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HISTORICAL MANUSCRIPTS:
ENGLISH

Volume XXII

ADMINISTRATIVE PAPERS OF
GOVERNORS RICHARD NICOLLS
AND FRANCIS LOVELACE, 1664-1673

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whose prime object is "to collect and preserve information respecting the early history and settlement of the City and State of New York by the Dutch and to discover and preserve all still existing documents relating to their genealogy and history." This purpose, since 1885, has provided a stimulus for historical research and analysis of the New Netherland era in America.
NOTE TO THE READER

The series *New York Historical Manuscripts* brings to researchers colonial records from several repositories, in particular a collection at the New York State Archives arranged by E. B. O'Callaghan and described in his *Calendar of Historical Manuscripts*. For ease of reference we have retained O'Callaghan's volume numbering and the designations *Dutch* (for volumes through XXI) and *English* (beginning with number XXII). Books of records from other sources are also designated as *Dutch* or *English* in our series but do not have volume numbers.
INTRODUCTION

Colonel Richard Nicolls, conqueror of New Netherland and first Governor of New York (1664-1668), won the approval of the Dutch inhabitants by granting them a remarkable degree of personal freedom and local autonomy. Although he required greater conformity from the English settlements in the colony, he exhibited patience and understanding toward their residents, most of whom were Puritans and Quakers, distrustful of royal commissioners such as Nicolls. He met resistance to his authority with firmness but without reprisals, and officers who did not practice a similar restraint were cashiered. "We cannot expect they love us," he admitted of the residents in his instructions to one officer (pages 32-33), but he offered charity and brotherhood nonetheless.

New York's second Governor, Francis Lovelace (1668-1673), also showed a firm hand in restraining members of the army of occupation, while for disputes between individuals or communities he encouraged arbitration and compromise, referring many cases on appeal back to local jurisdictions in preference to using his office to impose settlements. At the same time he laid the groundwork for the centralized authority desired by the King and the Duke of York, extending English forms of law and administration to a number of Dutch localities and granting special privileges to leading individuals well disposed toward the government. This effort was interrupted by the Dutch reconquest of the colony in 1673, and when English government resumed a year later it was with less patience and understanding than had been exhibited by the first two governors.

Nevertheless, there was a unity of purpose in the colonial English government through several administrations, due largely to the remarkable Matthias Nicolls (who, incidentally, was not related to the first Governor). Serving in the eight English administrations from 1664 to 1688, Nicolls was simultaneously provincial secretary, chief jurist, member of the Governor's council, captain of Long Island cavalry, and New York City alderman. He also served two terms as Mayor of New York, and was oftentimes a commissioner on special assignments. A lawyer by profession, he has been credited with writing the Duke's Laws. Undoubtedly, Richard Nicolls, as confidant of the Duke of York, also contributed significantly to their creation, but the final form shows the lawyer's careful choice of language.

The present volume consists of papers from the administrations of Richard Nicolls and Francis Lovelace which were docketed by Matthias Nicolls and filed in the colonial Office of Records. Principal among these papers are revisions of the laws, trial records of important cases, and Secretary Nicolls' notes and drafts relating to all aspects of governmental administration. These documents taken by themselves offer not only insights into the operation of the government itself, but also provide an important view of a number of fascinating events in the early history of New York. Used
in conjunction with the various copybooks from the Office of Records, including general entries, Council minutes, and court minutes (all of which are projected for publication), they reveal the individual steps in the process to replace Dutch law, government and commerce with their English counterparts, and to subject English colonists to crown authority not only in New York but also in New England.

Much of this material has never been published, although an extensive selection was included in the printed 1896 annual report of New York State Historian Hugh Hastings. That edition is unsatisfactory both because the transcription was inaccurate and because some forty-seven documents were not included: twenty-nine because they were in Dutch, others because of difficulty in reading the handwriting, incompleteness of the text, or censorship imposed by Hastings, and some for no discernible reason at all. The publication was produced as part of an unsuccessful campaign by Hastings to have the colonial manuscripts transferred from the New York State Library to the State Historian's Office, the intended point being that the records should be placed with an agency that would publish them. Library archivist George R. Howell, aware of Hastings' ulterior motives, did not inform him that translations by E. B. O'Callaghan of twenty-six of the Dutch documents were housed in the Library's collections. Frustrated by the absence of these important records from the published volume, and by similar gaps in two succeeding volumes, Hastings discontinued the project after 1897. Howell, in 1898, revived the Library's own historical publications program, which, with his hiring of A. J. F. van Laer as translator of Dutch manuscripts, effectively answered the challenge.

In the present edition all documents have been included except multiple copies of the same item, and in such cases any variation in wording other than articles and prepositions has been noted. Wherever a reading was uncertain or the document damaged, a search was made for other manuscript copies and for published versions. When more than one transcription of missing material was available, the version chosen was that of the most reliable editor, those prepared by Victor H. Paltsits being preferred, but any significant variance among transcripts has been noted. In order to interpret the sometimes cryptic documents many related sources have been consulted, including manuscripts in the New York State Library, State Archives, and Albany County Clerk's Office, as well as published transcripts of documents located elsewhere; these have also been noted. The O'Callaghan translations were checked for accuracy by Charles T. Gehring, translator and editor of Dutch colonial records at the New York State Library, who made several corrections. The present editor later made some minor stylistic changes in O'Callaghan's sometimes awkward sentences, which should not affect the sense of the documents. Dr. Gehring has provided us with translations of three documents not translated by O'Callaghan.
As much as possible the material has been arranged on the pages as it appears in the original manuscripts. In the transcription of English documents the original spelling and punctuation have been retained, with a few exceptions: abbreviated words which include the final letter have been expanded; the use of “u” and “v” has been standardized according to modern spelling; “ff” has been replaced with “F”; and superior letters have been brought down to the line of text. In general, symbols have been replaced with the words or syllables they represent, except that the marker indicating “sen” in patronymics has been represented by “sz”, as is usual in Dutch typography.

We acknowledge our appreciation to The Holland Society of New York, not only for the funding of this volume, but also for its encouragement and assistance. To the New York State Library we are indebted for the use of its collections and for the cooperation of administration and staff. The New York State Archives, which in 1978 assumed responsibility for the State’s colonial documents, has provided cooperation and support for the present publishing project. Particular thanks are due to Charles Gehring, not only for his translations, but also for advice and assistance in resolving historical, bibliographical and interpretive problems. We especially thank Miss Micki Calvin for the great care she took to prepare an accurate typescript.
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ADMINISTRATIVE PAPERS OF
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NICOLLS-LOVELACE PAPERS

22:1

G: Nicols's first order to Pet: Styvesant and Corn: Van Ruyvant attorneys of the D: West india company
24 December 1664, to give an account of what they had in their hands of that company. B: from 64 to 65 P: 76.

The second order the 27 December. P: 78 1664 Declaring the arrest instructions about making out the accounts

P: 125

The Governor's declaration declaring the confiscation of the W: India company's estate in these parts

Whereas by a former order bearing date the 24th of December 1664 for many good reasons and considerations moveing me thereunto moveing I did publish an arrest upon the estate both real and personall belonging to the West India company of Amst. in Holland, And notwithstanding their late high provocations by letters under their hands not only of a scurrilous nature but in plainly disavowing the articles made at the surrender of this town and fort under his majesty's obedience wherof they have or might have enjoyed the benefit yet all further proceedings have been deferred till this day Now know all men by these presents that His Majesty by his royall declaration bearing date the 22d of February 1664 hath manifested to the world that amongst other the subjects of the united Provinces the said West India company hath done great spoiles injurys and affronts to his Majestys subjects for which no reparation or satisfaction can be obtained from the States of the united Provinces but on the contrary fresh injurys and deprivations acted by their ships of War and letters of mark wherupon His Majesty hath declared the said States to be the aggressors, and Granted commissions for fighting with and subduing seizing and taking all their ships vessels and Goods upon all which reasons I have thought it my duty to His Majesty to publish and declare, that all Houses, lands, goods, estate both real and personall, debts and credits belonging to the said West India company within any part of the Territories belonging to His Royall Highness the Duke of York, are confiscated to the use and service of His Majesty And I doe in his Majestys name further require all persons within this Government justly and truly to discover and make known all or any concealment of the premises as they tender their own libertys and estates. Their not compliance with the full intent and purpose of this Declaration shall be att their utmost perrills. Given under my Hand and Seal at fort James in New York this 15th of June 1665 Ricd Nicolls p:126.

p: 131 The Governor acquaints the people of long island viz' I am comanded by his Majesty to acquaint you etc. that he is informed deryiter has order to attempt the recovery of this place etc. June 22d 1665 The like sent every wher to attend with their armes

[Endorsed:] Governor Nicolls declares all the West India company's estate forfeited and articles of Surrender.

Recorded in Book A. No. 18 page 23. 76. 78. 120. 125. 131.
22.2a  [GUARANTEE OF THREE MORGENS OF LAND OVER AGAINST APES' ISLAND IN SCHODACK TO JACOB JANSEN FLODDER, 6 SEPT. 1665.]

22.2b  [LETTER FROM GOV., NICOLLS TO JEREMIAS VAN RENSSELAER, RELATIVE TO THE POLICY OF HIS GOVERNMENT, 7 OCT. [1665.]]

22.3  [CONDEMNATION OF THE HOPE AS A PRIZE OF WAR]

Upon hearing the Cause of John Poppen, late Master of the Vessell or Galliott called the Hope, now under Arrest, and Riding in this Harbour; And having received the Allegations on both parts (That is to say) from Mr. Thomas Delavall, Plaintiffe on behalfe of his Majesty, and from Mr. John Rider on behalfe of the Defendant, And having also perused the severall Examinations upon oath, as well of the said John Poppen, as of all the Seamen, who Sail'd from Curacao, hither in her, Wee finde according to the Lawes of the Admiralty in the Like Cases, That the said Vessell or Galliott called the Hope, is a Lawfull Prize, for that Shee hath (contrary to his Majesties Lawes and Proclamations, now in the Time of Warr) beene in a Dutch Port, and hath taken in Goods there, and Traded for and with the Kings open and professed Enemies, wherefore shee ought to bee confiscated, Together with all her Rigging, Tackle, Furniture, and Apparell, as also all her Loading and Provision[s] to the uses in the Law exprest; And in Prosecution of Our Commission, Wee do hereby give our finall Sentence, and Decree, That the said Vessell or Galliott called the Hope, together with all her Rigging, Tackle, Furniture and Apparell, with all her Loading and Provisions, of what nature or sort soever, is confiscated to the uses aforesaid; And further, that the Commissioners for Prizes Appointed by his Majesties Authority, may from, and after the date hereof Lawfully Breake Bulke, make Sale, and dispose of the said Galliott, with all her Rigging, Tackle, Furniture and Loading, according to such Instruccions as they have on that behalfe received, Dated at Fort James in New Yorke, the 22d day of September 1665.

Signed by Order of the Commissioners of the Court of Admiralty
Rich, Charlton

[Endorsed:]  The Condemnation of the Galliott called the Hope to bee a Prize by the Commissioners of the Admiralty
Entred M N°1
September 22th 1665
An Agreement made between Richard Nicolls Esquire Governour under his Royall Highness the Duke of Yorke and the Sachems and People Called the Sopas Indians

1 That noe act of hostilitie shall at any time hereafter bee committed on either part or if any should happen to bee donne by either party, to the Corne, Cattle, Horses, hoggs, Houses, or any other goods whatsoever of the other party full satisfaction shall bee given upon demand for the same.

2 That if any Christian shall wilfully kill an Indian, or any Indian a Christian, hee shall bee put to deathe, and the said Sachems doe promise on their parts to bring any such Indians to the Officer in cheife at the Sopes to receive his punishment there.

3 That a convenient house shall bee built where the said Indians may at any time lodge without the Ports of the Towne in which house the Indians are to leave their armes, and may come without molestation to sell or buye what They please from the Christians.

4 That in case any Christian should kill an Indian, or any Indian a Christian, the Peace shall not bee broken, or any Revenge taken before satisfaction is demanded by the one party, and refuse by the other, allowing a competent time for the apprehending of the offender, in which case the Indians are to give hostage till the offender is brought too punishment. the said hostage is to bee civilly treated, and to suffer noe other punishment but imprisonment.

5 That the said Sachems, and their subjects now present doe for and in the names of themselves and their heires for ever give graunt, alienate, and confirme all their right, title interest claime or demand to a certaine parcel of land lying and being to the West, and South west of a certaine creeke or River commonly called by the name of Kahankson and so up to the heade thereoff, where the old fort was, and from thence in a direct line through the woods, and Crosse the Meadowes to the greate Hill lying and being to the west or south west, which saide Hill is to bee the true west, and south west bound of the saide lands, and the aforesaid Creeke called Kahanckson the North, or North East bound of the saide lands heerinn mentioned to bee given, graunted, and confirmed unto the Saide Richard Nicolls Governour under his Royall Highness the Duke of Yorke or his assignes by the said Sachems and their subjects for ever, to hold and injoye the same as his free land, and possession against any claime hereafter to bee made by the Saide Sachems, or their subjects, or any heires or successors. in token of the foresaide agreement the foresaide Sachems doe deliver two smale stickes, and in confirmation thereof doe deliver two more small sticks to the said Richard Nicolls and in the name of the Indians their subjects, one of the subjects doe deliver two other round small sticks in token of their assent to the said agreement, and the Saide Richard Nicolls does deliver as a present to their Sachems three laced red coates.

6 The said Sachems doe ingage to come once every yeare, and bring some of their Young people to acknowledge every part of this agreement in the sopus to the End that it may bee kept in perqetuall memory.

