpation of the land, streams, rivers etc. (which we purchased, paid for and to an extent settled) by the aforesaid Crown's previous officials.<sup>225</sup> The arrival of the ship in the wrong channel - a course well-known to the pilot - but running an unfamiliar passage behind Staten Island towards the Raritans Kil; these and many other things truly do not imply the arrival of friends and neighbors, but of spies and enemies. Therefore, we, the director-general and council of New Netherland, obligated by our oath and duty to protect our property and to recover what has been taken from us, could do no less than to secure ourselves against false friends, [412] in order to prevent further damage. Nevertheless, we treated the honorable protestor and the native Swedes not as enemies and prisoners but as free neighbors and friends, lodging the honorable factor in the best and most prominent inn with a citizen, Sergeant Daniel Litschoe, allowing him liberty and freedom to leave and move about, to converse and to trade where and with whom he pleased, which can be proved by witnesses and by documents here attached under the letter B.<sup>226</sup> The passengers and crew, without distinction of nationality (except for former officials of the West India Company), were left undisturbed in their oath and duty; and, according to the freedoms of this province, allowed to remain or depart for wherever they pleased. The reasons and motives why the ship, de Hay, was seized by the honorable General and is still detained by the director-general and council are shown in the resolution, of which a copy, attached here under the letter C,<sup>227</sup> is given to the factor. In the meantime, we have granted to Factor Elswyck, upon his verbal request, a free and friendly pass for his superior, the honorable

Director Rysingh or his deputy, so that he may come here to settle the several differences, as appears by the attached document under the letter A.<sup>228</sup> We further allowed the aforesaid honorable factor to dispose of and sell the goods of his lords and masters, and offered to return the ship and cargo, provided that the captured Fort Casumier and its effects be returned to us, as appears by the document under the letter C; and failing to do this, or in case of refusal, we shall have the ship and whatever belongs thereto, until further [413] orders, guarded, inventoried and appraised for sale, depositing the proceeds and giving him a receipt for it in proper form. This we are still offering, as appears by the document under the letter C and the following. Under similar circumstances no neighbor could wish for more.

That Mr. Elswyck goes on to say that Fort Casumier was built more by force than legally upon Her Majesty's ground and soil, is totally unfounded and incorrectly alleged; it has never been proved nor shall it be proved now. However, it is true that his honor, Governor Jan Prins protested against it verbally and in writing, but he never demonstrated nor proved any right to the land upon which Fort Casumier was built, either by possession or by purchase or by grant. But, on the other hand, we offered the aforesaid Mr. Prins, as we again offer the protestator and all whom this may concern (here in this country and not in The Hague or in Stockholm, which would be pointing out a tree to a magpie)<sup>229</sup> to show and prove with authentic documents and the testimony of impartial Christians and natives of this land, who are still living, the undoubted right and ownership of their High Mightinesses, the States-General, and lords-directors to the territories on the South River, and this by virtue and right of first discovery, oldest and first possession, sealed with the blood of our nationals and [414] guarded by several forts, both on the east and west side, below, above and in the middle of the river,<sup>230</sup> and acquired by legal purchase, grant and conveyance of various areas from the original owners, even of the territory upon which Fort Casumier was erected; however, we do not base our undoubted title to the entire South River alone and absolutely hereon, but on our original and first discovery and possession many years before any other Christian nation,<sup>231</sup> the Swedes themselves not excepted, who in the year 1638 began to settle on this, our South River of New Netherland, as can be learned in detail by the written answer sent to Governor Prins, a copy of which is here attached under the letter E.<sup>232</sup> Therefore, let this also serve as a reply to the present unreasonable protest, without making it necessary to extend this reply further on this matter; but, because we trust that Her Royal Majesty of Sweden has never been truly and accurately informed of the entire affair by Her Majesty's officers concerning their High Mightinesses' right by virtue of oldest and first possession for the entire South River, nor of the honorable lords-directors' ownership of most of the territory on the aforesaid river, both on the east and west side, acquired from the legal owners, the natives of this country, by purchase and grant at [415] different times and places, much less [know] of the answers given to the honorable Governor Prins' protests; therefore, we do not blame Her Royal Majesty, although Her Majesty might have issued the order and commission to Mr. Rysingh for the hostile act of attacking and surprising our Fort Casumier and keeping it with all its munitions. This we do not believe to be in keeping with Her Majesty's high wisdom and extreme discretion.

Therefore, we hereby protest not against Her Royal Majesty's order and commission, but against her officials and officers in this country, both former and current, for their misinformation

as well as for all their insults, injuries, damages and hostile assaults, formerly and now, committed against the honorable Company's offices; especially the last hostile attack of Mr. Johan Rysingh in surprising and keeping the aforesaid Fort Casumier with all its buildings, munitions, materials and other effects, disarming the Company's officers and depriving them even of their sidearms, contrary to all neighborly and general military convention. It is not within our power to estimate the insults, injuries and damages sustained thereby, which might have turned out [416] so much greater, more injurious and critical for the Chartered West India Company, because the fort was surprised just at that time when we and our nation were the weakest, and powerless to face two such powerful neighbors attacking and threatening us on both sides at the same time. Therefore, the director-general and council of New Netherland hereby declare themselves innocent of all inconveniences, misfortunes and bloodshed, which have been or hereafter may be the result of such violation and diminution of all old friendship and neighborliness by the present Mr. Johan Rysingh and other officials of the General Board of Commerce on behalf of the South Company of the Kingdom of Sweden.

We request that the notary, Dirck van Schelluyne, and the accompanying witnesses communicate this in the presence of the honorable fiscal, Cornelis van Thienhooven, as our reply to the unfounded protest of the honorable factor, Johan Elswyck;<sup>233</sup> and, as our counter-protest, to acquaint him with it and give him [417] and all whom it may concern a copy hereof, authenticated in debita forma. Done at New Amsterdam in New Netherland, 27 October 1654; and was signed: P. Stuyvesant, N. de Sille, La Montagne, Cor. van Thienhooven.

At the session, present: the honorable director-general, Petrus Stuyvesant, Mr. Nicasius de Sille, Mr. La Montagne and the fiscal, Thienhooven; upon a petition submitted by Ritchert Bridenel, copied in the Book of Petitions, folio [left blank],<sup>234</sup> it is ordered that the petitioner be granted permission to take possession again of the land sold by him to Robbert Clercq, provided that he deposit in the hands of the fiscal, Cornelis van Thienhooven, the f220 which he received for it. Done at New Amsterdam, 28 October 1654.

[418]The director-general and council of New Netherland have examined and carefully considered the complaints and testimony by the magistrates of the village of Middelborgh, submitted against the person of Willem Becker from Wesel,<sup>235</sup> presently a prisoner for the manslaughter of Ritsert Coolfax, who presumably came to a very unlucky end on Tuesday the 6th of October; however, he was not found until 8 or 9 days later. Because his body was full of worms and rotten, the people of Middelborgh buried him before the fiscal could come by; therefore, he is uncertain about how and in what manner he died. However, it appears by the papers that the aforesaid Ritchert Coolfax went out shortly after midday on Tuesday, the 6th of October, and about two hours before sunset met another Englishman named [left blank] who was looking for his cows. Together they smoked a pipe of tobacco and drank, and then he said to the aforesaid Englishman, "I'm going on a bit farther to see if I can shoot a deer and then I'm going back home." From

these circumstances and the intentions of the deceased Coolfax, it can be deduced with some certainty that it happened shortly thereafter; [419] God alone now knows how he met his end. Whereas the 12 sworn men, named to the jury by the magistrates of Middelborgh, decided that he was shot and some of them, even some of the magistrates of the aforesaid village of Middelborgh suspected that the aforesaid Willem Becker, presently a prisoner, might have done it, because of some threatening words between Coolfax and the prisoner, Becker, partly caused by the well-known differences and jealousies between nations;<sup>236</sup> therefore, the director-general and council had the deponents, who offered this circumstantial evidence brought in, and, on the other side, the declarations of three impartial persons advantageous to the prisoner. [The latter] showed and declared under oath that the aforesaid Willem Becker, presently a prisoner, (on the aforesaid Tuesday and about the same time that Coolfax presumably met his end) was at his and their farms, about a mile distant from the place where the body of Coolfax was found. Therefore, the director-general and council decide that the circumstantial evidence is not sufficient to cause the prisoner to be more rigorously examined; however, the director-general and council agree that the prisoner should be returned and turned over [ ] aforesaid village of [420] Middelborgh, who [ ] prisoner in hand, [ ] on the condition that the court costs [ ] or if more proof is brought against him, according to form, allowing the prisoner the right of appeal, if he so desires. Thus done at the session of the honorable director-general and high council held in New Amsterdam, 28 October 1654; present: the honorable director-general, Mr. Nicasius de Sille, La Montangne.

Cornelis van Thienhooven, fiscal, by virtue of his office, plaintiff against Andries Matthias, presently a prisoner for drawing a knife and other instances of gross insolence committed at the house of Sergeant Daniel<sup>237</sup> against the Swedish factor, Mr. Hendrick van Elswyck; the plaintiff submits his written charge, requesting that the prisoner be brought to the place where justice is customarily administered, and [421] there to be hanged until dead. The prisoner replies, "I am at the mercy of you gentlemen who may do as you please. I prefer to be hanged than be further injured, because I have to earn my living with my hands."<sup>238</sup> Furthermore, he confesses to have committed that which the fiscal has accused him with; however, he says that the Swedish factor, Hendrick van Elswyck, attacked him first and kicked him so that he fell down next to the fire.