7 That all past injuries, are buried and forgotten on both sides.
That the Yonge Sachem callele Wingeerinoe hath libertie for three yeares to plant upon a small neck of land over against a small Creeke caled Coughkwakanor, unless the saide Young Sachem bee warnde off by order to remove, and give place to such Christians as shall have order from the said Richard Nicolls or his assignes to plant there, at which time the saide Young Sachem is to receive a blanket by way of Curtesie, and to remove to the other side of the Creeke without delaye, or claiming any future interest thereupon.

In consideration of the premises the saide Richard Nicolls doth farther give and paye to the said Sachems and their subjects forty blankets, twenty pound of powder twenty knives, sixe kettles 12 barrs of leade which payment wee acknowledge to have receivde in full satisfaction for the premises, and doe bind our selves our heires and successors forever, to performe every part of this agreement, without any fraude or reservation of mind and further that wee will maintaine and justifie the saide Richard Nicolls, or his assignes, in the full and peaceble possession of the afore-saide tract of land, Royalties and Priviledges forever against any nation of Indians whatsoever pretending right to the same in testimony whereof wee have sett our markes to two severall writings, the one to remaine in the hands of the Sopes Sachems, the other upon record att Newe Yorke, this seventh day of October 1665.

Richard Nicolls

Witnesses
Jeremias Van Rensselaer
Philip Pietersz Schuyler
Robert Nedham
S Salisbury
AEdw Sackville

Indian Witnesses of the Sopes young men
the Markes of Pepuukhuis
Robin Cinnaman a Pekoit Sachem

Ermawamen
Bywackus

April 11th, 1670
appeared before me
Sachem Calcop, his young son and another young Indyan, who have set their marke to the Agreement made between Coll Nicolls and the Sopes Indyans above written

Dudley Lovelace, President.

Sachems
The Marke of Onackotin
The Marke of Wapo Shequiqua
The Marke of Sewakonama
The Marke of Shewotin

The Marke of Calcops young son named Tantupawhee
The Marke of Sachem Calcop

Mamasheemans
By virtue of his majesties Commission wee have heard the Differences about the bounds of the Pattents granted to his Royall highnesse the Ducke off Yorke and his Majesties Collony off Connecticot and having deliberately considred all the reasons alledged by Mr. Allyn Senior Mr. Gold Mr. Richards and Capt. Wintrop appointed by the assembly held at Hartfort the 13th day of October 1664, to accompany John Winthrop Esquire (the governor of his Majesties Collony off Conecticot) to New Yorke and by Mr. Howell and Capt. Yong off Long Island, Why the said Long Island should be under the government of Connecticut which are to Long here to be recited.

Wee doe declare and order that the southerne bounds off his Majesties Collony off Connecticot, is the sea and that Long Island is to be under the gouvernment off his Royall Highnesse the Ducke off Yorke as is Exprest by plaine words in the said pattents respectively.

And alsoo by Virtue of his Majesties Commission and by the Consent off both the Governors and the Gent above named wee also ordre and declare that the Creeke or River called Momoronack which is Reputed to be about twelve miles to the east off Westchester, And a line Drawn from the east point or side, where the fresh water falls into the salt at high water marke. North north west to the Line off the Machatuchets, Be the westerne bounds of the said Collony off Connecticut and all plantations Lying westward off that Creeke and Line soe Drawne to be under his Royall highnesse government. And all Plantations lying eastward off that Creeke and Line to be under the government off Connecticot Given under our hands at Fort James in New Yorke on Manhatans Island this 30th day off November 1664

Richd Nicolls
George Cartwright
Samuel Mavrick

a true Copy Compared with the origenaall
Eliaser Kimberly Secretary

Coppy of the Report of the Commisioners Covering the boundarys between Nyorke and Connecticut
22:6 | LIST OF PAPERS OF VICTOR BICKER RELATING TO HIS INHERITANCE.

1 The last Will and Testament of Aeltien Lubbertsen, last [ ] ow of Nicholas Velthuysen, former [ ] ow of Gerrit Bicker leaving he [ ] to her son Victor Bicker then 11 yeares [ ] aming Coenraet ten Eyck and Bo[ ] Roloffsen to bee Overseers in Trust for the Child dated Jan 2d 1664.

2 An Inventory of Goods taken 29 Jan : 1664.

3 A list of part of the Goods sold in Vendue.

4 The Answer for Boel Roeloffse and Conraet ten Eyck, against Claes Gangeless Visser relating to the Orphan Child and Estate.

5 Coenraet Ten Eyck and Boel Roeloffsen security for 2000£ Lent the Towne out of Victer Bickers Estate.

6 The petition of Coenraet ten Eyck and Boel Roeloffs[ ] as Trustees of Victor Bickers, to the C[ ] Mayor and Aldermen for Reliefe [ ] the mony lent by them to the Town[ ]

7 An Extract of [ ] the Articles of Surrender the 15 articles.

[Endorsed:] A list of Victor Bickers papers.

22:7a | REVISIONS OF THE DUKE'S LAWS, 1665

[Whereas severall Explanacions and some Amendments in the Lawes, are thought of present necessity to be made for the good, and to the Satisfaction of the Countrey, I have thought fitt to communicate the Same underwritten unto you, and to Authorize you to act therein, as by vertue of this my speciall Warrant, untill such time as they may be further Enacted and Confirmed at the next Generall Assizes, Given under my hand at Port James in New Yorke this 26th day of febr. 1665.]

Richard Nicolls.

If the High Constable shall have no publicke businesse at the Assizes or Sessions, he may bee excused from his Attendance by any Justice of the Peace of the Riding to which he belongs, under the hand of the said Justice to be produced in Court.

All Originall Debts or Trespasses, must bee of the value of five pounds, or not tryable in Sessions.

Matters of Equity under five pounds, may bee Tryed in Towne Courts, and if under twenty at the Sessions.

No Arrest is to bee made upon the Person of any one attending the publike businesse at the Assizes, Whether he be Plaintiffe, Defendant, Witnesse, Juror or any publike Officer.

The Purchases of Lands, under the Value of thirty pounds are not obliged to bee Recorded at New Yorke.
That whereas it is said in the Lawes, that Implanted Lands shall pay 2s. 6d. for every hundred Acres, as an acknowledgment to the Duke, Its to be understood of Lands not formerly Planted.

That the Payments for Publike Rates in all sorts of Graine to be according to the Price at the time and Place where it is Payable.

Constables are to have a Competent allowance for the time they spend in Searching and enquireing after the Estate of the Deceased, to be made by the Justices of the Peace before whom he shall take his Oath of the truth of what he is to deliver in concerning the Estate.

That two pence in the pound Allowed to Constables for Attachments and Apprizeement of Goods is to be understood, of Goods distreynd.

That the Apprizers of the Goods of any one dying intestate, shall have satisfaction allowed them by the Court of Sessions at the time of their Nominacion.

That after the Rates shall be levyed, Publike charges are first to be defrayed.

That it be left to the Consideracion of the Justices of the peace at the severall Sessions in each Riding, whether two Sessions and one Assizes, may not be Sufficient for the buisnese of the Country, and what will be the most convenient Season for Holding the Courts.

Whether March and June will be most proper for the Sessions, and October for the Assizes.

That the Sessions in the East Rideing be kept by turns, in the Townes of Southampton and Southold.

That Wills and Administracions of Estates under the Value of one hundred pounds, are not obliged to be Recorded at New Yorke.

Wills to be proved and Administrations graunted in Sessions, if the Estate bee under the value of one hundred pounds, shall pay one shilling, if one hundred pounds five shillings for each hundred pounds towards the defraying of Court Charges.

That the Plt. at the Entry of his Action shall enter into a Recognizance to pay one dayes Cost of a Jury for each Action that shall bee brought to bee Tryed at the Assizes or Sessions.

That whereas it's said in the Amendments of Lawes that all Graunts and Patte[n]ts are to be brought in and [renewed, etc.] [Its] to be understood [that all old Graunts] which are to be brought in and Confirmed [and] returned to the Partyes, And where no Lawfull Graunts are or that they bee doubtfull New and Legall Graunt[s] shall be obteyned.  

R. Nicolls
Some Alterations, Amendments, and Additions made in the Lawes, and Confirmed at the General Court of Assizes held in New York the 28th and 29th days of September and the 2d, 3d, 4th days of October, 1665.

Absence This is to be written in the place of that in the Booke under the first head.

If any Justice of the Peace or high Constable shall be absent from the Sessions held within that Riding where he inhabits, or from the General Court of Assizes, he shall pay for every dayes absence Ten pounds, and every Petty Constable for each default, shall pay five pounds, unless one of the Overseers who shall bee Nominated of the Jury, do give Attendance on the Court, in his place with the Constables staffe, Provided also That it shall bee Lawfull for the Justices th[ ] on the Bench do discharge any Constable from his appearance if they shall think fitt.

Actions This to be written in the place of the Second Clause of this head.

In All Actions of what nature soever not exceeding the value of five pounds between Neighbours Arbitracion of two indifferent persons of the Neighbourhood shall bee tendred which persons are to bee nominated by the Constable of the place, before it bee brought to a towne Court and if either or both partyes shall refuse by any pretence to stand to Arbitracion then the Court shall determine the Case if above the value then the next Justice peace upon the Complaint of the Party shall propound Arbitracon to both partyes And if they Accept thereof, the Justice is to Nominate the Arbitrators But if either party refuse then the Justice is to give forth his Warrant, as the Action requires.

This is the place of the 3d clause.

In all difference under five pound not Tryable in Sessions, the Constable is to have one shilling for nominating Arbitrators to whom if the difference bee referred they shall have two shillings six pence each, If the Action is brought to the Justice he shall have two shillings six pence for nomination and the Arbitrators he appoints two shillings six pence each.

These Addicions are to follow under the same head.

That to prevent the trouble of too frequent holding Town Courts a Court may bee held in each respective towne, at some convenient certain time, either once in two, three, or foure weekes, as shall bee Judged most fitt, And if any shall desire to call a Court any other time, that then hee pay for the trouble and Charge thereof as it shall be reasonable adjudged By the Court.

In towne Courts, the Constable and overseers are to give their Judgement by the Major vote where six with the Constable or seven in his absence are Competent and Equivalent
to a Jury, And the Constable upon equall Division is to have a Casting voyce.

The fees belonging to town Courts shall bee halfe of what is allowed at the Sessions as the Fees of the Court of Sessions are halfe of the Fees at the Assizes.

Tittles of Land as well as other Actions, are to be tryed in sessions, unlesse being above the value of twenty pounds they shall be ordered to bee tryed at the Assizes, by the Governors special warrant.

Any action of Debt etc. above the value of twenty pounds, may Likewise bee tryed at the Assizes, by speciall warrant from the Governor.

Those that live at great distance from Courts are to have the heads of the Plaintiffs Declaracion, left at the place of their Abode as well as the summons 8 dayes before tryall.

Where the Originall Plaint is matter of Equity, the proceedings shall bee by prefering of Bills and delivering in Answers upon Oath, by the Examinacion of witnesses, in like manner as is used in the Court of Chancery in England and due regard must bee had that the Defendant have timely notice thereof as is appointed att common Law, which is Eight dayes warning before the Court shall sitt.

Thatt all Originall wills, after having been proved at the Court of Assizes or Sessions and returned into the office of Records at New Yorke, shall remain there, And the Executors or Administrators, shall receive a copy copy thereof, with a Certificate of it's being allowed, Attested under the seale of the office.

Administracion may bee granted by the Court to any person, the second sessions But to the widdow, or Childe, Brother or Sister imediately.

A Quietus is to bee procured within a yeare and six weeks after Administration is granted or a will proved.

All Reasons of Appeale as well as Declaracion are to bee delivered into the Clarke of the Assizes, or Sessions 8 dayes before the Court sitts.

The Security to bee given for prosecuteing of Appeales shall bee taken by the Court, the party appeals from, And for the prosecution of any other suite at the Assizes, Security shall bee given into the Clarke of the Assizes.
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to bee in the place of the last Clause. All Appeales are to be made by way of Peticton to the Governor and Councell, and the Appellant shall pay ten shillings upon delivery of his Peticton over and above two shillings sixpence to the Clarke of the Assizes for Entering the Appeale.

Appearance The words (A Justice of the Peace) are to bee Added in the beginning of this Clause (vizt) It shall bee Lawfull for the Plaintiff or Defendant, to take out a Subponen from a Justice of Peace, the sherriffe or under sherriffe, etc.

Apprizement That whereas it is said in the Second Clause the Sherriffe shall remove the Goods out of the Possession of the Plaintiff etc., It is to be altered, and written out of the possession of the Defendant.

And Whereas it is therein also said, the Execucion is to bee Returned by the Sherriffe to the Clarke of the Sessions that Graunted it, instead of graunted itt It's to bee that Signed it by Order of Court.

This to follow That the Persons who shall bee Nominated and chosen Apprizers of Lands, Goods or Whatsoever else shall bee taken in Execucion are to be Allowed four pence per pound for what shall bee by them so Apprized, which is to bee paid by the Party Cost in the Suite and risen accordingly.

Arrest The latter End of the fourth Clause, is to Conclude thus (vizt) In which case also hee shall not be Arrested but by Speciall warrant.

This to follow No high Sheriffe, or Justice of the Peace may at any time Grant a Speciall Warrant, But during the time of the Sitting of the Court of Sessions, the whole Bench may graunt it.

This to bee the conclusion of the 5th clause in the Booke. In the margin it's written in the same Jurisdiv[ion] Provided that the Privileges belonging to the Corporacion of the Cityt of New Yorke bee not hereby infringed, But that it shall and may bee lawful for any of the Inhabitants thereof, to Arrest a Debtor in the said Cityt though the place of his abode shall happen to bee in any other towne within this Goverment, And the Person so Arrested to sue Implead in the Cityt Court any Law to the Contrary, in any wise notwithstanding.

Assessments In Assessments, Add the words in the Parenthesis, in the first Clause (vizt) And every Inhabitant who shall not Contribute to all Charges (both Civill and Eclesiasticall) proportionable to the Rate so Assessed etc.

Assizes In the First Clause, it is to bee written The Generall Court of Assizes.
To Follow what is already written in the booke.

This likewise

Bayle This to be in the place of the 4th clause

[Bill] Bounds.

Capitall Lawes.

This to follow the 11th Clause in the booke.

These 3 following Clauses to come in before Adultery.

That if any Person within this Government shall commit a Burglary, by Breaking up any dwelling House, or shall rob a Person in the Field, or high wayes, the person so offending, shall for the first offence, be branded on the forehead, for the Second offence, he shall Be branded as before, and severely whipt, and for the third Offence, he shall be put to death.

If any Person shall Robb any Orchard or Garden, or shall Steale away any Linnen, woolen, or other Goods left without doores, or shall willfully deface or spoil any dwelling house, or out house, or any part thereof, or anything belonging thereunto, Hee shall pay treble damages, or be whipt.

If any person shall steale from Another, any Corne, Goods, to the value of tenn shillings or upwards, He shall be whip't or pay such a fine; as the Court shall adjudge to satisfy the damage, with the Costs and Charges of Court; And it is also left to the discretion of the Court to appoint smaller Mulcts, or Punishments for smaller Offences of that Kinde.

That the Constable by warrant from a Justice of the Peace, or upon sudden occasion without Warrant (haveing with him the staffe of his Office) may make search in any house, or place suspected, both for the offender, and for the Goods stolne, And whosoever having his goods stolne, shall privately receive them, and shall not legally Prosecute the offender, Hee shall forfeit to the Publike use, the Goods so received, or the Value.
In Cases of Adultery, All proceedings shall be according to the Lawes of England, which is by divorce (if sued) Corporall Punishment or fine and Imprisonment.

All those who shall have their Cattle mark't with the Towne Marke, shall pay to the Officer that mark't them, two pence per Head.

That it shall be left to the peculier Lawes of Townshipps to allow what more they shall thinke fitt to give for the Impounding of Cattle, then is here Expresst.

The Charge of each Cause shall be as followeth vizt. Every Cause of, or under five pounds, shall pay two shillings six pence, from five pounds, and under tenne pounds, five shillings, from tenn pounds, and under twenty pounds, fifteen shillings, from twenty pounds, and under forty pounds, twenty shillings, And for every tenn pounds more, above forty pounds, two shillings six pence. The money soe leavyed, is to go towards the Defraying of Court Charges.

That such Churches shall be built within three years after this Assizes, to which end a Towne Rate may be made, to beginne this Yeare.

That the Office of the Church Wardens Aforementioned, is to be performed by the Constable and all the Overseers, who are to take the like care, as is required of the Church Wardens.

That the second Clause, in Charges Publicke be left out of the Booke.

In the third Clause, Warrants are to be Issued by the High Sheriffe, to the High Constable, of each Ridinge, who shall send warrants to the Constables etc.

In the 5th 7th 8th and 9th Clauses, the High Constables name, is also to be inserted to act between the High Sheriffe, and the Constable.

The Constable of each Towne, during his Office, may furnish the Indyans with such quantity of Powder and shott, as may be thought necessary for their killing of Wolves and Provissions, And also may permitt them to have their Gunns mended, the said Constable giving an Account of what is so furnished and permitted by him to the Indyans, at every Sessions.

That in regard of the Distance of the Inhabitants of North Sea, from the Towne of Southampton (to which it doth belong) there be a Deputy Constable appointed, with Power to keepe his Majesties Peace, and to execute...
such Warrants and Orders, as he shall re-

cieve from his Superiors.

To be the last
Clause.

That whoever (being duely elected)
shall refuse to serve in the office of a
Constable, he shall forfeit for his
refusall, the summe of five pounds, towards
the defraying of Towne Charges.

courts-

Memorandum, that no Warrants are to be
Issued by the Clarke of any Court butt in
the name of the Court.

This to be the
last clause

Distracted
persons—This
is a new head
and is to come
betweene Defama-
cion and Dowerys.

That in regard the Condition of dis-
tracted persons, may bee both very Charge-
able and troublesome and so will prove to
great a Burthen for one Towne alone to bear,
Each towne in the Rideing where such person
or Persons shall happen to bee are to con-
tribute towards the Charge, which may arise
upon such occasions.

Fees

The Justices Fee for nominateing
Arbitrators is to bee Altered from 7s:6d:
to: 2s:6.

to follow Court
Fees in the
Booke

Court Fees are either to bee paid to
the high Sherriffe, or the Clarke of the
Assizes or Sessions, who are to bee accomp-
table for them.

All Court Fees are to be levysed by
distress or put into the Execucion with the
Debt and so risen.

This to bee
amended in the
Booke

The Clarke of the Sessions shall have
for the Entry of Every Action for tryall two
shillings six pence whereas it was before
[b]ut] one shilling.

to be added to
the sherriffes
[Fees.]

The Sherriffes Fees in Appeales shall
bee the same as in other Actions.

Horses and
Mares

The Provisoe for Liberty of Transporta-
cion of Mares, shall Continue three years
longer then the time formerly Allotted, And
(if founde Convenient) at the expiracion
thereof, may bee continued for a longer Time.

Inn keepers etc.
This to be in
the place of the
2d head and that
to bee left out.

That Inn keepers, or Ordinary keepers,
shall not be obliged to put any particular
quantity of Mault into their Beere, But they
shall not Sell their Beere at above two
pence the Quart, nor any Liquor at above 12
Shillings per gallon under the Penalty of
twenty shillings for each Gallon so sold.

To bee the latter
end of the first
head.

Provided allwayes, and it is to bee
understood that no man is hereby hindred
from Buying for his owne private use, any
quantity of liquors, And it shall and may
bee lawfull for any person to sell such
quantity to him, so that hee do not sell
This to follow the 2d clause in the Booke. It againe by Retail without a lycence.

Jurors this to follow the third clause. That if any Complaint bee made to the Officers of a towne against selling of Liquors at too unreasonable and Extraordinary Rates by Ordinary keepers, or others, They have Power to give Redresse therein.

This to follow. That the Payment of Jury men and Witnesses who shall attend the Courts of Sessions or [Assizes] shall bee from time of their going [from home to th]eir returne.

This to be latter end of the last clause save one. That whosoever shall bee nominated to Serve in a Jury, and without Just Cause Shewen shall refuse it, hee shall forfeit twenty Shillings towards the defraying of Publick Charges which is to be levyed by the Constable.

This to be the latter end of the last clause. And the Court upon occasion, is to judge of other just exeptions against Jurors besides kindred.

Justices etc. this to bee the 3d clause. The Justices of the Peace, high Sherriffe or under Sherriffe may Graunt Replevins ex Officio.

It's in the last clause of the booke. Whereas it is said Justices may Preside in town Meetings, It is to be written in town Courts.

This to be the last Clause. Every Justice of the Peace shall have an Allowance of twenty Pounds per Annum to bee paid out of the Publick Rates, towards the defraying of their Charges, over and above what may arise out of the fines and Amerciaments not otherwise disposed of.

Lands this to come in, in the 2d clause after the words (present posessor or right owner). To the end all former Purchasers etc

To bee put in the 4th clause. That every Purchasor etc shall Pay for every[yl] 100 acres as an acknowledgment two shillings six pence.

Marriage this to bee the last Clause. All Persons are to be acompte of fitt Age to Marry when the man hath attained the Age of twenty one and the woman of 18 yeares.

Military affaires. That Clause in the Booke is to bee altered and as. Every Trooper Listed in any troope of Horse shall keepe and maintain a good Horse for Service, when required, fitted with Saddle, Briddel, Holsters and Pistolls or a Carabine and a good Sword under the Penalty
of ten shillings for the least defect, neither shall any Trooper, sell, or change his horse and leave himself destitute, under the Penalty of five pounds, And for non appearance upon dayes of Muster and Exercise ten shillings a day, neither is it lawfull for a listed Trooper, to disband himselfe, but with leave from his Capt, under the Penalty of 50s.

Or by any Justice of the Peace of the same Riding the Oath appointed for Overseers being Administred unto them.

That whosoever (being duly Elected) shall refuse to serve as an Overseer shall Pay the same fine as is appointed for a Constable refusing to serve in his Office.

That the Justices of the Peace of each Riding, shall cause a Peice of ground to bee laid out in the same towne where their Sessions shall bee kept, whereon shall bee built, a towne House and Prison which are to bee Erected before the next Assizes, for defraying the Charges thereof a Rate is to be made throughout each Ridding at next Session[s.]

That Pounds and Stocks shall bee Provided in each Towne by the next Sessions --under the Penalty of forfeiting forty shillings for each towne.

That the high Sherriffe from year to year is a Justice of the Peace by virtue of his office.

The last Clause of Townships, relating to Actions, begining, whereas it is formerly exprest etc., shall be left out.

In the second Clause, towne Meetings are to be written town Courts.

Whereas it's said, the peculiar Constitucions of townes are to be Confirmed within four Moneths, it's to be written at the next Court of Sessions.

Every Wittnesse in any Action may require as due to him from the Party at whose suite he appeares two shillings per diem for every dayes Attendance, whether he give in his Evidence voluntarily or being served by subpoena But unless a witnesse bee served with subpoena it's in his Choyce whether he appeareth or not.
Wrecks etc
this to be in
the end of the
last Clause

This to come in
the latter end
of the 1st
Clause

And the Acknowledgement which shall bee
reserved to bee paid for whales or such like
great Fish Cast upon the Shore of any
Precinct, shall bee the 15th Gallon.

The Goods of Friends, ar by warrant
of the Governor and counsell to be restored
to the owners if any can be found or knowne.

These Alteracions Amendments and Addi-
tions are Allowed of and confirmed by me
any thing in the Lawes formerly made to the
contrary in any wise notwithstanding; Given
under my hand at Fort James in New Yorke the
30th day of October 1665

Richard Nicolls

22:7b

ADDITIONS Explanaciones and
amendments of some things in
the Lawes made and confirmed
at the Generalli Court of Assizes
held in New Yorke the 27th 28th
and 29th dayes of September and
the first and second dayes of
October Anno Domini 1666.

That instead of the salary of £20 per Annum formerly
allowed to the Justices of the Peace their Charges shall from
henceforth be borne in their Attendance at the Courts of Ses-
sions or Assizes, as also all other extraordinary incident
Charges about publique affaires, an Estimate whereof is to bee
given in, and allowed of, yearly at the Assizes.

That the Justices of the Peace for the time to come are to
pay their proporcions to the Towne Rates, to which they belong,
and are to be excused only from payments in the Rates for
Publique Charges.

That the present high Sheriffe is to be continued in his
Office untill the next Generalli Court of Assizes at which time
hee is to give into the Court a true and perfect Account of all
Publique receipts and disbursements, Provided that this shall
no ways infringe the priviledge in the Law allowed to the North
and West Rideings of having each of them a Sheriff in their
turnes after the expiration of the said time.

That the high Constables and undersheriffs in each Riding,
shall after the last day in December next, bee dismist and dis-
charged of their Implyments when they are to cleare up their
Accounts with the high Sheriff, And the Constables in Each
towne, are to Collect this years Rate, and all others for the
future and what shall be collected by them, is to remaine in
their hands untill the high Sheriff shall give Order for the
disposing thereof towards the payment of Publique Charges, which
shall become due within their respective Townships.

That the fees heretofore due to the high Constables and
Under Sheriffs shall bee added for this yeare ensueing to the
high Sheriffs fees.

In the absence of a Justice of the Peace, or where noe Justice of the Peace resides, upon extraordinary Occasion the Constable and Overseers shall have power to bind over an Offender to the next Court of Sessions or Assizes, and to take Suretyes for the keeping of the peace, or committ such as are Guilty of the breach thereof to prison if they shall see cause.

That in Cases of Review at the Sessions and appeals at the Assizes, new Evidences may be admitted if the Court see cause.

That for the time to come, there shall be held in Each Riding but two Courts of Sessions in one yeare, the first to beginn on the 1st 2d and 3d Wednsdays in March, the Latter on the 1st 2nd and 3d Wednsdays in June, beginning in the East Rideing as formerly, and so to goe on to the North and West Rideings, and the Generall Court of Assizes is hereafter to begin upon the last Wednsday in October.

To the end there may be an Orderly way of empannelling of Juries in any of the Courts of Sessions where the high Sheriff cannot bee present, It is therefore Ordered, That the Clerke of Each Sessions shall bring a list of what Causes are Entred for tryall by Juryes, three days at least before the Sessions is to be held, to any two of the Justices of the Peace of the Same Riding, who under both their hands are empowered by Warrant with Equall Capacity, as if the said Warrant were signed by the High Sheriff to Summon a Sufficient Jury or Juryes to attend the Publike Service in the said Sessions.

That in all Cases to be tryed by Juryes at the Generall Court of Assizes, the Number of Jurors shall be twelve, but at the Severall Courts of Sessions the same number is sufficient alreadie as in the Law is sett forth.

That the number of the Overseers in Each Towne shall before the first Tuesday in November next be reduced to four, and whereas Election hath been already made in the respective Towns of four New Overseers for this present yeare, Two of them only shall Continue in their places, and the other two shall bee dismiss, In like manner two of the Old Overseers shall be dismiss, and the other two shall continue, which Choyse of those who shall be kept in, or bee discharged of the employment, shall be determined by the vote of the Major part of the Inhabitants of each Towne.