The director-general and council grant the prisoner 24 hours to bring in anything which might be used to spare him. Done at New Amsterdam, 5 November 1654; present: the honorable Director-General Petrus Stuyvesant, Mr. Nicasius de Sille, Mr. Montangne, Cor. van Thienhooven.

At the session it has been resolved: whereas some English begin to settle and establish villages [422] (far within our boundaries upon land bought and paid for by us a long time ago) at Vreedland,<sup>239</sup> the law officer of the honorable Company, Fis-

cal Cornelis van Tienhooven, shall issue an interdict, ordering them to desist from further activities and to depart. Done at New Amsterdam, 5 November 1654, in New Netherland.

Andries Matthias was brought for the second time to the session, and defended himself against the fiscal's accusation by saying that the Swedish factor kicked him first and called him a scoundrel, thief and bloody dog. He went on to say that whatever the gentlemen did, was fine with him. "I have no choice." He said further that the factor told him in Porto Rico, "I forgive what you did to me, but when we reach our destination I want justice." Whereupon Andries replied, "Thank you, I'll take you where the sea won't overwhelm you." The director-general and council, Poulus Leendersz and Oloff Stevensz, schepens, agree that the aforesaid Andries Matthias be returned to prison.

[423]

The following document [ ] a petition of Reynier [Wissel-penningh] which is copied in the Book of Petitions, folio [left blank].<sup>240</sup>

The director-general and council of New Netherland, having seriously considered the well-known reasons of the petitioner which are put forth in detail in his request, grant the petitioner hereby that the creditors of his deceased wife not be allowed to collect from him, the petitioner, for a period of three consecutive years, the debts incurred by her first husband, Symon Roott; provided that the petitioner, in the meantime, do his best and consider means to be able to satisfy the aforesaid creditors or to come to an agreement according to the law. Thus done under our usual hand and seal in New Amsterdam, New Netherland, 6 November 1654; and was signed: P. Stuyvesant, N. de Sille, La Montangne.

[424]After reading the letter from the honorable lords-directors, the director-general and council have resolved to rent the house of Dr. Allerton in order to lodge therein the children sent over by the poormasters, and direct [Peter] le Feber (who has rented the same house) not to move in for this and other important reasons. Thus done at New Amsterdam, 9 November 1654; and was signed: P. Stuyvesant, Nicasius de Sille and La Montangne.

Copy. The court-messenger is hereby ordered and authorized, in the name of the honorable director-general and high council of New Netherland, once again to summon the person of Pieter Le Feber not to proceed with moving into the house of Dr. Isaac Allerton in order to live there; but, upon sight of this, to hand over the keys, because the director-general and council intend to rent the house for their use, on the account of the honorable

Company for reasons known to them. Thus done at the session of the honorable director-general and [425] high council held in New Amsterdam, [9 November] 1654, in New Netherland; was signed: P. Stuyvesant; below was written: By order of the director-general and high council; signed: Cornelis van Ruyven, secretary.

Copy. Director-General Petrus Stuyvesant and the high council of New Netherland, having summoned here the court-messenger, Claes van Elslandt, give greetings. Whereas Pieter Jansz has complained that in his absence the schout of Gravesande removed a trunk and a gun from his house, as a result of a certain debt, without even his adversary settling with him or bringing the aforesaid director-general and council, being ignorant of the truth, hereby order you, the court-messenger, to summon the aforesaid schout and other parties disposed against him, to appear at the next court session, being Tuesday the 17th of this month, to explain the seizure of the aforesaid goods; in the meantime, [ ] neither against him nor against the aforesaid [426] goods, until the aforesaid schout and the adversaries [ ] have appeared before us. Done [ ] in New Netherland, 10 November 1654.

The honorable director-general and high council, have received the nominations made by the general inhabitants of Heemsteede, from which their honors are to elect and confirm two persons to serve as magistrates for the ensuing year; therefore, from the nominated persons, namely, Mr. Sticklan, John Sumon, Robert Asiman and Henry Pearsall, have been elected and confirmed John Symons and Robberdt Assiman. Done at New Amsterdam, 10 November 1654.

[427]Worthy and good friends.

From the nominated persons, submitted to us, we have elected and confirmed John Symons and Robberdt Assymon for the ensuing year; however, as stated before, we would consider it more proper to have an uneven number rather than an even one, in order to decide all disputes and differences. Therefore we think it would be better for the peace of the village to add a third person to the aforesaid magistrates and await the village's nomination made thereto at the first opportunity. In the meantime, we commend your honors to fear God, honor the magistrates and obey both; relying hereon, we remain your honors' devoted governor and friend; was signed: P. Stuyvesant; dated: 10 November 1654, New Amsterdam; addressed to: The general inhabitants of the village of Heemsteede.

The director-general and high council, Poulus Leendersz and Oloff Stevensz, schepens, have heard the charges of the fiscal

against Andries Matthias [428] for insolence, injuries and impudence [ ] Andries Matthias committed against [ ] justice and his factor; and having considered everything of merit, condemn him, for [ ] reasons which can be seen in more detail in the sentence,<sup>241</sup> to be taken this Saturday to the place where justice is commonly administered and there to be beaten with rods, and then banished from the province for a period of 25 years. Done at New Amsterdam, 13 November 1654; and was signed: P. Stuyvesant, N. de Sille, La Montange, P. L. vander Grift, Oloff Stevensz.

At the session was read a petition of Pieter Jacobsen, Guert Thysen's lieutenant, requesting some munitions because he has his bark ready to sail. After consultation it was decided to provide him with 200 lbs. of gunpowder. Done at New Amsterdam, 13 November 1654; and was signed: P. Stuyvesant, N. de Sille, La Montange.

[429]Whereas Andries Matthias from Pom[ ],<sup>242</sup> presently a prisoner, was seen on 28 October, last past, at the house of a militia sergeant named Daniel Litschoe, in a violent manner, beating and attacking with an unsheathed knife in his quarters his master and commander, Mr. Hendrick van Elswyck, factor on behalf of the laudable Crown of Sweden, so that those who were present had to save the aforesaid factor and prevent the evil intentions of the aforesaid Andries. The aforesaid Andries, not being satisfied with this, then cursed in a base manner the aforesaid factor and the Swedish nation in general, saying, "You Swedes are all a bunch of scoundrels and beggars," and other base profanities; in addition, while escaping from the fiscal over the clapboards<sup>243</sup> onto the Heere Straet, Andries Matthias pointed out his backside to the fiscal and the servants of the court by lifting his leg and slapping it, as can be seen in more detail in the declarations pertaining hereto. Furthermore, the aforesaid Andries Mattias was publicly punished here at the roadstead in 1648 for various crimes. Afterwards, not having improved, [430] he was put in prison at various times here in New Netherland [ ] for his wicked life [ ] which imprisonments he [ ] many times by breaking the locks and escaping then from the prison, making him worthy of punishment. Therefore, the honorable director-general and high council, in the presence of two magistrates of this city, having read, examined and heard the charge of the fiscal, the attached information, the defense and confession of the prisoner, Andries Matthias, and having considered everything pertaining thereto, find the actions to be of great consequence; whereupon, for the maintenance of justice, after evoking God's name, we administer justice, in the name of their High Mightinesses, the lords States-General of the United Netherlands and the honorable lords-directors of the General Chartered West India Company, by condemning the aforesaid Andries Matthias to be taken to the customary place of justice and there beaten severely with rods, and then banished from the boundaries and jurisdiction of New Netherland [431] for the period of 25 years. Thus done at the session of the honorable director-general and high council held in New Amsterdam in New Netherland, 14 November 1654.

Pieter Jansz, plaintiff, against the schout of Gravesande, defendant; the plaintiff requests restitution and reimbursement for damages because the aforesaid schout removed a chest and a gun from his house in his absence.

The defendant replies that the aforesaid Pieter Jansz, in his presence, agreed to settle a debt with Lubbert Gerritsz by paying the sum of f26, the value of which Pieter Jansz was to pay in grain. Whereas the aforesaid Pieter Jansz has neglected to settle in the agreed upon time, although warned to do so several times, the aforesaid goods (being qualified thereto) were seized and sold in public to the highest bidder, in order to derive the aforesaid sum of money therefrom.

[432]The director-general and high council, having heard the [                    ], agree that the schout has properly executed his [                    ] by selling some goods of Pieter Jansz and, therefore, condemn the aforesaid Pieter Jansz to pay the court costs and also to pay the aforesaid schout f6 for his troubles. Thus done at the session of the honorable director-general and high council of New Netherland, 17 November 1654, New Amsterdam; present: Director-General Petrus Stuyvesant, Mr. Nicasius de Sille, Mr. La Montagne.

At the session appeared Pieter Le Feber who was given notice that he was not to come here to live without first requesting and obtaining permission thereto, for reasons known to the director-general and council. Thus done at New Amsterdam, 17 November 1654, in New Netherland.

[433]At the session the schout of Gravesande was given notice that the honorable director-general and council intends to visit Gravesande next Monday, being the 23rd of November, and that he was to alert the inhabitants to remain at hand at this time. Dated 17 November 1654.