That the constable and 4 Overseers shall for the time to come have to all Intents and purposes the same power and priviledge to act and do in all matters relating to their Towne affairs, as heretofore was in the Lawes allowed to the number of Eight, and that in Towne Courts, the Constable and any two of them have power to hear and determine all such matters as come within their Cognizance as formerly the Constable and any four of them might have done.

That at the time prescribed in the Law for Election of Constables and Overseers, the two old Overseers at present continued shall bee dismiss, and two New ones are to be chosen in their Stead, and that from henceforth the Election, both of Constables and Overseers in Each Towne shall bee by the vote of
the Major part of the Inhabitants.

That in each Towne it be left to the vote of the Major part of the Inhabitants, whether at the Admission of the Overseers into their places, they shall take the Oaths in the Lawes Enjoyed. Alwais PROVIDED that if any person of the Towne, or Stranger having a cause or Suite depending to be tryed in that Towne Court where the Overseers are not sworne, in such cases that person may have a lawfull Objection against their proceedings unless the Overseers Excepted against do first take their Oathes, which the Constable hath liberty to administer unto them.

That the Publique Rates shall henceforth be payable at one certaine time of the yeare which is to be at or before the last day of December; and the Constables having allready sufficient Authority in the Law to make distresses for non payment, they shall be lyable to make the Rates good in their Townes, if any part shall be in arreare unpaid after the time prescribed.

That the arreares of the former years Rates shall be paid into the Constables in Every Towne, without further delay in the month of December next, with the present years Rate.

That the payment of the Rates for Publique Charge Shall be made in Corne, beeof or Porke at the Price herein mentioned, that is to say Wheat not exceeding five shillings the bushell, Rye and Pease 4 shillings, Indyan Corne 3 sh. and Oates 2 sh. 6d., Beefe at 3d and Porke at 4d. per pound, and no other payment shall be allowed off.

That whosoever shall omitt or refuse to bring in the valuacions of their Estates to the Constables as is required, the Constables and Overseers shall put a value thereupon according to their discretions, and distreyne for the Same accordingly.

That whosoever shall Neglect or refuse to obey a Speciall Warrant under the Governors hand and Seale shall bee lyable to such a fine as the Court of Sessions or Assizes shall adjudge according to the merritt of the fault.

That whosoever shall reproach or defame any person or persons, who have or shall act in any publike imployment either in Courts or otherwise or shall villey their proceedings who serve the Publike in this Government, by Authority under his Royal highnesse the Duke of Yorke, or whosoever hereafter shall any ways detract, or Speake against any of the Deputyes Signing the Adresse to his Royall Highnesse at the Generali meeting at Hempstead, they shall be presented to the next Court of Sessions, and if the Justices shall see cause, they shall from thence be bound over to the Assizes, there to answer for the Slander upon plaint or Informacion.

Whereas in the Amendments of the Lawes formerly set forth under the head Marriage, its said that all per[sons] are to be accounted of fitt age to marry when the [man] hath attained to the age of 21. And the woman of 18 [yeares,] it is to be understood of such persons only as are under Guardianship, and it is not in any wise to take of the naturall bonds of Duty and Obligation which Children owe to their Parents.

That the payment of Jurymen shall be by abatements in their Rates in the Townes where they Inhabitt which upon Certificate of their Service from the Clearks of the Court of Assizes
Whereas divers Complaints have been made that notwithstanding the penalties in the Law sett forth, several persons do presume to sell Liquors to the Indyans, whereby often times great disorders are Committed. But what is done by them in that kind is acted so privately that seldom any other proofe thereof can be made, then by some of the Indyans themselves. It is therefore Ordered that although the testimony of heathens against Christians may not altogether be allowed, yet when it meets with other apparent Circumstances, such as may be sufficient to convince a Jury, In such cases the Indian testimonyes shall be admitted as good proofes against the person accused.

The Court having taken Notice of the defects and failings of both Towns and particular persons in not bringing in their Graunts or Patents to receive a Confirmation of them, or not coming to take out New Graunts where they are defective, or where there are none att all (according to former directions in the Law,) as also taking it into their serious consideracon, That severall Towns and persons within this Government as well English as Dutch do hold their Land and houses upon the condition of being Subjects to the States of the United belgick provinces, which is contrary to the Allegiance due to his Majestie, They do therefore Order that all Graunts or Patents whatsoever formerly made shall bee brought in to be Confirmed or renewed by Authority of his Royall Hignes the Duke of Yorke, and all such as have no patents shall likewise be supplyed therewith, by the first day of Aprill next after the Date hereof, After which time, neither Towne or private person whether English or Dutch shall have Liberty to plead any such old Graunts Patents or deeds of Purchase in Law, but they shall be lookt upon as invalid to all Intents and purposes.

By order of the Governor
And the Court of Assizes
Matthias: Nicolls. Secretary

ADDITIONS and Amendments of some things in the Lawes, made and Confirmed [at] the Generall Court of Assizes held in New Yo[rke] beginning on the 30th day of October, and ending on the 4th day of November following, Annoque Domini 166[7.]¹

Ordered. That the next Generall Court of Assizes, shall begin on the first wednesday in October, which shall be in the yeare of Our Lord 1668.

That all Bills and Declaracions bee brought in by [the] Plt. to the Clarke of the Court of Assizes or Sessions, Eight dayes before the Sitting of either of the said Courts and the Defendants Answer there unto, two dayes before To the End, that both the Plt. and the Defendant may the better bee prepared for their
Tryall, by taking out Copies or the Suite shall not proceed to Tryall, if by either party objected against, and proof be made of neglect therein, the fayler to be non Suited and pay Costs.

That no written Testimonies shall be admitted in Evidence, in any Cause, either at the Court of Assize[s] or Sessions, if the person or persons who give them in, live within the Government, and bee able to travel[le] or if their Habitacion shall bee within the Riding where the Cause is to bee Try'd.

No Justice of the Peace within this Government, shall bee distrayned upon, or have any Goods Attach't for any Rate or upon any other Account, by the Constable and Overse[er] of the place where hee resides, unlesse it bee by some Ord[er] of the Court of Assizes, or Sessions, or by warrant under the hands of two other Justices of the Peace of the same Riding.

That the Justice[s] of the Peace in each Riding, shall be Allowed for their first yeares Service, Ten pounds apiece, out of the Countrey Rates, which the High Sherriffe is to discount with them, the other ten pounds apiece, allowed by the Law, is to go towards the defraying of their Charges that yeare, at the Courts of Assizes and Sessions.

The present High Sherriffe is to continue in his Office, untill the next Generall Court of Assizes, before which time, hee is to Cleare up, and perfect all his Accounts.

That the present High Sherriffe bee Empowered to Taxe all Costs of Court, both at the Assizes and Sessions, whose Regulation and Order therein, is duely to bee observed.

Whereas in the Amendments of the Lawes, at the Court of Assizes held in the yeare 1665. The Second Clause under the head (Charges Publicke) was Ordered to bee left out of the Booke; Upon farther consideracion thereupon, It is by this present Court of Assizes, Ordered and appointed, to bee put into the Booke of Lawes againe, and to bee as punctually observed, as any other Law, any former Order to the contrary notwithstanding.

That for a further Encouragement to such as shall Kill and destroy wolves, Its Ordered for the time to come, That the reward for every Person, who shall kill and bring to the Constable of any place, the head of an old wolfe, shall bee twenty five Shillings, and for a whelpe the one halfe.

Whereas the force of the Law concerning Whales, and such like great Fish, cast on Shoare within this Government, is apparently evaded by the practise of some men, seeking their owne Ends, without regard either to the Townes and Proprietors of the Beach, or to the just Dutyes reserv'd, to his Royall Highnesse. This Court doth Order and Declare, That no particular man or men, shall pretend to bee the Sole disposers and Proprietors of any whale, or such like great Fish, which at any time hereafter, shall or may bee found dead in the Sea, without visible markes of a deadly wound, formerly given by some Iron, knowne and own'd by particular adventurers; However, That due Encouragement may not bee wanting, to such as shall adventur[e to bring] to Land, any such like dead Fish, They [sh]all from the Proprietors of any Beach, bee amply reward[ed] for their Paines; which Satisfaccion shall bee adjud[ged] by any two
Justices of the Peace, or at the first Court of Sessions in the same Riding, in case the Adventurers or Proprietors cannot agree.

By order of the Governor and Court of Assizes

Matthias Nicolls: Secretary

22:7d

ADDITIONS and Amendments of some things in the Lawes, made and confirmed at the Generall Court of Assizes held in New Yorke, beginning on the third, and ending on the sixth day of November in the 21th yeare of his Majesties Reigne Annoque Domini 1669.1

Ordered. Whereas the lawes establisht in this Government and confirmed by his Royall Highnesse though long since published yet have not been put in Practice throughout his Royall Highnesse his Territoryes; It is Ordered that from and after the Session of this Court of Assizes, the body of Lawes Comprized in one volume allowed and Confirmed as aforesaid together with the Additions and Amendments be in force in all parts of this Government, and none other contrary or repugnant to the Lawes of England.

That in particular the Law for probate of Wills and Administracions be duly observed in the City of New Yorke and all other places of the Government as well as in Yorkshire upon Long Island, and the Wills being proved, or Administracion granted in the Sessions or other Courts [to] which they [belong] That returne thereof be made to the Secretaries Office in the Fort, to the End that a due Record being kept of all such matters, All Creditors and other persons concerned may the better know how to come by their Right.

That the bounds of every Towne and Parish be preambulated according to the direction in the Law, and that the putting thereof in Execucion bee no longer delayed.

This Court having taken into serious considera[con] the great inconveniences arising by the different weights and Measures used, as well in this City [as] in other places within this Government, and [find]ing in the Booke of Lawes confirmed by his Royall Highnesse, a particular Law wherein it is Ordered and required that the English weights and measures shall be used, but the putting thereof in Practice hath for some reasons been hitherto suspended, They do think fitt to Order and declare that for the future the said Law relating to Weigh[ts] and measures shall bee putt in Execucion, The time for the Inhabitants of the City of New Yorke, Long Island and places adjacent to begin on the first day of January next, and for the Townes of Albany, Renslaerswyck, Schanectade, as also for the Towne of Kingston, and places adjacent at Esopus on the first day of Aprill next, by which times all persons that sell either
by weights or measures, are to be provided with Weights and Measures according to the English Standard, of which the officers in Each respective place are to take care. And it is Likewise Ordered That no person within this Government after the time[s] aforesaid do presume to Sell or buy by any other weight or measure, under the penalty of forfeiting of such Goods or Merchandize as they shall so Sell or buy according as in the Law is sett forth.

Whereas it hath been represented to this Court, That the time appointed for holding the two Courts of Sessions each yeare is very inconvenient to [be so] near one another as June is to March, and [so] long from June to March againe, untill which time if the Summe be above five pounds and under 20 lb no person can recover his Right at Law, The Court doth Order that for this yeare ensuing the two Sessions for the North and West Rideings shall be held in December and June and none in the month of March, The second Wednesday in December to begin for the North, and the third Wednesday for the West Riding, The East Riding to Continue as before unless they shall desire the like Alteracion or some inconvenience shall appeare.

That the particular Lawes concerning Possession and Non-Claims be duly observed to prevent Litigious Suits, and to put an End to Old Dormant Titles.

That the Governor on behalfe of his Royall Highnesse the Duke of Yorke have liberty to cutt fire wood or timber upon any ones Land by the Waterside for the use of the Garrisson, or for Shiping built upon his Royall Highnesse Account whether the said Land be within the Limmitts of any Towne, or belonging to any private Person.

Whereas In the transportacion of horses out of this Collony there hath happened some abuse. To prevent the like for the future. It is Ordered, That no horse or Mare shall be transported out of this Government, without an Attestacion under the hand of some Justice of the Peace, or from the Officers of the Towne to which they belong, that such horse or mare appertaineth to such or such persons, To which end there shall be an Officer appointed to receive such Attestacions the which hee is to Record, and also the marks, and colours of Each horse and Mare so transported, and shall receive for his paines, for each Record so made one shilling.

That whereas the law is Silent in that particular who shall put the Orders of the Towne Courts in Execucion, It is Ordered, That the Constable of every respective Towne have power to do the same.

Whereas there is found great Inconvenience by the liberty divers young persons doe take by cutting downe and felling Chesnutt Trees in the woods, by which means the timber is not only Spoiled, and left Uselesse, but often times the Highwayes are blockt up by the falling of the Trees crosse the way. It is Ordered, That no person doe for the future presume to cutt down or fell any Chesnutt Trees in the Woods unlesse it be for some use of the timber, In which Likewise they are to take Care they do not any way hinder or block up the Said High Wayes under the Penalty of forty shillings for every such Offence or Corporall punishment.

Whereas severall Complaints have been made of the great
Liberty taken by the Tanners to barke trees upon any persons Land as they please pretending Custome for the doing thereof, It is Likewise Ordered, That no person under what pretence soever doe for the future barke any Trees unless they cutt them downe, the which they are not to do in any other place then upon the Commons and not where any Towne, or private person have an Interest, without leave and Consent, or some agreement made with the Owners.

That for an Incouragement to all such persons as shall build any Shipps, Vessells or boates within this Government, the said Ships, Vessells or boa[ts] shall be Rate free any Law to the Contrary in any wise Notwithstanding.

That all Mariners and others who use the Sea be Likewise Rate free as to the Payment for their heads, and that they be excused from Training above once in the yeare.