The director-general and high council of New Netherland, to all who see or hear this read, greetings. Let it be known:

Whereas we have been informed and told, on behalf of the farmers of the wine and beer excise, that some inhabitants, residing within as well as outside the jurisdiction of Fort Orange and the village of Beverwyck, lay in, transport and store wines and beers without receiving from or showing to the farmer or his collector a certificate, from which much fraud and smuggling must follow; therefore, in order to prevent this, we hereby ordain and order that no one, regardless of his capacity, [434] shall transport, store, remove or lay in any wines, brandies, liquors or [strong beers] before and until he receives from or shows to the farmer, collector, or someone else appointed thereto, an excise certificate, upon which is indicated whether such wines, liquors and beers are being fetched, transported, laid in or stored for a tapster or for a citizen, on pain of forfeiting such wines,

liquors or beers and five times the value thereof. Done at New Amsterdam, 18 November 1654; and was signed: P. Stuyvesant, Nicasius de Sille, La Montangne.

At the session appeared Pieter Hartgers, in the capacity of representative of the magistrates of Fort Orange and the village of Beverwyck, who proposed and requested, both verbally and in writing, the following, to which the honorable director-general and council responded, as is written in the margin:<sup>244</sup>

[435]

1.

That the new Company building might be completed as soon as possible, which they cannot do for lack of funds.

The magistrates are hereby authorized to remind Abraham de Timmerman,<sup>245</sup> who has contracted for the work and been paid the greater part, of his duty, and if he still remains careless, to compell him according to the demands of the work. The magistrates can make contracts for the rest to the best advantage of the Company.

2.

That six soldiers be sent upriver to walk the rounds and perform other duties; and that for their maintenance, two stivers are requested from each exported beaverskin, which would be deducted at the Company's office when the duties are paid.

The soldiers shall be sent to the commissary; the request for two stivers from each beaverskin is denied.

3.

A quantity of gunpowder is requested for Fort Orange and the small garrison there.

The commissary, Carel van Bruggen, shall be instructed to send 200 lbs.; also, to write to Dr. Abraham Staats to turn over the remainder of the 100 lbs, which was last sent, to the magistrates there, provided that proper accounts be kept and shown of that which was previously sent.

[436]

4.

That it has been necessary to farm out the tapsters' excise on wine and beer, in order to prevent smuggling.

This is approved by the director-general and council.

5.

That some new areas for lots be laid out, because the previously laid out lots are all occupied.

The director-general and council have conferred with Pieter Hartgers about this and have given him instructions.

## 6.

Amplification of the instructions given to the magistrates of the court of Fort Orange and the village of Beverwyck by the director-general and council is requested.

They are first to indicate which points of the instructions require amplification.

## 7.

That the messenger, Pieter Ryverdingh, receive something as a monthly salary.

He is to receive for a salary f150 yearly.

## 8.

That the magistrates receive a salary for their service and loss of time.

The director-general and council agree that the magistrates should enjoy a remuneration for their service and loss of time according to the decision made on their request of 13 May 1654.<sup>246</sup>

Thus done at the session of the honorable director-general and council held in New Amsterdam, 28 October 1654, New Netherland and reconsidered on 18 November; present: Director-General Petrus Stuyvesandt, Mr. Nicasius de Sille and La Montagne.

[437]Whereas the inhabitants of the village of Gravesande have repeatedly complained that there was no proper order there, nor any inspection of the fences and palisades, because the former magistrates, namely, George Bacxter and Sergeant Hubardt had been removed from office by the director-general and council (for important reasons known to them); therefore, the honorable Director-General Petrus Stuyvesandt and the high councillors, the honorable Messrs. Nicasius de Sille and La Montagne, appeared in person today, the 23rd of November, and in the presence of the entire community gave them the choice that they either nominate new magistrates or be satisfied with the incumbents, namely, William Willckens, commissary; Jan Mourits, schout; and John Tilton, secretary of this place, until the next election of magistrates, or add a fourth to the aforesaid three persons.

Whereupon the unanimous answer was given to the director-general and high council that they were satisfied with the aforesaid persons until the time comes for the election of new magistrates. This was granted them with the admonition to fear God, honor their magistrates and obey both. Thus done in Gravesande at the house of Milady Moedy, 23 November 1654.

[438]

To the highly esteemed Director-General and Council of New Netherland.

With all due reverence and humility, the present schepens of this city of New Amsterdam make known:

Whereas they have learned from the posted notices that your honors intend to farm out at the next public auction on 25 November to the highest bidder the tapsters' excise for wines and beers within this aforesaid city; therefore, they, the petitioners, (with all due humility) object to your honors that this city was granted the excise within this city by a letter from the honorable lords-directors at the chamber of Amsterdam, lords and patroons of this province, and then we submitted to your honors several documents on 31 August,<sup>247</sup> in which we made such promises that we had hoped everything was satisfactorily settled; however, as yet we have received no answer, so that we have not been able to do one thing or the other, and we trust that your honors will not deprive the city of the revenue from the aforesaid excise (conceded and granted to us by the lords-patroons). However, if your honors should be in need, it is our opinion (subject to correction) that it would be more equitable to acquire it from the people in general rather than just from this city. Therefore, we refer these matters to your honors' wise discretion and commend your honors to the merciful [439] protection of God, and remain your honors' humble servants; in the margin was written: Done at the session at City Hall in New Amsterdam, 23 November 1654; and was signed: P. L. vander Grift, Wilh. Beeckman, Oloff Stevensz, Pieter Wolfersz.<sup>248</sup>

The substance of the foregoing petition has been sufficiently answered by the reply to their petition entered in this book on folio 197, therefore no further reply is necessary.<sup>249</sup>

It has been so resolved in session that, whereas no bidders have appeared,<sup>250</sup> the tapsters' excise for wines and beers consumed in this city next year is to be farmed out to the highest bidder next Monday at the house of Sergeant Daniel Litschoe, which shall be announced by public notice. Done at New Amsterdam, 25 November 1654.

[440]At the session it has been resolved to farm out [ ] of the ferry<sup>251</sup> and the villages of Breuckelen, Midwout, Amesfoort and adjacent settlements, at the first opportunity, to the highest bidder at public auction, for important reasons known to the honorable director-general and high council. Done at our session held in New Amsterdam, New Netherland, 25 November 1654; and was signed: P. Stuyvesant, N. de Sille, La Montangne, Cor. van Tienhoven.

Examination of Joris Stevensen at  
the Session:

He replies in the company of Jan Germain neither to have shot, stolen nor parcelled out any hogs, nor appropriated any stolgn, hog's fat. He also knows nothing of having brought a huspott<sup>252</sup> to Geesken,<sup>253</sup> much less of having given to the same Geesken some suet for waxes.

He says further that he had the bacon of three hogs hanging at Frans Claesen's and brought it from there to Cornelis de Seeuw. He says further [441] to have had bacon in no other houses [ ] does not know who had the bacon brought to him here; his [ ] and another young man, who lives at Jan de Kuyper's fetched the bacon from Cornelis de Timmerman and brought it to his place. He says that he sometimes had his wife's brother fetch a ham. Done at New Amsterdam in New Netherland, 25 November 1654.

Copy.

To the Honorable Director-General  
Petrus Stuyvesandt.

My lord.

1.

The associates have considered the favorable terms which the honorable director-general offers for the ship named de gulden Hay to be chartered for four to six months for employment in the West India trade, whether it be Barbades, Curacao or some Caribbean islands. We also thank your honor for promoting commerce by providing the ship with rigging and tackling, as well as having it caulked and made ready to sail.<sup>254</sup>

Concerning the first proposition: the director-general and council grant the petitioners the ship, de Hay, with its anchors, rope, sails, cordage, and all the rigging and tackling required for a seaworthy ship for the period of four months, beginning from the day on which the aforesaid ship weighs anchor at the usual watering place<sup>255</sup> and sets sail, in order, according to the request, to make a voyage to the Caribbean and the Curacao islands. If the voyage should take longer, they are to give a compensation for the excess time, which will be determined by impartial persons knowledgeable of such things.

[442]

2.

The associates shall [endeavor] to provide the ship with everything and to hire and [pay for their own account a skipper] and crew.

[It is expected] that the associates shall provision the ship at their expense [and take care] that the chief officers are sober and [careful] persons, capable of handling the ship at sea.

3.

We respectfully request that the honorable general place at our disposal (when the ship, de Hay, has arrived at the islands)

the ship, Abrahams Offerhande, to unload our cargo in, thereby avoiding danger for us; and we request permission to trade where we think fit.

Concerning the third point: If the agents of the associates (after their arrival at the islands) have reason to suspect any danger for the ship, de Hay, on account of the Swedes, it shall be left to their choice and discretion to make use of the ship, de Offerhande Abrahams, in place of the ship, de Hay, if both have arrived in the area.

## 4.

Also, that the associates be given liberty to trade at all places where the honorable general is in command, whether for salt, dyewood or horses; and that also it be determined what we shall pay for a last of salt, wood and for each good horse, whether stallion or mare.

The petitioners are granted permission to trade at all places under our command and other Caribbean islands where our nation can trade in conformity with treaties. They are also permitted to take in salt, dyewood and horses at the Curacao islands, provided that they pay for it (depending on time and place) according to the general orders and regulations of the honorable Company.