That no drest Deere skinns for the yeare ensuing be exported out of his Royall highnesse his Colony upon the Penalty of the forfieture of all such Deere skinns as shall be Taken whereof one moiety shall be to the Informer that shall make Seizure, and the other Moity to his Royall Highnesse, and this Order to be in force after the first day of January next.

[That the Price of Corne to be Received for the publique Rates do continue this ensuing yeare as it was the last yeare ordered by the Governor, but if it shall appeare that any Inconvenience may arise thereby, that it be represented from the Justices of the peace at the Court of Sessions to be held in June next to the Generall Court of Assizes for another Regulation.]2

By Order of the Governor
and Court of Assizes

Matthias: Nicolls. Secr.

[The copy on 22:96 is endorsed:
1669 Amendments to several Laws relating to the Assizes.
Amendments etc. 1669]

Severall Orders made and Con­firmed at the Generall Court of Assizes held in New Yorke, beginning on The 5th and ending the 8th day of October, in the 22th yeare of his Majesties Reigne, Annoque Domini 1670.
Ordered

1st Whereas Complaint hath been made that severall Indyans at the East End of Long Island do Truck for and buy horses of Christians for their owne use, which in time may prove very Dangerous and prejudiciall to his Majesties Subjects in those parts. It is Ordered by this Court, That no Indyans within this Government shall bee permitted to buy or keep any horses, and if any have been formerly bought by or Sold to them, The Officers of each respective Towne and Planta­tion more particularly those at the East End of Long Island are to make inquiry hereof, and cause such person or persons as have sold any horse Mare or Colt unto the Indyans to take them back againe and give other Satisfactions to them equivalent with their Contract. And if any one shall here­after presume to breake this Order the horse, mare or Colt so sold as aforesaid shall be forfieted to the person that shall first give Informacion, and make proofe thereof, and the person offending shall pay as a fine to his Majestie the Summe of ten pounds over and above his returning Satis­faction to the Indyan or Indyans to whom hee sold them.

Whereas It hath been represented to this Court that the breed of horses upon Long Island is much fallen to decay by reason of the great numbers of small undersized horses that Runne in the Woods, It is Ordered, That the law made in this Corporation touching the breed of horses upon the Manhatans Island, be recommended to the Severall Townes upon Long Island, and that likewise as soon as conveniently it can, it be putt in Execucion.

That the fees of Constable and Overseers in Towne Courts be regulated by the Lawes in such Cases Establisht.

That the prices of Corne to be paid in the Rates do remaine for this yeare ensuing as they have been the two preceeding yeares, for a due Estimate cannott be made of what is requisite to be done, untill the Old and New High Sheriffs have brought in and perfected their Accounts, the which they are hereby strictly required to do, without any further or longer delay.

Whereas it is appointed in the Lawes Establisht within this Government, That all Wills and Administracions upon the Estates of the Deceased, having been first proved and ad­mitted in the Courts within those Jurisdiction the person doth happen to dye, shall be returned into the Office of Records in the Fort at New Yorke, and being their recorded Certificate thereof to b$ made, It is Ordered That the Law in that Case provided be attended and observed as well within the City of New Yorke as other parts of the Govern­ment, any other Custome to the contrary notwithstanding.

That the law for Recording of Deeds be putt in Execucion under the Penalty of Loosing the benefitt of Priority, if a latter deed shall be first recorded.

That the Order Concerning Transportacion of Deere Skinns made at the last Court of Assizes do remaine in force till the time limmitted do expire and no Longer.
8 That the Lawes concerning marriage be strictly observed, 
The breach whereof the Officers in each respective Towne 
are to take notice, and returne on Account to the Courts 
on which they depend and if any person hath already been, 
or hereafter shall be fined for contempt or disobedience 
herein, the fines are forthwith to be levied by the Sheriffe, 
who hath hereby sufficient Authority to do the same.

9 Whereas at the Generall Court of Assizes held in the yeare 
1666 It was Ordered That all Townes or private persons who 
held any Lands or houses within this Government by Grant 
or patent from the West India Company, or any of the Dutch 
Governors, or upon pretence of purchase or Patent from any 
other person or persons whether Indyan or others should 
have them renewed or Confirmed, by the Governor under the 
Authority of his Royall Highnesse within a certaine time 
prescribed, under the Penalty in the said Law sett forth, 
in obedience whereunto all Townes upon Long Island have 
had New Patents, Except the Townes of Southampton, Southold 
and Oysterbay who upon some Niceties or pretences have 
hitherto delayed to do the same, This Court doth Order 
that the said three Townes doe give in their reasons to the 
Governor in some short time upon what Account they do re­
fuse or delay to do the same contrary to the Generall 
Rules and Orders establisht and in the meane time, That all 
their Deeds of Purchase, Graunts or Patents not confirmed 
as aforesaid be loock't upon as invalid to all Intents and 
purposes, as is in the Booke of Lawes Specified.

10 That the Officers of the Severall Townes to whom warrants 
shall be issued forth by the high Sherriffe to bring in the 
valuacions of their Estates by a certaine time, do duly 
observe the same under the penalty of a fine to be imposed 
upon them by the next Court of Sessions or Assizes.

11 That the Military Lists of the respective townes within the 
Government be returned in by the Military Officers to the 
Governour once every yeare, the time to bee at or before 
the 29th of May under the Penalty of a fine to be imposed 
by the next Court of Sessions or Assizes.

12 That the Traynings be likewise Observed as in the Law is 
prescribed, of which an Account is to be given to the Courts 
of Sessions under the like penalty.

13 That the Law for perambulacion of the bounds and Limitts of 
the Townes bee diligently attended under the Penalty in the 
said Laws prescribed, of which an Account is to be given to 
the next Court of Sessions.

14 Whereas Divers Complaints have been made of the great abuse 
of bringing dead hoggs and porke into this City and it 
being not discernable how long they have been Kill'd by 
reason they are too often brought frozen, so not capable of 
being preserved by Salt, which tends to the disreputacion 
of that Commodity when sent abroad, and of the Merchants who 
Export it into Warmer Climates, for the reasons aforesaid 
It is Ordered, That henceforth no hogg or hoggs shall be 
brought dead to this place either for Sale or payment of 
Debts, Except it shall be in Cask well Salted and Packt 
according to the Law, otherwise Smoak't or dryed, of which 
all persons are to take Notice, as they will answer the 
Contrary at their Perills.
15 Whereas the Workes and Palissadoes about the Fort in this City are very much fallen to decay and it is found requisite and necessary for the Safety of the place and Government that some reparacions shall be made thereupon in the Spring, It is Ordered, That a Contribucion or levy be risen towards the Effecting thereof in each of the Riding[s] upon Long Island, and that the Justices of the peace at the next Court of Sessions are to consider both of the Proporcions and manner of Rating it, whereof they are to make report to the Governor.

16 Whereas Severall Townes upon Long Island have made Complaint by way of Addresse to this Court, desiring a regulacion thereof, That some persons who have Lotts of Land in their Townes do make several divisions thereof, and sell the same to divers poor Inconsiderable persons, who though they have but a Small part of a Lott, yet expect to give their votes in Towne Courts, equal with the best freeholders there, the which in time may prove the Destruction of the Place, In that it will come to be Governed by the worst and least concerned of the Inhabitants, This Court doth thinke fitt to Order, That each respective Towne so agrieved as aforesaid doe make their Applications to the Severall Courts of Sessions to the which they do belong who are hereby Impowered and Authorized to give remedy herein.

By Order of the Governor

and Court of Assizes

Matthias Nicolls Secretary.

Extract out of an Order made by the Worshipfull Mayors Court and publisht at New Yorke the 18th day of May 1669.

And whereas it is found by Experience that the breeding of good horses upon this Island is hindred through the Great number of Small unproportionable Stone horses that are suffered to feed in the Commons of this Island, It is therefore Ordered for the Encouragement of Breeding good horses, that from and after ultimo October next ensuing the Date hereof, No Stone horse whatsoever above two years old, shall bee suffered to feed in the Commons of this Island, Except those that shall be allowed and approved of by the Overseers thereunto appointed, upon the penalty of Twenty five Guilders for the first Offence, Double for the Second, and for the third Offence at the discretion of the Court, And the said Overseers are hereby Likewise required to see this Order strictly to be executed according to the true Intent of these presents: Dated in New Yorke May the 18th 1669.

This is a true Copy

Matthias Nicolls. Secretary
Orders made at the Generall Court of Assizes held in New Yorke beginning on the 4th and Ending on the 7th day of October, in the 23th yeare of his Majesties Reigne, Annoque Domini. 1671.

Whereas divers applicactions have been made unto this Court from the Inhabitants of severall Townes upon Long Island, representing the great abatement that hath happened in the Price of horses and Mares between the time that the Laws were promulgated at Hempstead when the first Assessment was Ordered, and their Value at this present time, Horses and Mares now yielding not above halfe so much as they were worth then, and yett they are still rated alike, Concerning the which they crave some Redresse; The Court having taken the premisses into Consideracion doe Order, in regard the Valluacions according to the Law being already brought in, and no provission made to Supply the deficiency of the Summe, which by Consequence will bee wanting, if an abatement according to the present Value of Horses and Mares as well as other matters shall for this present yeare continue as heretofore; But in the meane time thinke fitt that som proposails be prepared against the severall Courts of Sessions to be held in the month of June next how to make the Rate equivalent, if the Peticioners request shall be graunted, and the Justices of the peace making report thereof to the next Generall Court of Assizes, there shall be such Order taken therein as will be thought more requisite, tending to the good and Welfare of the Government.

Whereas severall petecions have been presented to the Governor as well from the City of New Yorke as many Parts of Long Island, Request that the Prohibicion for the Exportacion of Corne might be taken off, and that they might have leave to send and dispose thereof at their pleasures, for their best advantage, the which was recommended by his Honor to the Justices of the severall Courts of Sessions held in June last, to enquire into and give their Judgments concerning the Probability of plenty or Scarcity of Corne this present yeare, (the uncertainty whereof was the Primary cause of the Prohibition) the which was accordingly done, and report thereof made unto the Governor very Satisfactory as to the Great hopes and expectacion of a plentiful Harvest; Yet Notwithstanding it being since experimentally found, that retayning such Graine within the Government will prove to a generall Good, inviting Strangers with Shipping in for bread and Flour, and the price no way abased, but the rather Augmented, so Consequently can be no prejudice to the Inhabitants; The premisses being seriously debated, and maturely taken into Consideration, the Court doth Order, That the Prohibicion for the Exportacion of Wheat in Graine, as also of Meale as it comes from the Mill do continue untill the Next Generall Court of Assizes; And also that no person within this Government doe presume to Export any wheat in Graine, or Meale undrest as it comes from the Mill as aforesaid, (without the Governors Speciall Lycence under his hand and Seale for the same) under the Penalty of Confication of such quantityes of wheat or meale as shall be mett with so transporting, and noe Master of any Ship, Sloope, Boat or Vessell, shall take
In any such Loading, under the penalty of confiscation of the said Loading, as also of the said shipp, sloopp, Boate or Vessell so transgressing.

3 Whereas many Complaints have been made That notwithstanding the publike Orders of the Governor, That all vessells or boates Loaden with goods or Merchandize, should make Entry of their vessells and Loading, and pay such Customs as are settled by Authority of his Royall Highnesse, and payable upon Customable Goods, the which Orders are duly practised in this City, but neglected Elsewhere; It is Ordered, That all Boates Sloopes or Vessells coming into or going out of any of the Ports upon Long Island, as well at the East End thereof, as in any other part doe make Entry of their Vessells of Loading and pay the Customs due (as the Order from the Governor doe direct) unto such Officer or Officers as from time to time shall be appointed by the Governor, or the Chiefe Officers of the Customes in this place, to take Cognizance of, and receive the same; And that under the penalty of forfieture and Confiscation of such Boate, sloope or Vessell whensoever they can bee mett with, according to the Lawes and Customes in such Cases provided.

4 Whereas great Complaints have been made as well to the Governour as to this present Court of Assizes, That many of the Constables upon Long Island, and the Clarkes of the Severall Courts of Sessions (notwithstanding the Strictnesse of the lawes in such Cases provided; As also of several Orders from the Governor reinforcing the same) Neverthelesse divers of them have neglected to make up their Severall Accounts with the respective High Sheriffs, who successively have been in that Employment, Insomuch as to this day they are therby hindred and disenabled from making up, and clearing their Accounts as the Law doth require which proves a very great dissatisfaction to the Country in Generall, as well as in particular to those who have according to their duty performed their Trusts, yetly under the same Imputacion, It is therefore Ordered, That the Constables of the severall Townes of the North and West Rideings, doe before the Next Court of Sessions to be held in December Cleare their Accounts with the Sheriffs, or at the said Courts of Sessions; and the Constables of the East Riding doe the like before the Court of Sessions to be held in March next, under the Penalty that (in default thereof) their Estates be distreined upon for the same; And in Case any of them be dead, and not have left wherewith to give Satisfaction, Then according to the Law that the Townes to which they did belong doe make payment in their stead. And it is likewise Ordered that the Clarkes of the respective Courts of Sessions doe also Cleare their Accounts with the Sheriffs aforesaid by the time prefixt or or at the said Courts under the penalty of Loosing their Employments, and being distreyned upon, for what they shall bee in Arreare.

Francis Lovelace

By order of the Governor
and Court of Assizes

Matthias: Nicolls. Secretary
Orders made and confirmed at the General Court of Assizes, held in New Yorke, beginning on the 2d and ending on the 7th day of October in the three and twentieth yeare of his Majesties Reigne. Annoque Domini 1672.