## 5.

Furthermore, that the cargo, which we ship out from here, be free of all tolls and duties.

This is granted absolutely and without restriction, except for peltries.

[443]

## 6.

Also, that the return [cargo], which we might acquire in the West Indies, such as salt, wood, horses, indigo, cotton, ginger and other fruits of the land, shall be exempt from any duties or tolls whether as an export or an import [item] of a place or places under your honor's command. Done at New Amsterdam in New Netherland, 26 November 1654; and was signed P. L. vander Grift, Corn. Schutt, Allard Anthony, Govert Loockermans, Cornelis Steenwyck.

The goods and merchandise, [which are products of either nature or industry] in the West Indies, shall be exempt from all import duties here for this first voyage and venture. Thus done in New Amsterdam, 26 November 1654; below was written: By order of the honorable director-general and high council; and was signed: Cornelis van Ruyven, secretary.

At the session Jan Vinge submitted a petition (copied in the "Book of Petitions," folio [blank])<sup>256</sup> upon which it was decided as follows: The director-general and council find the petition to be meritorious; therefore, Mr. Nicasius de Sille and

Fiscal van Thienhooven are hereby ordered, on behalf of the petitioner, to contract out for a new fence and to have it erected at the expense of the government. Done at the session held in New Amsterdam, 23 November 1654; present: Director-General P. Stuyvesant, Mr. Nicasius de Sille, La Montagne and the honorable fiscal, Cornelis van Thienhooven.

[444]At the session the inhabitants of Mespacht submitted a petition in the English language, requesting that Joseph Foulter be banished from their village, because he does nothing else but incite person against person and cause other troubles. Whereupon it has been decided as follows: The director-general and high council have decided that the petitioners summon Foulter to depart, and if he refuses, apprehend him and turn him over to the law officers. Thus done at the session, 25 November 1654, in New Amsterdam; present: the honorable general, Mr. de Sille and La Montagne.

Mr. Montagne proposes that the honorable director-general not be allowed to give instructions without the knowledge of the council. Done at New Amsterdam, 8 December; and was signed: La Montagne.

[445]At the session in Fort Amsterdam, present: the director-general and high council, and the mayors and schepens of the city of New Amsterdam, have seen the charge of Fiscal Cornelis van Thienhooven against Jan Seno de St. Garmain, presently a prisoner, who is accused by the fiscal for having stolen many hogs at various times from the woods (being in New Netherland the common pasture for livestock); also, it was discovered from the prisoner's own confession and the honorable magistrates' report that Jan Seno confessed, without torture or irons, to have shot and stolen twelve hogs in the woods; however, it was during the time of the war between us and the English,<sup>256</sup> who were stealing horses from the Dutch, thus he, Jan Garmain, says that he thought he was free to kill the English hogs and take them for himself. Therefore, the director-general and high council, and the mayors and schepens, considering the past animosity between us and the English, [446] and that it was not proved that [ ] shot or stole any hogs before or after the war, mercifully condemn the aforesaid prisoner to be brought to the place where justice is customarily administered, and there to be beaten severely with rods, branded and banished from the country. The fiscal's further charge is denied. Done at New Amsterdam, 8 December 1654.

At the session in Fort Amsterdam, present: Director-General Petrus Stuyvesant, Mr. Nicasius de Sille and La Montagne, high councillors, together with the mayors and schepens, have seen the charge of Fiscal Cornelis van Thienhooven against Joris Stevensz,

born in Brugge, about 30 years of age, [447] presently a prisoner, which [ ] by the fiscal that he, prisoner, received and enjoyed at his house one half of a hog from Jan Garmain, which hog he well knew Jan Garmain had shot and stolen in the woods; also, that it is the common rumor that he, prisoner, assisted in the stealing and shooting of hogs in the woods (which cannot yet be proved); also, it was discovered from the prisoner's confession and the report of the honorable magistrates that Joris Stevensz confessed, without torture or irons, wilfully and knowingly to have accepted one half of a hog from Jan Seno de St. Garmain which had been stolen, and whereas it has not been proved that Joris Stevensz has stolen any hogs before or after this time, although there are strong indications that such is the case; therefore, the honorable director-general and council, [448] together with the mayors and schepens, considering the [ ], mercifully condemn the aforesaid prisoner to be brought to the place where justice is customarily administered, and there stripped to the waist and tied to the post, and the sentence publicly read aloud to the delinquent then at once banished from the jurisdiction and government of New Netherland, after payment of court costs. Done at New Amsterdam, 8 December 1654.

[449]At the session, present: the honorable councillors, Nicasius de Sille, La Montangne and Cornelis van Thienhooven, fiscal; together with the mayors and schepens of this city, namely, Marten Crigier, mayor; and Poulus Leenders, Willem Beeckman and Oloff Stevensz, schepens.

Director-General Petrus Stuyvesant proposes the necessity of his departure for Curacao.

That his honor would send all record books, letters and papers concerning governmental matters, and now kept by him, to the secretary's office, to be arranged and put into the best possible order by Fiscal Thienhooven and Secretary Cornelis van Ruyven.

The gentlemen of the council and the mayors and schepens consider this wise and necessary.<sup>258</sup>

That it be resolved to increase the present number of mayors and schepens of this city by one mayor and one schepen.

From the persons nominated by the high council, the honorable general selects Allard Anthony as mayor and Joannis Nevius as schepen.<sup>259</sup>

[450]Also, whether it would not be advantageous to this city and its inhabitants to nominate now some capable persons, from whose number, in due time, mayors and schepens of this city could be selected for the coming year.

This matter has been deferred until the new elections occur.

Allard Anthony and Joannis Nevius were summoned to the session, and upon appearing were given the customary oath of allegiance by the honorable director-general; the first one as mayor and the other one as schepens.

Also, the honorable director-general handed over to the presiding mayor, Martin Crigier, the painted coat of arms and the seal of this city of New Amsterdam, with the signet, [451] cut in silver, sent over by the lords-directors in the ship, de Peereboom. Thus done at Fort Amsterdam in New Netherland, 8 December 1654.

The names of the present mayors and schepens:

Marten Crigier	}	Mayors
Allard Anthony		

Schepens

Poulus Leendersz vander Grift  
 Wilh. Beeckman  
 Pieter Wolphertsz van Couwenhooven  
 Oloff Stevensz Cortlant  
 Johannes Nevius

Dated 8 December 1654.

[452]Whereas Jan Seno de St. Garmain, 40 years of age, presently a prisoner, [ ] to shooting, killing and stealing many hogs at various times in the woods (being in New Netherland the common pasture for livestock) which not only tends to the great detriment and disadvantage of those who lose animals thereby, but also to the greater prejudice of the commonalty; against this the fiscal, Cornelis van Thienhooven, as plaintiff and law officer moves for proceedings. Therefore, the honorable director-general and council of New Netherland, attended by the honorable magistrates of this city, having heard the charge of the fiscal and the confession of the prisoner, who admitted, voluntarily, without torture or irons, to have shot and stolen twelve hogs; and having considered everything thoroughly, find the matter to be of serious consequence, which in countries of justice should not be tolerated; therefore, the honorable director-general and high council of New Netherland, administering justice in the name of their High Mightinesses, the lords States-General of the United Netherlands, and the lords-directors of the General Chartered West India Company, have, [453] after evoking God's holy name, hereby sentenced and condemned the aforesaid [ ] to be brought to the place where justice is customarily administered, and there severly beaten with rods, branded

and banished from the country, as an example to other field and animal thieves. The further charge of the fiscal is denied. Done at New Amsterdam, 8 December 1654, in New Netherland.

Whereas Joris Stevensz van Brugge, about 30 years of age, did receive and take as his own one half of a hog brought to him by Jan Seno de St. Garmain, which Garmain was then lodging at the aforesaid prisoner's house, and had stolen and shot the hog in the woods [454] so that he [ ] to be punished according to law as [ ]; therefore, the honorable director-general and high council and attending magistrates of the city of New Amsterdam, administering justice upon the charge of the fiscal, Cornelis van Thienhooven, and [having heard] the confession of the prisoner, [acquired] without torture or irons, condemn the aforesaid Joris Stevensz, on behalf of their High Mightinesses, the lords States-General of the United Netherlands and the honorable lords-directors of the General Chartered West India Company, to be brought to the place where justice is customarily administered, and to stand stripped to the waist and watch his associate, Jan Seno, receive his punishment, then to be banished from the jurisdiction of New Netherland, and also condemned to pay the court costs as an example to others. Done at New Amsterdam, 8 December 1654, in New Netherland.

[455]At the session appeared Mary de Truy, tavern keeper, complaining against the provost marshal. She says that she spoke with him yesterday, the 16th of this month, in Fort Amsterdam about payment of what he had consumed at her place. He responded, "I'll give you the devil for your sick heart! Get out of here or I'll throw you out!" Mary said, "Then I can't pay either!" The provost marshal answered, "Have your husband come"; and with his sword, "I'll pay him the same way!" Grabbing her by the arm, he kicked her outside and pinched her one arm blue between the doors; threatening to throw her in the hole if she refused to go away. 17 December 1654 in Fort Amsterdam.

At a session of the honorable director-general and high council of New Netherland.

The report of Mr. Allard Anthony was received and viewed concerning his [456] commendable efforts made in the fatherland pursuant to his commission in the service of this province and its good inhabitants.