1 Whereas great abuse hath been practized in the Government by divers persons prosecuting their Servants with Hue and Cryes at the Publike charge the gain whereof only redounds to themselves, It is henceforth Ordered, That the charges of all the hue and cryes shall be borne by the respective persons concerned, for the better securing whereof Caution is to bee given by those who take them out and prosecute them, unlesse in Cases of Criminals, or upon Capitall Crimes, where all Officers and others are obliged to use their Endeavours to secure them to be brought to Condigne punishment, which is to be borne at the Publike charge if the person offending hath not wherewith to make Satisfaccion.

2 Whereas it hath been taken into Consideracion how great abatement there is in the Rates of Severall Townes upon Long Island, upon the Account of Wolves discounted with the Constables within Whose Limmits they are Killed, so that the same to be Collected doth not answer the Expectacion of the publike charge, It is Ordered that the summe of 25 sh. lately given for a Wolfes head shall be reduced to 20 sh. as formerly and for whoelps proporcionably, and that for the time to come for all wolves which shall be Killed within the bounds of any Towne upon Long Island, or parts adjacent, the one halfe of the charge shall be borne by the Towne and t'other by the Publike. It is also Ordered, that each Towne be obliged for the Preservacion of their Stock and Cattle to make and Maintaine Wolfe Pitts, which are to be directed by the Respective Officers of the Towne to which they do belong.

3 Whereas frequent Complaints have been made of Servants who run away from their Masters into other Governments and for Want of Due care and examinacion of them by the Magistrates or Officers of the Towne through which they passe, It is Ordered That if hereafter any Stranger or Person unknown shall come to or travell through any Towne or place within this Government without a Pasport or Certificate from whence he came, and whether he is bound shall be lyable to be seized upon by any Officer of the Towne or place to which hee comes or through which hee shall travell there to be secured untill he can cleare himselfe to be a free man, and shall defray the charges of his detention there by his worke or labour if not otherwise able to give Satisfaction in the best way and manner hee shall bee found Capable.

4 Upon its being represented to this Court that notwithstanding the positive Law, and severall Orders of Assizes and otherwise, That the English Weights and measures shall be only used in these his Royall Highnesses Territoryes which hath hitherto been respited for want of measures for Liquids and due Standards, It is Ordered That the practice thereof be no longer delayed, but the same putt in Execucion by the 25th day of March next under the penalty in the law
prescribed, or what shall further be adjudged by the
Governor and his Council.

5  It is likewise Ordered in regard of the great Inconvenience
and decay of feeding for horses and Cattle in the Woods by
the increase of the Brush or underwood, which is suffered
to grow up without any care taken to Subdue the same, That
four dayes be appointed once every yeare for all the Inhabit­
ants of the Townes upon Long Island and precincts from
the age of 16 to 60 (except those exempted by the Law)
wherein every one shall be obliged to goe into the Woods to
cutt the said Brush, or underwood, the time to be at the
Discretion of the Officers of each Towne, and whosoever
shall faile therein each particular person shall pay for
Every dayes default the value of five shillings.

6  That the Boundaries of Townes be attended as the Law and
their respective Patents doth direct, and that the perambu­
lations be made accordingly in which if any deficiency
shall appeare at either of the Courts of Sessions to be
held in the month of June next, The Towne so failing shall
forfeit the summe of ten pounds to the publike.

7  That the lawes of the Government bee duly observed as to
parrochial Churches, and that although divers persons, may
be of Different Judgments, yet all shall contribute to the
Minister establisht and allowed, which is no way adjudged
to be an Infringment of the Liberty of Conscience to which
they may pretend.

8  That forasmuch as many and great Complaints have been made
against hoggstealers, and also against Stealers of Boats
and Canoees and their Appurtenances, notwithstanding the
Strictnesse of the Laws to the Contrary, and Orders to
reinforce the same, In the which divers have been found
Guilty and have past the Censure of the Law, for a greater
Terror to any person who shall for the future attempt to do
the same, It is Ordered, That the person so offending and
convicted for the same shall for the first Offence, besides
a fine to be imposed by the Court receive the Corporall
punishment of having one of his Ears cutt off to bee an
Example to others, and for the Next receive some more
severe punishment as the court shall direct or think meet.

9  That the high Sheriffs upon Long Island, Constables and
Clarks of Sessions, who have not brought in their Accounts
to be audited and allowed off, do without farther delay
performe the same by the time wherein the Court of Sessions
is to be held in the respective Ridinge to which they do
belong, unto some persons then to bee appointed to receive
the same, under the Penalty in the law sett forth, or such
farther Mulct as shall bee adjudged by the Governor and
Councell.

10  Whereas upon Extraordinary Occasion of reparacion of the
Fort in the City of New Yorke the which was recommended
from the Governor, every Towne and corporation within this
Province as also particular persons have by their free
consents and subscriptions contributed towards the same,
the Collection whereof in the Severall Townes in Country
pay by other then by themselves will be both found Incon­
venient troublesome and of so great charge, that it will
not answer the End prescribed, the which having by most
been hitherto [so well begunne and] ² prosecuted to the end
that it may have a happy Conclusion It is thought fitt and
Ordered, That the charge of Collecting and transmitting
the contribucion aforesaid to this City or Ferry shall be
borne by each respective Towne or distinct person, who hath
subscribed the same and that the payment thereof be made
accordingly before the Feast of Christmas next.

11 Whereas several applications have been made as well to his
Honor the Governor as unto this Court, some representing
the Convenience others the Inconvenience of Continuing the
Prohibition of the Exportation of wheat in Graine or meale,
the time limmitted for the same being now expired, upon due
Consideracon had hereupon, It is Ordered, That the pro-
hibicion for the Transportacion of Corne shall be repealed
and it shall and may be lawfull for any man to transport
wheat in [grain]e or [meal] from any part of this Colony ³
to Boston or any other place as long as the price Currant
of good Merchandable winter wheat shall be 4sh 6d and good
Summer wheat, 4 shillings the bushell or above in Sylver,
but that none presume to sell it abroad under that price
upon the penalty of forfieture of the value of what shall
bee disposed off, and if any Stranger shall come to buy
Corne here, the same shall not be sold unto them under 4sh
Per bushell or 3sh 6d in Sylver or Goods Equivalent under
the like penalty as before, and that this Order be in force
for the Space of one yeare untill the Convenience or Incon-
venience thereof shall appeare.

12 Whereas it is thought expedient that a certaine regulacon
should be made upon the Sylver Coyne which passeth to and
fro in this Government, by the certainty of its value, It
is Ordered That a Boston Shilling shall passe for one
shilling and a good piece of Eight Spanish Coine whether
of Mexico Sevill or a pillar piece shall be valued and go
for six shillings in any payment either for Debt or demands
or purchasing goods or Merchandize between Man and man.

By order of the Governor
and Court of Assizes

Matthias: Nicolls: Secr.
Instructions for Capt. John Baker for the well regulating the militia and other affaires at Albany.

1 Because tis in vaine to give instructions unless you observe them punctually, you are strictly charged and required to reade them over frequently, and not to follow your owne humour but my orders.

2 You are to keepe a constant Guard in the fort, but since there is no evident danger of force or surprisall you may lessen the duty of the souldiers, whereby they may have liberty to advantage themselves by worke or trade.

3 You are to keepe good order and discipline with the souldiers, not lending to easy an eare to their complaints against their Landlords, but where you finde the complaint reasonable, you are to make it knowne to the Commissaryes, who are impowered to give redress therein, against their Landlords, or any other inhabitants who shall offer violence or Injury to the souldiers.

4 If any of the inhabitants make a just complaint against a souldier, the punishment of the souldier belongs onely to your selfe.

5 In matters Capitall or treatyes with the Indyans, you are to sitt in the fort, with the Scout and Commissaryes, as the upper court, whereof you are to bee president, and upon equall division of voyces, to have the castinge and decisive voyce, but in the ordinary courts for civill affaires you have nothinge to doe.

6 You are to give the word to the militia officer of the towne, and especially when any report is brought of danger, to cause more strict guards to bee kept.

7 You are to keepe a faire correspondence with the commissaryes, and towards all the inhabitants, and endeavour to live as brothers together, avoiding all occasions of publique controversy, or fallinge out, but if you have any greevance, make it first knowne calmly without heate, or passion to the Court, and if they doe not give redresse, you are to remitt the matter to mee, as it was delivered to the Court.

8 Lett not your eares bee abused with private Storyes of the Dutch being disaffected to the English, for generally, wee cannot expect they love us, but when you have sufficient testimony against any Dutch man of words or actions tending to the breach of peace, or scandalous defamation, deliver over the testimonyes to the Commissaryes, from whome I expect justice shall bee done.

9 You are to cause the Guard howse to bee repayrd as also, other necessary repaires to bee made, with as little expence as is possible, knowing the narrownes of our present condition.

10 You are to receive the third of the fynes from the Scout, as they are establisht under my hande, as also to continue the practise of giving ticketts for entryes of goods uppon
sloopes as formerly, not to encrease the rate but by each sloop, sende the entry signed with your hand to Mr. Vanruyven.

11 If it shall at any tyme happen that the Indians committ any violence at or neare Albany you are to joyne in councell with the Commissaryes, what is best to bee done, till my further directions can bee knowne.

12 I have taken that care for the provisions that you shall not meddle further therein.

13 You are from tyme to tyme as occasion presents in company with the Commissaryes to give audience to the Sachems of all nations, and after advice with the Commissaries returne them answers suitable to their proposalls. you are to receive their presents, and make them presents at your owne charge.

14 You are to receive from the Pacther\(^2\) of the greate excise 200 gilders seawan for the firinge of the howse, the Commissaryes will pay the hiringe of the Scowe alone without hands for your use twice in the yeare.

15 There are some souldiers who have undertaken to furnish the Guard and the souldiers quarters in towne with sufficient firewood yrearly for 600 gilders seawan the Commissaryes will lende them the Scowe six tymes at their charge but the souldiers are to man the Scowe.

16 You are to see that those bedds and appurtenances which were delivered to you to bee distributed amongst the souldiers accordinge to their numbers bee not any wayes imbeseled, nor abus'd by them, since an accompt will bee required from you of them.

17 You are as often as occasion presents to sende to mee to give an accompt of the state of all affaires and transactioins with you, and in cases of great importance, and immergences, you are to sende expresse messengers, either Christians or Indians, accordinge to the seasonablenes of the Yeare, by either of which that can performe the journey best.

18 And forasmuch as it appeares evident to mee that severall complaints being exhibited against the burgers of this towne whereof some of them are very meane in their nature, others of some yeares standing, all tendinge but to the unsetlinge of mens minde, and raisinge up those seedes of distrust and jeolousy amongst us, which above all things ought principally to bee avoided. My will and pleasure is, that to this present there bee a generall amnestia and oblivion. and for the future that no complaints bee brought before mee, but such as are of a high nature, and the proofes grounded upon sufficient testimonyes, and to refer crimes of smaller natures to the Commissaryes before whome they properly lye.

This day, the 8th of October new style of the year 1666, before me Mattheus Capito Secretary of the Village of Wildwyck and the undernamed witnesses, appeared the worthy Jan Jansen van Oosterhout of the one part, and Matthew Blanchan of the other part, who declared that they agreed together on the following conditions:

Jan Jansen van Oosterhout declares to have sold, and Matthew Blanchan to have bought from the above named seller his dwelling house and annexed lot, ground- and nail-fast, situated in the Village of Wildwyck between the lots of Jan Broersen and Albert Jansen van Steenwyck, the length and breadth being the same as enclose and contain the aforesaid house and lot within the palisades, and this by virtue of the grant from the Honorable former Director General Petrus Stuyvesant. For which house and annexed lot the aforesaid purchaser promises to pay a sum of ninety two schepels of winter wheat, or in default of wheat, in oats, three Schepels of oats being counted for one schepel of wheat, and this on next Christmas of this current year. The aforesaid Jan Jansen van Oosterhout the seller hereby transports, conveys and cedes to the aforesaid Matthew Blanchan the purchaser and his heirs the said house and lot in free property, the Lord's right excepted, not wishing to reserve any further right, authority or claim thereto, but desists fully therefrom on the behalf of the above named purchaser or his heirs. The deponents on both sides promise to observe this faithfully under bond of their persons and property, movable and immovable, present and future, without any exception. To which end they the deponents have signed this with their own hands, together with Hendrick Cornelissen and Michael Verbrugge as witnesses hereunto called and invited.

Done at Wildwyck on the day and year as aforesaid. (Was signed) Jan Jansen van Oosterhout, Mattheu Blanchan. (in the margin) This is the mark of Hendrick Cornelissen. This is the mark of Michael Verbrugge. (Lower) In my presence, Mattheus Capito, Secretary.

Agrees with the Original remaining in the Secretary's office in Wildwyck, which I certify.

Mattheus Capito, Secretary

I, the undersigned Jan Jansen van Oosterhout, hereby acknowledge for myself and my heirs that I have been fully satisfied and paid by Mattheu Blanchan in cash and by draft on Henderick Cornelissen for the sale of my house and lot mentioned in this foregoing deed. I therefore give him acquittance, and release him from all future claim.

Done at Wildwyck this 23 October new style, anno 1666.

Jan Jansen van Oosterhout.

[Endorsed:] L'achat et la quitan de la maison que Jay acate a braban.
[DECLARATION OF ROELOF SWARTWOUT AND JURIAEN WESTPHAEL RESPECTING THE ARRIVAL OF MATTHEU BLANCHAN AND FAMILY AT WILDWYCK, AND HIS APPLICATION FOR A PLACE TO SETTLE.]

Copy

This day, the 6/16 October of the year 1666, before me Mattheus Capito Secretary of the Village of Wildwyck, appeared the worthy persons Roelof Swartwout and Juriaen Westphael, both inhabitants of this Village of Wildwyck, who at the request of the worthy Mattheu Blanchan, also an inhabitant of the said Village of Wildwyck, attest and declare that about six years ago the petitioner Mattheu Blanchan repaired himself with his family from the Manhatans to the Village of Wildwyck, with orders from the Honorable former Director General Petrus Stuyvesant to Christiaen Niessen Romp, at that time sergeant of the military, as acknowledged by the aforesaid sergeant to them, who at the time were, the deponent Roelof Swartwout Officer of the aforesaid Village, and Juriaen Westphael lessee of the said Honorable Petrus Stuyvesant's bouwery, that the said sergeant should assign to the petitioner, by order of the said Honorable Director General Petrus Stuyvesant, a spot near the main guardhouse to erect a house for the preservation of the life of the requirer and his family as there was no vacant lot to be had within this Village, in order by the first opportunity on the promise of the said Honorable Petrus Stuyvesant to remove to a new Village that was yet to be laid cut and assigned. Which aforesaid the deponents declare to have thus heard from the Sergeant. And the deponents are ready to confirm this upon oath if necessary, who have signed the minute hereof in the record with me the Secretary in Wildwyck.

Done Wildwyck on the day and year aforesaid.

Agrees with the minute remaining in the Secretary's office, which I attest.

Mattheus Capito, Secretary.

[OBSERVATIONS ON THE PATENTS GRANTED TO THE FREEHOLDERS OF HARLEM, TO CONSTANT AND NATHANIEL SILVESTER, TO THOMAS PELL, AND TO THE FREEHOLDERS AND INHABITANTS OF FLUSHING.]

Observations

On The Freeholders etc. of Harlem their patent

Observe that there is one condition which is that that town is to be forever thereafter called by the name of Lancaster.

2d to build one or more boats fitt for a ferry

There is also Liberty of going further west into the wood with their horses and Cattle for range as they shall have occasion,
31st May 1666

Constant Sylvester

Nathaniell Silvester

Observe

this island is made an entire infranchised township or manor independent of any Jurisdiction upon Long Island and to be Governed by the Governor and Councill and Generall assises

To be holden in free and Common Soccage and Fealty only

6th October

Mr. Thomas Pell

of Ockway

Observe

an infranchised township or manor independent on any Jurisdiction upon the main or upon Long Island and to be Governed by the Governor Councill and Generall assises

To be holden in free and Common Soccage as of East Greenwich and fealty only

15th February

Freeholders and Inhabitants of Flushing

Observe

To have all the priveledges belonging to a town and to be distinguisht by the name of Flushing

22:14

[COMPLAINT OF WILDWYCK HOUSEHOLDERS AGAINST GEORGE HALL, AND AN ENSUING REPORT.]

To the Honorable Court of the Village of Wildwyck:

We the underwritten householders respectfully represent: Whereas the Hon. Court has ordered us to ride firewood for the watch or guardhouse, which order we have hitherto obeyed and shall continue to obey, whence it comes that one Joris Hal, dwelling near the watch, supplies himself from the said ridden firewood with sufficient for his family and does not pay or satisfy us for riding out the same. This we cannot allow. The abovenamed Joris Hael ought to be notified and pay us therefor. Wherefore we hereby respectfully request the Hon. Court that the abovenamed Joris Hal and all others be forbidden to carry away any of the firewood that we have ridden for the Watch; if not, we shall not ride any more firewood for the Watch. Awaiting maintenance and Apostil, we remain the Hon. Court's obedient servants. Wildwyck, the 2d January 1667. (Was signed.)

Allert Heymans Roos, Tjerck Claesen de Wit, Aert Martensen Doorn, This is the mark of Andries Pietersen, This + is the mark of Henderick Aertsen, Gerret Aertsen, Jan Barentsen, This ‡ is the mark of Lambert Huybertsen, Frederick Pietersen.

Apostil. On the above request of the Petitioners the Court messenger shall notify Joris Hal that he shall not make use for
his family of any of the firewood ridden for the Watch unless by agreement with the petitioners. Captain. Broadhead shall also be notified to forbid Joris Hal doing so. Done at the Court in Wildwyck the 2d January 1667.

Report of the Court Messenger.

Warned George Hal not to burn any of the Watch's firewood until he has first agreed with the farmers, and he said that he had nothing to do with them, and said that the Commissioners are Old Women and Fools and he has nothing to do with them. (Was signed.) Allert Jansen, Court Messenger.

After collating agrees with the original which I attest

Mattheus Capito, Secretary.

22:15a [DESCRIPTION OF TWO LOTS BELONGING TO GERRIT BANCKER.]¹

Whereas there is a Certaine House and Lott of Ground within beverwyk alias Albany Lyingh towards the Hills, Abutting or adjoyning on the south to the street on the North to the kreeke or Kill, on the West to Barent Rynderts, And to the East to Gysbert Jansz, where the Common or Highway goes between both Containing before in breth towards the stre[et] forty seaven foote, and behind to the Said kreeke or Hill Thirty six foot In Lenght as well on the East as west side one hundred Thirty fyve foote wood Measure.

ass alsoo another Lott of Ground Lyingh behinde this afore mentioned Lott of Ground to the Zouth zyde of the kreeke being in Breath before foure rod and two foote and behinde the Common Way foure rod beingh in Length on the East and west eight rod and to the Creeke the same breth Leaving a Common way between both.

Gerret Bancker

[Endorsed:] These to be put into one pabur

[Endorsed:] Mr. Banker

22:15b [DESCRIPTION OF A GARDEN BELONGING TO GERRIT BANCKER]¹

And there being likewise a Garden, Lying in the towne aforesaid being in length to the North of the way Eight Rod and two foote, in breadth to the East of the said way, foure Rod nine Foote and nine Inches, to the South of Hendrick Gerrits in Length as before, and to the West in breath as to the North, which said Garden Gerrit Banke[r] aforesaid, hath made Purchase of. vid. Nicolls patent to Gerrit Banker, dated Ap. 26th 1667.

Gerret Bancker
A list of the Houses and Lands within this Government confiscated to the use of his Royall Highnes during the Time of the late Warre betweene his Majestie and the [St]ates Generall of the United Belgick Provinces.

In New Yorke

Two houses in the Brewers or Stone Street belonging to Gillis Pietersen van Brugh and Company from whom Johannes Van Brugh had Procuracion.

Sold to Mr Salisbury

Another house in the same streeete belonging to Pieter Hartgers from whom Govert Loockermans had Procuracion, the said house being in the Tenure of Fredrick Gysbert.

A certaine House in the Broade way belonging to Gabriel d'haes deceased, of whose Estate Mr Cousseau and Gerrit Van Tright [ ] administra-tors.2

A certaine Garden without the Land b[ ] of this City belonging to Johannes Gilles[on] van Brugh, from whom Johannes de Peis[ter] had procuracion.

Sold to Mr Bedloe

A house by the waterside belonging to Daniel Gabry from whom Timothy Gabry had procuracion.

A house in the Winkel street belonging to Michiel Mynden from whom Jacob Kipp hath3 procuracion

Islands in the East River.

Sold to Mr Delavall

The two Barnes Islands heretofore belonging to Woulter van Twiller, for which Olave Stevens had Procuracion.

[ ] Manning

Verckens Island together with about fifty acres of land upon Long Island lyeing over against it belonging to Francois Fine for which Mattheus de Vos had Procuracion.

In Albany

1 be.4 The bigger house belonging to Dirck Jansen Croone, Lett this yeare for 20 beavers.

13 b. The lesser house belonging to the said Dirck Jansen Croone Lett this yeare for 17 beavers.

5 b. A house belonging to Pieter Hartgers wherein Capt Abraham Staets lives Let for halfe a yeare at 7 beavers.

[to C. Willet] A house belonging to Gerrit Jansen Cuyper where Peter van Aalen lived Let for halfe a yeare at 8 bea[ ]
A house of De Woolfes where Gerrit Bancker lives let for 7 beavers

A house and barne of Jan Bastiaens where Ricard Renzlaer lives lett at 16 beavers.

A Lott of Ground at Albany having no house upon it sold to Mr Jeronymus Ebbing

[Endorsed:] Confiscated houses etc. 1667.

To the Right Honorable Governor. 1667.

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22:17
[ORDER TO JOHN MANNING, SHERIFF OF NEW YORK, TO NOTIFY CERTAIN PARTIES TO SURRENDER THE POWERS OF ATTORNEY IN THEIR HANDS, FOR THE MANAGEMENT OF CONFISCATED PROPERTY; 26 SEPT. 1667 (document missing).]

22:18
A Liste of those Houses in Albany that belong to men in Holland.

Jan Withart a house and yard.

Peter Hart, two houses and yards.

Dirck Jansen Croone two houses.

De Woolfe two houses and yards.

De Woolfe one house that Herman Vedder lives in.

De Woolfe one house and yard that peter van Alen lives in.

Jan Bastiaensen Master, two houses and yards.

Peter Hart, one house that Henry Coyler lives in.

[Endorsed:] Confiscacion Alb. 1667.

22:19
[A PARTIAL COPY OF 22:20]
[NEW YORK HISTORICAL MANUSCRIPTS]

[LIST OF CONFISCATED PROPERTIES]

New Yorke Anno 1667:

April 20th
Mr. Abraham Staets, declareth to have order of Pieter Hartgers, Concerning the following Houses and Lands,
A house and a pacel of Land at Albany Now in the Tenure or occupation, of the said Mr Abram,

April 20.
A house Lott Lying at Albany, beyond the third Kill, whereof the house Was destroyed by the Last Yeares high Water,
a Garden Lying at Albany, neere by the Swamp, neere or about Captain Bakers pasture.
a house and land, at Albany, now in the Tenure of the Schout Jacob Swart, which said house and Land, as yet is in Controversy, betwixt Mr. Jeronimus Ebbing, and The said Pieter hartgers,

5th ditto
Mr. Govert Loocquermans, declareth to have order of the said Pieter hartgers, Concerning certain house and Land, within this City, now in the Tenure of Fredrick Gysbert Vanden Bergh,

ditto
Mr Johannes Van bruogh, declareth to have order, of Gillis Verbrugge and Company, concerning certain house and Land within this City, now in the Tenure of the Honorable Captain Needham, and Secretary Matthyas Nicolls Esquire.

ditto
Mr Cousseau and Gerrit van Tright administrators of the Estate of Gabriel de Haes, declared to have order, Concerninge Certaine house and Land Lying and being within this City, uppon the Broad Way, Whereof Johan de Loviele Residing at London, is one of the Creditors

26th ditto
Mattheus d'Vos, presented a Procuration of Francoys Fine, Concerning the said fines Island Called Varkens Island, as alsoo a Parcel of Land, Lying towards Hellegatt upon Longe Island to the quantity of 25 2/3 mar[g.]

29th ditto
Mr Johannes de Peyster declareth, to have order of Mr Johannes Jillissen Verbrugge, Concerninge Certaine Garden, Lying without this City Ga[ ]

Timothy Gabrie Presented a Procuration of Daniel Gabrie, Concerninge the house now in the Tenure of the said Timothy gabrie;

Jacob Kip declareth to have procurcation of Michiel Muyden, Concerning Certain house and Land, within this City, in the Winchel streete, on the Southside of the house now in the Tenure of Mr Tiddeman,
Dirck van Clyff declareth to have order, of a rent Janse Moesman, Concerning Certaine house, within this City; uppon the Broad Way, next to the house and Land of Cornel[ ] pluvier.

Idem, to have order of Jacob Janz. Moesm[ ] of a house and a Stoore house, now in t[ ] Tenure of the said van Clyff, as alsoo a Certaine house more, Lying and being next to the house of Teunis Tempelier; and the said van Clyff declareth further that he expects the said Moesman into these p[ ] with the first Convenient opportunity; to w[ ] end, the said Moesman, Lest upon his dy[ ] from hence, Most part of his houshold stof.

N. Bayard Secr. of the [ ] Court.

[Endorsed:] Confiscated houses Alb. 1667.

The papers that concerne the Esopus mutineys with the death of Henrick Cornelius as alsoe

The proceedings and Sentences of the Court held in Esopus the 25:26:27 dayes of Aprill by virtue of a Commission given to Capt Robert Needham and Mr Thomas Delavall Esquires and Mr Cornelius Van Ruyven Justice of the peace. By the Right honorable Collonell Richd Nicolls Governor, under his Royall highness the Duke of Yorke of all his territoryes In America.