The director-general and council, being well pleased with his services, express their thanks to him on behalf of the good inhabitants. In recognition thereof, the director-general and council agree that the supplicant be awarded an honorarium. Thus done in Fort Amsterdam, 17 December 1654.



authentic extract; dated and signed as above: In Amsterdam the seventh of November 1653, by me; and was signed: Gerrit Steeman, notary public 1653.

At the session a certain petition of Andries Hudde was read in which he requested employment here. It was acted upon as follows:

Whereas at the present time there is no occasion for the petitioner's employment, he is provisionally allowed to practise his former profession as surveyor within this province. If any other opportunity arises, the petitioner's request shall be attended to. Thus done at the session, 17 December 1654; present: the honorable D.-G. P.S., Mr. Nicasius de Sille, Mr. La Montagne and Fiscal Thienhooven.

[460]Today, date underwritted, before me, Cornelis van Ruyven, [ ] Tobias Feecke, and [ ] that Pieter Taelman was appealing a certain sentence pronounced the 16th of this month by the magistrates of Vlissingen between him and Thomas Larens. In Fort Amsterdam, 21 December 1654.

Copy.

Petrus Stuyvesant, on behalf of their honorable High Mightinesses, the States-General of the United Netherlands, the lords-directors of the General Chartered West India Company, director-general of New Netherland, Curacao, Bonayre, Aruba and their dependencies, to all who hear, see or read this, greetings. Let it be known that, for the promotion of trade and commerce between this our entrusted government and other [461] neighbors, we have deemed it good and necessary [ ] to send from here to the island of Curacao the ship named de Offerhande Abrahams. Whereas we need a capable and experienced person to command thereon as skipper and chief officer, and to guide it across the sea; therefore, upon good reports and recommendations given to us concerning the person of Pieter Lucasz, having previously served aboard the aforesaid ship as skipper, we have commissioned and appointed him, as we him do hereby commission and appoint as skipper and chief officer on the aforesaid ship, de Offerhande Abrahams, with the authority and commission to man the aforesaid ship accordingly and to provide it with munitions of war as is necessary, of which he is to give us a list. After being thus manned and provisioned, he is to undertake a voyage to the islands of Curacao and from there to return without touching any other islands or places except in an emergency (or special orders from us), much less attacking any barks or vessels passing by; unless forced to defend oneself. Therefore, all our subjects are ordered, and all our neighboring [462] generals, admirals, governors [and captains] are requested to recognize and accept the aforesaid person for that which he is hereby commissioned, and to impede neither him nor his crew nor his cargo in his passage out and back; but even more, they are requested to

honor him with all due assistance and favor in time of need and when asked for, which we shall reciprocate in similar circumstances. Thus done under our usual hand and seal this 22nd of December 1654 in New Amsterdam, New Netherland; and was signed: P. Stuyvesant; below was written: By order of the same; and signed: Cornelis van Ruyven, secretary.

[463] Petrus Stuyvesant, on behalf of their honorable High Mightinesses, the lords States-General of the United Netherlands, and the honorable lords-directors of the General Chartered West India Company, director-general of New Netherland, Curacao, Bonayre, Aruba and their dependencies, to all who hear, see or read this, greetings. Let it be known that, upon the request of the general owners (our dear subjects) and for the promotion of trade, we have consented to equip and prepare the ship, den Dolpheyn. Whereas it is necessary for us and the aforesaid owners to have a capable and experienced person to command thereon as skipper and chief officer and to guide the aforesaid ship across the sea; therefore, upon good reports and recommendations given to us concerning the person of Poulus Leendersen vander Grift, we have commissioned and appointed him, as we him do hereby commission and appoint as skipper and chief officer aboard the aforesaid [464] ship, den Dolpheyn, with the authority and commission to man the aforesaid ship, to provide it with munitions of war and to load aboard it such goods and merchandise as the skipper and his partners shall think fit and appropriate, of which he is to give us a list. After being manned, provisioned and loaded, he is permitted to undertake a voyage through the Caribbean islands to the island of Curacao and other neighboring places at peace and allied with their highly esteemed High Mightinesses and the aforesaid lords-directors, without him or his crew displaying any hostility towards these places or nations, unless forced to defend oneself; and without him or his crew breaking, directly or indirectly, any orders at these neighboring places, and without doing business with anyone unless beforehand [465] the commander of the place gives his consent and commission thereto. Therefore, all our subjects are ordered, and all our neighboring generals, admirals, governors and captains are requested to recognize and accept the aforesaid Poulus Leendersz vander Grift for that which he is hereby commissioned, and to impede neither him nor his crew nor his cargo in his passage out and back; but even more, they are requested to honor him with all due assistance and favor in time of need and when asked for, which we shall reciprocate in similar circumstances. Thus done under our usual hand and seal this 22nd of December 1654 in New Amsterdam, New Netherland; was signed: P. Stuyvesant.

[466] It is known to everyone that the honorable director-general and high council of New Netherland have enacted and posted several ordinances<sup>262</sup> concerning the robbing and stealing from orchards, farms and gardens, whether it be fruit, fences or other articles. Until recently, such good order and regulation has been observed that there have been few complaints heard on the subject, except for the last few days when townspeople and farmers have been daily robbed of clapboards, palisades, posts, rails and other woodwork, which the owners have set up for the

protection of their farms, orchards and gardens, and for the security of the produce of the same. Therefore, the gentlemen of the high council, wishing to provide herein as much as is in their power, hereby prohibit and forbid each and everyone [467] to break, take away or damage any person's farm, orchard, garden, clapboards, palisades, posts, rails, firewood or any other like thing, on pain of corporeal punishment to be inflicted, without mercy or favor according to the circumstances of the case, upon such persons who, after this date, are found doing this, so that a stop may be put to the complaints of and damages to the citizens once and for all, and everyone may be secure in his property. Thus done at the session of the honorable gentlemen of the high council of New Netherland held in Fort Amsterdam the 31st of December 1654; published on this date.<sup>263</sup>

[468]At the session a certain document was presented by some [ ] of the farms located near the Hellegatt,<sup>264</sup> complaining of the damages they would suffer if Adriaen Dircksz Coen (pursuant to the general's intention) is granted a certain point of land with meadows; thereupon, after deliberation, the honorable gentlemen of the high council decide as follows: at the first opportunity commissioners shall be sent there to investigate the situation. 31 December 1654.

Andries Hudde appeared at the session and requested permission to keep a school here. He was told that the clergyman and the consistory would be consulted thereon. Done at New Amsterdam, 31 December 1654.

[469]Allard Antony complained at the session of the high council that the soldier, who had abused him several times with defamatory remarks, had been released. He was told that he should institute proceedings against him. 31 December 1654.

The farmers of the wine and beer excise of this city of Amsterdam in New Netherland, plaintiffs, against Andries Hudde, Willem Pietersz, Hans Breyer, Hans Styn, Andries vander Sluys and Jan Peeck, defendants; the farmers first default. 31 December 1654.

Note. The resolutions which follow this have been copied in the book marked as written below:





## ENDNOTES

1. As a result of the 1911 Capitol fire in Albany, New York, volume five suffered damage along the tops and along the right side of the first 50 pages.
2. Daniel Whitehead was among the early group of settlers from Connecticut which moved to Heemstead on Long Island in 1644.
3. This letter has been lost. The council minute concerning Whitehead has also been lost together with the council minute book from 2 August 1649 to January 1652.
4. The canceling marks on this paragraph have made it impossible to read and translate.
5. David Provoost was apparently serving as a notary at this time although he did not receive his certification in New Amsterdam until 16 September 1652. See 5:63, page 40 for this certificate.
6. Charles van Brugge was commissary at Fort Orange from 1648 to 1651. cf. note 38.
7. Rensselaerswyck was the patroonship of Kiliaen van Rensselaer who held the controlling interest in this colony. He was a diamond merchant in Amsterdam and a director of the WIC. As a result of the passage of the "Freedoms and Exemptions" by the WIC in 1629, private individuals (mostly directors or shareholders in the Company) were allowed to establish colonies within the jurisdiction of New Netherland, provided their interests did not conflict with those of the Company. Rensselaerswyck, which comprised the present counties of Albany and Rensselaer along the upper Hudson, proved to be the only successful patroonship in New Netherland.
8. Brant Artsz van Slechtenhorst was director of Rensselaerswyck from 1648 to 1652.
9. Fort Orange, the WIC's trading post, was located in the middle of Rensselaerswyck on the west bank of the Hudson River. The description of the territory purchased by Kiliaen van Rensselaer from the Indians failed to indicate whether the ground upon which the Company's fort stood belonged to the patroonship or the WIC. Ownership of this land remained in doubt until 1674 when the Company ruled in favor of the patroonship. See NYCD, 2:558, 560 for documents resolving this jurisdictional dispute.
10. This request and the original of the response from the director of Rensselaerswyck have been lost.

11. This ordinance was published on 18 December 1651. See MCR, 176 for a reference to this ordinance.
12. Fort Orange was constructed about 1618, approximately 14 years before settlements were established in Rensselaerswyck.
13. A Rhineland rod measured 12.36 feet. See table of measures in appendix.
14. The original of this letter has been lost.
15. This letter has been lost.
16. Reference to the construction of Fort Casimier in 1651, presently New Castle, Delaware.
17. See LO, 118 or RNA, 1:16 for this proclamation.
18. Isbrant Dircksz Goethardt.
19. Matheus Capito was assistant commissary of stores; in 1663 he became secretary at Esopus.
20. This case has been canceled.
21. The defendant is actually Govert Loockermans.
22. Marritje Jansz who married Govert Loockermans after the death of her husband, Dirck Cornelisz.
23. Reference to the construction of Fort Casimier on the Delaware in 1651.
24. This council minute was taken from O'Callaghan's calendar because the original is mostly destroyed.
25. See LO, 104 for this ordinance.
26. Brant van Slechtenhorst, director of Rensselaerswyck, was succeeded by Jan Baptist van Rensselaer in 1652.
27. Reference to Johan Prints, governor of New Sweden on the Delaware from 1643 to 1653.
28. The council minutes for 1651 have been lost.
29. See MFOB, 1:37, 39-40 for the disposition of this case.
30. Augustyn Heermans.
31. Hendrick van Dyck, a former schout in New Amsterdam who was removed from office.
32. Samuel Drisius served as domine in New Netherland from 1652 until his death in 1673.
33. Augustyn Heermans.
34. This paragraph has been canceled.
35. This entry has been canceled.
36. See 5:58, page 37 for this judgment.

37. This entry has been canceled.
38. Carel van Brugge whose actual name was Charles Bridges, an Englishman from Canterbury. He had served the WIC as commissary on Curacao and was commissary at Fort Orange from 1648 to 1651.
39. There is no record of this ordinance.
40. According to O'Callaghan's calendar p.130, these names should read Arent van Hattem, Jochem Pietersen, Paulus Leendertsen and Allert Antony.
41. A marginal notation, which has been lost because of damage to the original, has been recovered from O'Callaghan's calendar as follows: "Marten Cregier substituted for Mr. Vandergrist." The latter name should read in full, Paulus Leendertsen vander Grift.
42. See 5:86, page 53 for this decision.
43. There is no record of this reply.
44. This entry has been canceled.
45. Dirck van Schelluyn.
46. There is no record of this case in the court at Hartford.
47. This ordinance does not appear in the records.
48. The Flemish ell was 27 inches in length and used to measure cloth.
49. These letters have been lost.
50. This entire entry has been canceled. See RNA, 1:66-68 for the city's record of this entry. The numbering becomes erratic at this point. Pages 107 and 108 do not exist; numbered page 110 actually follows 106 which is followed by 109, then 111 and so forth. Although several pages appear out of sequence, I have maintained their numbers for reference purposes.
51. This proposal is dated 14 March 1653 in RNA, 1:68.
52. Plymouth.
53. gemeentemannen, referred to as "alderman" in the present translation. When the city of New Amsterdam was chartered in February of 1653, the aldermen, who had previously represented the interests of the city, were replaced by two mayors and five schepens.
54. This entry has been lost because of damage to the top of the page. The date and title have been recovered from O'Callaghan's calendar page 131.
55. The remainder of this page and the following page have been left blank, indicating that the sentence was to be recorded in the space provided but never done. See 5:330, page 166 for a reference to this sentence.

56. At this point the following line was added to a copy of this ordinance in 16:36, namely: "Which duty shall be promptly paid at the Receiver's Office, one half by the seller and one half by the buyer."
57. Paulus Leendertsz van die Grift.
58. See 5:123, page 70 for this resolution preventing ships from departing for 14 days.
59. "The aforesaid page" in question is manuscript page [123]; however, "the other side" or manuscript page [124] was left blank, indicating that the other "recommendation" was not copied in the council minutes at this time.
60. "The Colony" referred to here is the colony of Rensselaerswyck.
61. This resolution does not appear in MFOB.
62. Pages [129] and [130] have been lost; [129] has been recovered from a translation in NYCD, 14:206.
63. The Dutch measure used here is mut sien.
64. An engrossment of this ordinance is recorded in 16:37 and translated in IO, 148 as follows:  
"WHEREAS it appears by the invoice that wines are dearer in fatherland than formerly, and consequently that the tavernkeepers purchase them here at a higher price; moreover, that they by virtue of the preceding [ordinance] are somewhat higher taxed, as by the tenor thereof appears. Therefore the tavernkeepers are hereby allowed to sell the French wine at twenty-four stivers, the brandy and Spanish wine at fifty stivers, or the gill at seven stivers, without having the power to exceed the aforesaid price, on pain of forfeiting their business and ten pounds Flemish in addition.  
Dated 18th August, 1653."
65. See 5:131, page 72, especially endnote 64, for this ordinance.
66. In 16:37 the ordinance has 50 stivers instead of "a rixdollar." cf. endnote 64.
67. See endnote 65.
68. O'Callaghan's calendar, page 132, describes manuscript pages [133-139] as follows: "Register. Of what is contained in this volume respecting the city of New Amsterdam, from November, 1653, to November, 1654." The folio numbers refer to pages in the RNA concerning records of interest to the director-general and council.
69. See LO, 149 for a note on the whereabouts of these ordinances and regulations.
70. The preceding portion was recovered from LO, 149.
71. This "copybook of petitions" has been lost.
72. See RNA, 1:129 for the city's copy which contains the signatures of the city's officials.

73. See RNA, 1:126 for the city's copy of this petition.
74. See RNA, 1:130 for the city's copy of this decision.
75. See LO, 149 for a note on the whereabouts of this ordinance.
76. This is Dutch stockvishout which is a yellow dyewood from Central and South America. See fn. 160 for complete description.
77. Smith Island is just north of Cape Charles, Virginia on the Atlantic side. "Haccomacco" is present-day Accomack, Virginia.
78. This notation in brackets was written in the margin and marked for insertion at this point. Because the margin is badly damaged, this notation has been recovered from NYCD, 14:223.
79. Same as endnote 78.
80. See RNA, 1:131 for the city's copy of this letter.
81. See 5:152, page 84 for this enclosure.
82. Same as endnote 82.
83. i.e., "No one is obligated to that which is impossible."
84. Willem Kieft was director-general from 1638 to 1647.
85. Manuscript page [159] has been lost; the translation has been recovered from NYCD, 14:230 and RNA, 1:140.
86. Same as endnote 85, except there is no translation in RNA.
87. This document was first drafted in English by the magistrates of Gravesend, then translated into Dutch which explains the unusual and awkward expressions, and Stuyvesant's complaint in 5:165, page 94. The cardinal numbers in the margin indicate certain points which were underlined by Stuyvesant and his council for reply and future reference.
88. Manuscript pages [160-164] have been lost. The translation is from a copy of the original at the Amsterdam Archives.
89. See 5:155, pages 86-89 for these orders and decisions.
90. Cornelis Melyn.
91. Godert van Reede, Lord of Nederhorst; Hendrick van der Capellen toe Ryssel and Cornelis Melyn all received land grants on Staten Island. Kiliaen van Rensselaer was the majority investor in the patroonship of Rensselaerswyck on the upper Hudson. Cornelis van Werckhoven had land on Long Island. Johan de Hulter owned land at the Esopus, near present-day Kingston, New York.
92. i.e., New England.
93. This is a translation of Dutch lants vergaderinge.
94. Possibly recorded in the council minutes of 1650-1651 which have been lost.
95. Thus given in the record. It is either an error for 1654 or it was added the following year.

96. See 5:147 and 150, pages 81 and 83 for this petition and the reply thereto.
97. This letter from the magistrates of Gravesend has been lost.
98. See 5:197, page 108 for this resolution.
99. Translated from Dutch dosynties, a type of rough woolen cloth.
100. Petrus Stuyvesant assumed the office of director-general on 11 May 1647.
101. The papers kept by George Baxter have been lost.
102. Dutch last is the equivalent of two tons.
103. Officials charged with the duty of delivering beer to purchasers.
104. See RNA, 1:166 for the city's record of this petition.
105. See 5:146, page 81 for this document.
106. See RNA, 1:165 for the city's record of this petition.
107. i.e., Rensselaerswyck.
108. Rutgert Jacobsz van Schoenderwoert.
109. Pulling the goose, which was a custom practised at Shrovetide, consisted of greasing the neck of a goose which was suspended by a rope between two poles. Horsemen then attempted to seize the goose while riding past at full gallop. The rider who succeeded in carrying off the goose was declared king of the festival. See LO, 333 for a note on festivals.
110. Northwest of Zwolle, the Netherlands.
111. See 5:221, page 119 for this resolution and RNA, 1:172 for the city's copy thereof.
112. See RNA, 1:159 and 163 for these papers.
113. i.e., leeraer der heydenen; cf. the Bible references in 1 Timothy 2, 7 to St. Paul as "teacher of the Gentiles."
114. Reference to St. Paul.
115. See RNA, 1:164 for the city's record of this resolution.
116. See LO, 60 for this ordinance.
117. i.e., "I shall take another course with him," which represents the Dutch secretary's attempt at transcribing a direct quote in English.
118. A daalder was worth 30 stivers, or 10 stivers more than a guilder.
119. A Flemish pound was the equivalent of f6.
120. See RNA, 1:153 for this judgment.

121. See MFOB, 1:123 for this petition.
122. i.e., Rensselaerswyck.
123. See VRBM, 137 for the freedoms and exemptions granted to patroonships in 1629.
124. Jan Baptist van Rensselaer was director of Rensselaerswyck at this time.
125. This letter has been lost. It was in April of 1652 that Petrus Stuyvesant sent troops to Fort Orange in order to establish the limits of Beverwyck and set up a court separate from that of Rensselaerswyck.
126. This letter has been lost.
127. Possibly a reference to the letters in 11:77, translated in NYCD, 1:524; and 12:1, translated in NYCD, 14:250.
128. See VRBM, 151 for the text of this section.
129. i.e., the Beaver Kill and the First Kill.
130. See RNA, 1:167 for the city's record of this decision.
131. See MFOB, 1:127 for a copy of this reply; the original has been lost.
132. i.e., grain measures equalling 0.764 of a bushel.
133. i.e., "Little Cape," the southernmost point of Manhattan Island in the 17th century; now approximately the corner of Whitehall and Front Street.
134. i.e., "unicorn."
135. Jacobsz replaces Hendrickx which is crossed out.
136. i.e., "the beautiful or clean farmer."
137. Reference to captured enemy ships.
138. Unknown to Stuyvesant at this time, the Swedes had captured Fort Casimier on Trinity Sunday, the 30th of May, a few days before these deliberations. Under the Swedes it was called Fort Trefaldighet, i.e., "Trinity."
139. The autumn cattle fair was held at New Amsterdam on 15 October; one for hogs on 1 November. See LO, 29 for the 1641 ordinance pertaining thereto. In 1658 two fairs were established: one for lean cattle beginning on 20 October. See LO, 364 for the ordinance pertaining to these fairs.
140. Fort Casimier had already been captured by the Swedes on 30 May; cf. endnote 138.
141. i.e., New England.
142. See 5:339, page 170 for this resolution.
143. See 5:254, page 138 for the minutes of this meeting.

144. See RNA, 1:208 for the city's copy of this communication.
145. Probably a reference to the Heere Gracht, "the Lords' Canal"; presently Broad Street between Pearl and Beaver Street.
146. Formerly the Stadts Herbergh, "City Tavern," which was converted into the City Hall for New Amsterdam in 1653 when the city received its charter.
147. See RNA, 1:210 for the city's copy of these proposals. In the original, the city's response to each proposal was recorded in the left margin.
148. Following this entry the secretary or clerk began to copy this same document again, canceling it out after noticing his error halfway through.
149. See 5:270, page 144 for the minutes of this meeting.
150. i.e., "danger in delay."
151. This document is accompanied by a copy made for the officials of the city of New Amsterdam. The signatures etc. are only on this copy. See RNA, 1:214 for the city's copy of this.
152. This is de Coninck Salomon.
153. See 5:261, page 142 for this resolution.
154. During stormy weather it would have been necessary to shut down the windmill by removing the canvas from the sail-frames, indicating conditions too dangerous for the operation of the ferry. The windmills west and southwest of Fort Amsterdam would have been visible from the ferry slip on the Manhattan side (near present-day Fulton Street), serving as an indicator of weather conditions.
155. i.e., burgherecht, both groot and cleyn "large" and "small," depending on the amount of the fee contributed each year, entitled the person to certain privileges in the city and also gave the person certain responsibilities.
156. The year 1654 was left off the dateline when this document was copied into the records.
157. See endnote 155.
158. See RNA, 1:134ff and succeeding pages for all the proceedings in this case.
159. See RNA, 1:218 for the city's request and the response thereto.
160. i.e., stockvishout; also known as citroenhout and geelhout (haematoxylon brasiletio): a dyewood yielding a yellow color.
161. harpuys was a mixture of pitch, tar and rosin used for caulking ships.
162. This note was added at a later date by another hand.
163. See 5:116, pages 67 and 68 for a reference to this previous sentence.

164. See 5:318 and 324, pages 161 and 164 respectively for these declarations.
165. See 5:116, pages 67 and 68.
166. Same as endnote 165.
167. i.e., the magistrates of Middelburgh.
168. These patents do not appear among the land papers preserved in NYCM, GG and HH.
169. i.e., New England.
170. i.e., geweldig, which could also be translated as "sergeant-at-arms," or, according to his duties, "jailkeeper."
171. This final item was marked for insertion at this point.
172. i.e., nauwer en scherper, which appear to be code words for torture.
173. Further details of testimony in 5:365, page 181, reveal that he broke in through a window. Stuyvesant is particularly upset over the incident because it happened during the celebration for the end of war with England.
174. i.e., Fiscal van Thienhoven.
175. See LO, 105 for this ordinance passed in 1648.
176. See 5:257, page 140 and 5:339, page 170 for the text of these resolutions.
177. This is a reference to the settlement near the ferry landing on Manhattan Island (near present-day Fulton Street). The ferry to Long Island followed the course adopted for the Brooklyn Bridge.
178. See 5:340, page 170, for the resolution upon which this ordinance is based.
179. See LO, 64 for this ordinance.
180. The fine was 500 Carolus guilders and payment of damages stemming therefrom.
181. See 5:316, page 160, for this document from the director-general and council; and RNA, 1:223 for the city's record.
182. See RNA, 1:224 for the city's record of this response.
183. See 5:306, page 157, for the resolution on this action.
184. See RNA, 1:223 for this letter dated 2 August 1654.
185. See 5:345, page 174, for this resolution.
186. A municipal employee who had the responsibility of disposing of stray dogs.
187. See 5:305, page 157, for this appointment.

188. See 5:345, page 174, for this resolution.
189. See RNA, 1:232 for the city's record.
190. See 5:345, page 174; and 5:346, page 174 for these letters.
191. See 5:316, page 160, for this letter.
192. See 5:106, page 63, for this document.
193. See 5:110, page 65, for this resolution.
194. See 5:144, page 79, for this petition.
195. See 5:211, page 113, for this petition.
196. See 5:346, page 174, for these documents.
197. See 5:345, page 174, for this document.
198. i.e., "when the conditions cease, the obligation ceases.
199. See 5:323, page 164, for this resolution.
200. i.e., "the right of the patroon."
201. See NYHM, 18:53 and 54 for charges against Emmens on the South River.
202. Probably Johan van Beecq; cf. 5:227.
203. The only reference to adultery in an ordinance is in LO, 12.
204. See NYHM, Land Papers, for these patents.
205. Deborah Moody was the wife of Sir Henry Moody of Virginia.
206. See LO, 65 for this ordinance.
207. i.e., Greenwich, Connecticut.
208. See RNA, 1:245 for this case.
209. This entry was canceled.
210. Johannes Dyckmans was commissary at Fort Orange at this time.
211. Dominie Johannes Polhemius, who came to New Netherland in 1654 after the loss of Brazil.
212. This is the Swedish ship Gyllene Haj which was seized by the Dutch at New Amsterdam. It was eventually put into the West India trade by Stuyvesant under the name Diemen.
213. See 2:26a, translated in NYHM, 2:139, for this contract dated 25 June 1643.
214. i.e., 40 a 45 lasten.
215. See 5:382, page 187, for this resolution.
216. i.e., the subjects of the governor and council of Connecticut.

217. A reference to the treaty concluded at Hartford, Connecticut in 1650.
218. Although not addressed, this letter was presumably intended for the governor and council of Connecticut.
219. i.e., de Wale quartier, probably the Wallabout Bay area of Brooklyn.
220. i.e., "the wolf's lair."
221. This copybook is no longer extant.
222. The day is double dated because Sweden was still on the Julian calendar at this time and therefore ten days ahead of the Gregorian calendar.
223. The Swedish name for the ship was Gyllene Haj, "The Golden Shark."
224. The notary was Dirck van Schelluyn.
225. A reference to the previous Swedish governor, Johan Prints. See NYHM, 18:1ff. for a compilation of Swedish activities on the Delaware.
226. See 5:380, page 186, for this document.
227. See 5:382, page 187, for this resolution.
228. See 5:374, page 184, for this pass.
229. i.e., twelck een exter op een boom gewesen. The intention of this proverb seems to be that the effort would be futile or useless.
230. These are references to Swaenendael in the south, near present-day Lewes, Delaware, which was settled in 1631 and destroyed by Indians in 1632; Fort Nassouw which was built on the east side near Gloucester, N.J. in 1628 and abandoned in 1651; and Fort Casimier on the west side near present-day New Castle, Delaware which was erected in 1651.
231. See Augustine Heerman's explanation of this to Governor Fendall of Maryland in NYHM, 18:220.
232. This copy has been lost; however, see Hudde's report in NYHM, 18:1 ff. for communications to Johan Prints.
233. This is a clerk's copying error for Hendrick van Elswyck.
234. This copybook is no longer extant.
235. Wesel is near Arnhem in the province of Gelderland, the Netherlands.
236. Reference to the animosity between the Dutch and English on Long Island, especially during the first Anglo-Dutch war.
237. This is Daniel Litschoe, innkeeper and sergeant in the city's militia.

238. Possible reference to the prisoner's hands being misused during torture.
239. Vreedland was the area in present-day Westchester County near the Connecticut border.
240. This document is a response to a petition which is no longer extant because the copybook has been lost.
241. See 5:429, page 204, for this sentence.
242. This is most likely Pomerania, which was held by Sweden at this time.
243. This is a clapboard fence which separated most house lots from the street in New Amsterdam.
244. The responses have been rearranged to follow each proposal.
245. This is probably Abraham Clock, carpenter for the Company.
246. See 5:250, page 135, for this decision.
247. See 5:346, page 174 for these documents.
248. See RNA, 1:266 for the city's copy of this document.
249. This is probably a reference to 5:323, page 164; a document withdrawing the city's right to collect the tapsters' excise.
250. See 5:323, page 164, which sets 25 November as the deadline for farming out the tapsters' excise to the highest bidder.
251. This is the settlement on Manhattan near the ferry to Long Island.
252. i.e., hutspot, a meat and vegetable stew, appearing in English as "hodgepodge."
253. Geesken is a feminine given name usually appearing as Geesje.
254. This contract is laid out in two columns with the proposals on the right and the responses on the left. This format has been rearranged by the editor so that the responses directly follow the proposals. The ship in question in the Swedish ship, de Gulden Hay, which was seized in retaliation for the capture of Fort Casimier; see 5:382, page 187 ff., for documents concerning this incident.
255. Outgoing ships usually took on water and firewood at Sandy Hook.
256. This copybook is no longer extant.
257. Reference to the first Anglo-Dutch war, 1652-1654.
258. The responses to Stuyvesant's proposals appear in the left margin. They have been rearranged by the editor to follow each proposal.
259. See RNA, 1:271 for the city's record of this proposal and response.

260. Reference to the departure of ships to the Netherlands.

261. i.e., a dwarshuys, which indicates a house with its gables perpendicular to the street. Most Dutch houses had gables running parallel to the street because taxation was calculated according to frontage on the street.

262. See LO, 18 and 64 for these ordinances.

263. Director-General Petrus Stuyvesant was not a signator of this order because he was on his way to Curacao.

264. i.e., door t' hellegatt, literally: "though the Hellegatt, "probably referring to the land on the other side of the channel opposite Manhattan.

265. This is the monogram of the secretary, Cornelis van Ruyven. The copybook of resolutions has not survived.



APPENDIX A

KEY TO PREVIOUS TRANSLATIONS FROM VOLUME 5

The following list indicates the manuscript page number according to O'Callaghan's "calendar" to the NYCM followed by the volume and page number of the translation in NYCD; for those translations appearing elsewhere, the abbreviation of the source plus the page number will be given.

3 (14:149), 4 (14:149), 6 (14:150), 9 (14:151), 11a (14:152),  
 11b (14:154), 11c (14:154), 15 (LO:123), 17 (14:155), 19  
 (14:145), 25 (14:161), 28 (14:163), 36 (14:164), 37b (14:164),  
 41 (14:177), 43 (14:183), 49c (14:187), 50 (14:187), 51 (LO:135),  
 52 (14:185), 57 (14:187), 61 (14:188), 62 (14:188), 68 (LO:137),  
 69b (14:188), 73a (14:188), 85 (14:188), 90a (14:189), 99B  
 (14:196), 101 (14:196), 103b (14:196), 106 (14:197), 109  
 (14:199), 110 (14:200), 111 (14:200), 114a (14:201), 118  
 (LO:142), 120 (14:201), 121 (14:202), 125 (14:204), 128a  
 (14:205), 141 (LO:149), 142 (14:218), 143 (14:219), 145 (14:220),  
 146 (14:221), 147 (14:221), 150 (14:223), 151 (14:225), 152  
 (14:223), 154 (14:226), 155 (14:227), 157a (14:229), 157b  
 (14:229), 159a (14:230), 159b (14:230), 165 (14:231), 166  
 (14:231), 167 (14:232), 168 (14:233), 177 (14:237), 179 (14:237),  
 180 (14:238), 181 (14:239), 186 (14:240), 187 (14:241), 193  
 (14:225), 195 (14:242), 197 (LO:152), 199 (14:243), 201 (14:244),  
 202 (14:244), 203 (LO:153), 207 (14:245), 209 (14:246), 210  
 (14:245), 211 (14:247), 212 (14:248), 213 (14:248), 214a  
 (14:249), 215 (13:35), 221 (14:249), 234a (14:253), 235 (LO:155),  
 242 (14:254), 245a (14:255), 246c (14:256), 247a (14:256), 247b  
 (14:257), 248 (14:259), 249a (14:258), 250b (14:258), 252b  
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## APPENDIX B

### 17TH CENTURY DUTCH COINS, WEIGHTS AND MEASURES

Numerous coins, weights, and measures are mentioned in the Dutch records, many of them undoubtedly unfamiliar to either the general reader or the historian. A list of such terms and their values was prepared by A.J.F. van Laer and included as an appendix to The Van Rensselaer Bowier Manuscripts (published 1909). However, in the thirty years following publication of that work, Mr. van Laer uncovered much additional information which he noted in his copy of the book. The following charts incorporate material selected both from the original list and from the annotations. It should be noted that there were no universal standards in the seventeenth century, as is evident from several of the following terms for which Mr. van Laer cites numerous variations in value.

#### Coins

penning (1/16 stuiver)  
denier (1/12 stuiver)  
duit (1/8 stuiver)  
groot (1/2 stuiver)  
stuiver, stuyver, stiver (1/20 guilder)  
Brabant stuiver (24 pennings)  
stooter (5 groots)  
schelling (6 stuivers or 12 groots)  
pond Hollands (15 stuivers)  
guilder (20 stuivers or 40 groots.) The accounts of the Dutch church at Albany indicate that a guilder in sewant was equivalent to 5/16 of a guilder in specie.  
goud guilder (1 and 2/5 guilders or 28 stuivers)  
Carolus guilder (1 and 1/2 guilders)  
daelder (1 and 1/2 guilders)  
rijksdaelder, rixdollar (2 and 1/2 guilders)  
ducaton (3 guilders plus 3 stuivers)  
pond Vlaamsch, pond groot, Flemish pound (6 guilders or 20 schellings). Equal to a York pound.

#### Weights

Amsterdam ons (1.085 ounces avoirdupois)  
Amsterdam pond (1 pound, 1.36 ounces avoirdupois)  
last (4000 pounds)

#### Linear Measures

Rhineland duim (1.03 inches or 0.026 meters)  
Amsterdam duim (1.013 inches)  
Rhineland voet (12 duimen) (12.36 inches or 0.3139 meters)

Amsterdam voet (11 duimen) (11.143 inches)  
 Rhineland roede (12 voeten) (12.36 feet or 3.7674 meters)  
 Amsterdam roede (13 voeten) (12.071 feet or 3.6807 meters)  
 uurgaans or zeemijl (1/20 degree; 3 nautical miles; 18,261 feet; 1,500 Rhineland rods; 5,555 meters). Van Lear quotes one source which gives the Holland mile as 5.556 kilometers and the uurgaans as 5.651 kilometers. He also mentions an old Dutch mile of 5,358 meters.  
 geografische mijl (1/15 degree; 4 nautical miles; 4.611 Statute miles; 24,348 feet). Van Laer cites from various sources figures in meters of 7,420, 7,407.41. and "about 7,407."

#### Square Measures

Rhineland morgen (600 square roeden) (2.103 acres)  
 Amsterdam morgen (600 square roeden) (2.069 acres)  
 schepel (the land that can be sown with a schepel of rye. Half-schepel lands equalled 50 vierkante roeden of 1/12 bunder.)  
 mudde (in the western part of Drenthe the word mudde is used as a square measure of land, equalling 212 and 1/4 square roeden; elsewhere, 160 square roeden)

#### Liquid Measures

mengel (mingel) (1.266 quarts oil; 1.266 quarts wine; 1.304 quarts brandy; 1.28 quarts beer; 1.915 quarts milk)  
 stoop (2 mengelen or 2.532 quarts wine; 1 and 13/19 mengelen or 2.15 quarts beer)  
 steekkan (1/16 mengelen or 5.064 gallons oil; 16 mengelen or 5.064 gallons wine; 15 mengelen or 4.89 gallons brandy; 16 mengelen or 5/12 gallons beer)  
 anker (32 mengelen or 10.128 gallons wine; 32 kan brandy)  
 viertel (6 mengelen or 1.956 gallons brandy)  
 aam (120 mengelen or 37.98 gallons oil; 4 ankers, 128 mengelen, or 40.512 gallons wine)  
 ton (128 mengelen, or 40.96 gallons beer)  
 okshoofd, hogshead (6 ankers, 192 mengelen, or 60.768 gallons wine)  
 vat (717 mengelen or 226.93 gallons oil; 4 okshoofden, 728 mengelen, or 243.072 gallons wine; 16 mengelen or 7.66 gallons milk)  
 smalton (31.096 gallons wine)  
 Kwarteel (12 smaltonnen or 62.192 gallons wine)

#### Dry Measures

schepel (0.764 bushel wheat; 1.29 bushels salt)  
 zak (3 schepels or 2.292 bushels wheat)  
 mudde (mud) (4 schepels or 3.056 bushels wheat)  
 vat (4 schepels or 5.16 bushels salt)  
 last (36 zakken, 27 mudden, or 82.512 bushels wheat)  
 smalton (1/12 last or 6.876 bushels wheat)  
 honderd (704.32 bushels salt)  
 hoed (hoet) (33.25 bushels coal)  
 spint (1/4 schepel)  
 ship's last (3.72 cubic yards, 100.17 cubic feet, or 2 and 1/2 tons burden)  
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