To the honorable Magestrates of the Towne Wiltwyck,

Sheweth, the Underwritten Generall Inhabitants of the Towne Wiltwyck, that since the honorable Governor Richard Nicolls, is departed from hence, we have suffered soe much Injurie and Violence not only from the Soldiery in General, But alsoo from the Captain Broadhead in particular, whoe ought to have punished the Wrothe which the said Soldiery have done unto us, Videllest

1: Porter two years old Cornelis Barentsen Slegt is beaten in his owne house by his Soldiery George Porter, and after this by the other Soldiery forced to prison, and was by some Soldiery at his imprisonment used very hard;
and afterwards hath Captain Broadhead, beaten Tierck Claesen, and without any Reason brought to prison,

It is happened that Captain Broadhead, Comming at the house of Lowies du Bois, took an anchor of Brandy and threw it uppon the Ground, because the said Bois, Refused him Brandy, without payment, and did Likewise force the said Bois to give him Brandy,

And the said Bois his wife, comming for hur monny at the said Broadheads house, he drove the said Bois his Wife, with a beare knyff out off his house,

The Souldier Jeorge Porter, comminge in the Barne of Pieter Hilledebrants, and findinge there Dirck Hendrix, the said Porter tooke his Sword, and thrusted the same, threw the said Dirck Hendrixes Breeches,

Albert Heymans Roos, going with his plow Yron, towards the Smits, was assailed by five soldiers whoe Wounded him very much, Whereupon

The Souldiers [ ] the [ ] the said Albert Heymans, going [ ]thout any Reason brought him to [ ] Imprisonment was most grievously [ ]ounded by Richard Hamer,

Two souldiers france Vreman, and Wm Fisher, comming to the Millers to steale his hens, the said Miller in defending of his hens, was by the said Souldiers beaten in his owne house,

Harmen Hendrix was wounded in his Legge by Richard Cuge,2 in soe much that the said Harmen, is lame unto this present day, and that only because his Goates where eaten by the Souldiers,

It is happened upon New Year day, that Walran du Mont, haweinge some friends and Neighbours to eat with him at his house, where uppon Captain Broadhed comminge in, he treated the said Walran very Badly;

and herewith not being satisfied, took the Wife of Harmen Hendrix, from thence to Prison in the Guarde,

John Cornelissen Smith, going alone the Streete was assailed and persecuted to his verry Shop, and was Like to have benemurthered, by Jeorge Porter, but he was hindered in his desseyn, by Frans Vreman; and the said Jeorge Porter hath Likewise upon the said day in open Streete assaulted Roelof Swartwout,

Cornelis Barentsen Slegt, being by Captain Broadhead, verry ill Treated, in his owne house, was afterwards by the said Captain forced to prison, and his armes by force taken out of his house, which still doe Remaine by the said Captain Broadhead,
15: Andries Pietersen being at the said time, in the Brew house of the said Slegt, was beaten by Christoffel Berrisfort with his halbard, that the said Andries fell downe in a Sounding and was in great danger of his life,

16: And Hendrick Cornelissen Lyndrayer, is by William Fisher Without any the Least Reason, Wounded in his Belly, and [ ]

17: and it is apparent that Gerrit focken [ ] should have bene Killed, by the [ ] escaped beinge Wounded in his [ ]

18: Wee passe by, all the Offences, done to the officer and magestrates in generall, And besides all this We are threatened by Captain Broadhed, and his Souldiers, to burne downe this towne, and that they will murther al what is therein; Therefore, We doe most humbly Supplicate that you Wil be pleased to Remonstrate and make knowne unto the Right honorable Governor, The sad Condition we are in, from whome we hope to have Redresse, and to be maintained in our Right, soo Remaininge. Thomas Chambrits Captain and overseer, and Everts Pels overseer, are hereby authorised, by the Court to acquint Captain Broadhead, the answer of the Inhabitants, that Cornelis Barentsen Sleght by him Imprisoned, might be Relaxed, out of his Imprisonment, for to prevent further trouble and danger; and in Case the afore said Cornelis Barentsen Slegt, hath offended the said Captain Broadhead, that the said Broadhead (according to the Governors Order:) Should sue him to the Court, for to be Examined and Corrected, dated in Wiltwyck this 4/14 of Feb. 1667.

Wm Beeckman
Jan Joosten
Roelof Swartwout

In answer to this abovestandinge, Captain Broadhead Replyes, that he will keepe Cornelis Slegt in apprehension, as Longe he thinks good, and in Case the Inhabitants will fetsh him by force, that he Would Waight upon them, dated in Wiltwyck this 4/14 off Feb. 1667.

Thomas Chambrits
Evert pels

22:23 [TESTIMONY OF THE SOLDIERS AT FORT ESOPUS CONCERNING THE BURGHERS' MEETING.]

Right Honourable

Your humble servants and souldiers hath made bold to present you herein with these few lynes and to give you A more Clearer demonstration of our first proceeding, and the testimonies of all those men that were both the parties Comanded by our officer in chiefe the which they will all testiffie upon oath.
The first party of men was Commanded by sergion Beresford from the gaurd, to the Burgers house by Capt Brodheads Command, wher they found the burger with his peice Cocked, and his hanger drawne hanging upon his Arme, we disarmeing him perforce, and brought him prisoner to the gaurd According to order, but att our first arivall att the aforesaid house, we found Capt Brodhead, with his Crevatte torne, and throwne away and his face scratcht and veary much abussed the names of those men that went to the burgers house, Sergion Beresford, Corpell. Hamer, George Hall, Thire testamonys Sam: oliver, George Porter,

Eight or nine dutchmen went to the Scouts house but what thir meaning was we canot Say but straight they were all in thir Armes and the Scouts Servant with them also, in Armes; he not having any Armes of his owne, but haveing them out of his masters house.

Hendrick Yockams, thir lieutenant Commanded them to thir Armes and drew them up in battallia: and headed them himselfe att his owne dore.

Then Capt Brodhead with A party of the men marcht to them and demanded the ocation of being in thir armes thir lieutenant made Answer that they would have the burger out of the gaurd, but Capt. Brodhead Commanded them to returne all with thir Armes to thir houses, but denyed the motion and standing all upon thir gaurd with thir peices Cockt, would not obay: our Capt. Comand. thir Lieutenant Replyed that they would not: but wold have the prisoner out of the gaurd

Thire was on of thir party by name Anthony A fren[ch]man, presented his peice Against our Capt being Loaden with nine small bullats and swore that if he moved on foot he would fire upon him and would not be persuad nor Comanded but did persist in thir rebelio[u]s Accions and would not Return with thir Armes.

They sent for Capt. Chambers, thinking he would have headed them, but when he cam would not, but likewise Comanded them all to returne with thir Armes, to thir houses; but deviing him, did maintaine their former Resolution; Continuing in thir Armes untill about nine of the Clock att night; with threatening that they would fetch, the burger out perforce, that night and villifiing us, with our small party of men, saing what is 15: or 16: men to 60: or 80: as Continually they have done from the begining.

Another of thir Rebellious party by name Albert Hymons: otherwise caled the new boore, who was the Cheife in the first Rysing against us, gave out speeches in the hering of on of our souldiers, Hummfory Forgisen by name; if he had had the Comand of thir party he would not have left on English souldier alive in the Esopes.

Captain Chambers did relate unto Edw: Whiticar, and francis Freeman both souldiers quartering in his house That he was
veary sorry that he had misinformed your honour Concerning thier first Rysing of the burgers against us, when he satisfied your honor that they Returned to thir houses with thir Armes, but did not att his Comand upon hopes of thir futer obedience. and is ashamed that he should Excuse or Countenance Such a stoubern people as they bee.

A List of the names of thir officers that headed them

Henry Yockams Lieutenant
Tirick Closs Sargion
hen: seawant
Walraven
hen: fowlebeard
Jo: Johnson brabands

Corprall Albert Hymans.

with 50: or 60: more of the Inhabitants that were In Armes against us: omiting severall other abuses Received from them, att other times, we Remaine your honors Servants with our lives to our powers,

All what is befor herein mentioned these men herein named will testaffie, upon oath the which is nothin[g] but the truth and the very truth.

The names of the party of men that Capt Brodhe[ad] Comanded with him

Corprall hamer:
George Hall:
Samuell oliver:
Thomas Mathewes:
William Horton:
Hum: Forgison
Will Fisher

[Addressed:] To the Right Honorable Generall Rich. Nicols governor of his Majesties Teritories in America James Fort in New Yorke

[Endorsed:] From the soldiers


22:25 [LETTER FROM SCHOUT WILLEM BEECKMAN TO THE GOVERNOR CONCERNING CURRENT AFFAIRS AT THE ESOPUS.]¹

Most Noble, Honorable, Valiant, Wise, and Prudent Lord

My Lord, After seeing your Honor's letter to the commisioners, I am most troubled by your Honor's displeasure; but not without good reason. Many of the inhabitants and soldiers here are suspicious of both me and Capt. Brodhead; I cannot, however, learn the reasons why—for such patience is required.
Six or seven weeks ago, Dom. Blom gave notice of leaving the service here and requests to be discharged, having addressed himself to your Honor concerning his Honor's discharge, and having submitted your Honor's order for his salary. Then may your Honor justly consider his discharge. It seems that he presently no longer has the inclination to continue here because of the death of his wife. It also follows that very poor harvest; and as well as magistrates are deficient. Henry Palingh is still f330 in arrears on his farm for last year. He makes great claims about wine and beer consumed by Capt. Broodhead; therefore I can get nothing from him. He also delays me as he was indebted the 29 October for excise, to be collected by me; and by me, in the presence of Capt. Broodhead, last Tuesday before our court, he said that I was not authorized to collect and that he would not pay unless he received a special order to that effect from your Honor. He argued as well about many other things: whether one was duty bound to give and account for each soldier regarding the wine which Capt. Brodhad sold off as a merchant by the small measure. In this Palingh would be in the right, concerning the tapster-excise, and I offered to have this deducted upon your Honor's approval; but he does not want only the tapster-excise, but the burgher-excise as well; and he accused Capt. Brodhad of having smuggled 12 half barrels of beer. He claims, therefore, confiscation of its value and the fine for it, and which would amount to more since he is in arrears. It is a frivolous demand because Capt. Bradhad has sold no beer but has consumed it in his family. Last year Capt. Brodhad, pursuant to your Honor's order, received f300. He now admonishes me daily for another 300 gl. I showed him that Henry Palingh was indebted to me, as collector, f98 for this beer-excise; and Richard Cage f62. Capt. Bradhad not wanting to have anything to do with it, says that I can get it from them here and then give it to him; because of the unwillingness (as already evident) it cannot be done by me without his help. Also, I have no special order from your Honor how much to pay to him from this beer-excise by all indication, I shall render the excise 200 gl. less than that still the bad payment so that I paid to Capt. Bradhad and also await how much I shall pay. The inhabitants here are busy surveying the extent of their lands and lots in order to send the same to your Honor for reconfirmation. I shall come down as soon as possible. In the meantime, after cordial greetings, I commend your Honor to god's protection and remain

Esopus 21/31 March 1666/7

Your Honor's ever willing and obedient servant

Will: Beeckman.
On the remonstrance presented to the Honorable Court of Wildwyck and transmitted to the Honorable Governor General, containing the names of such persons as were assaulted by the military here, we the underwritten testify and undertake to confirm the same upon oath, if necessary.

1. For Cornelis Barentsen Slecht, according to the remonstrance;

   I, the underwritten, have seen in part the assault committed by Jooris Porter on said Cornelis Barentsen Slecht.

   Tierck Classen de Witt.

2. We testify that Captain Broodhead beat Tjerck Claesen at his house and on the street and then put him in jail.

   Allert Jansen

   Cornelis Barentsen Slecht.

3. I bear witness to the disorderly conduct of Captain Broadhead at Louis Du Bois's, and that he threw an anker of Brandy down on the floor.

   The mark of

   Michiel Verbrugge

Which occurred also in the presence of Roelof Swartwout.

4. The improper behavior of Captain Broadhead towards the wife of Louis de Bois occurred in the presence of Christoffel Berrisfort and of David Graffert's daughter.

5. The act committed by Joris Porter on Dirrick Hendricksen on Pieter Hillebrant's threshing floor was perpetrated in the presence of Helletje Hendricks, wife of Allert Jansen, and of Aeltje Wygerts, wife of Peter Hillebrants.

6. In the matter of Allert Heymans, who was assaulted by five soldiers when he was carrying his colter to the smith, we were present and attest the same

   Fredrick [ ]

   The mark of Dirrick [ ]

The foregoing can be attested by Matthew Blanchan who was also present there.

7. The case of Ariaen Huybertsen is notorious and was decided by the Hon. Court on the 4 May 24 April 1666.
8. That the Miller was beaten when the soldiers stole his fowls at night, I have seen and do attest.  
   Cornelis Barentsz Slecht.

9. The declaration of the stealing of Harmen Hendricksen's goat, the wife of said Harmen Hendricksen will substantiate.

10. Captain Tomas Chambres and Jan Joosten, who were also at the feast, can testify [as] to what Captain Broadhead did to Walran du Mont when on New Year's Day he was an invited guest at the civic dinner.

11. That Captain Broadhead took the wife of Harmen Hendricksen a prisoner to the guardhouse, said Broadhead cannot deny.

12. The wives of Walran du Mont and of Jacob Jansen van Etten, and Louis du Bois can prove what Joris Porter did to Jan Cornelissen the Smith.

13. Daniel Broodhead himself can testify as to what Joris Porter did to Roelof Swartwout.

14. The case of Cornelis Barentsen Slecht and Daniel Broadhead appears by the affidavits of Andries Pietersen van Leeuven, Roelof Hendricksen, Jan Jansen van Oosterhout and Gommert Paulusen.

15. The assault of Christoffel Berrisfort on Andries Pietersen van Leeuven, who was thought to be murdered, is also notorious.

16. The death of Henderick Cornelissen at the hands of Willem Visscher is notorious.

17. Also, that Willem Visscher wounded Gerret Foken in the arm outside the door with his weapon [ ]

18. We testify to the threats of Capt. Broadhead and his soldiers to set fire to the village.  
   This is the mark of Frans Vos Laesseer  
   This is the mark of Antoonie Delba  
   Harman Hyndrycksen

Wildwyck this  
4 May  
24 April 1667.

I, the underwritten Jeroon Douwes have heard said that he the Captain intended to burn some houses.

Albert Gerretsen  
Gerret Focken  
This is the mark of Andries Pietersz  
This is the mark of Toenes Jacobsz  
This is the mark of Cornelis Barentsz  
Cornelis Hoogenboom  
Arien Huibertsen  
Arie Alertsen Roosa  
Alander Heymansz  
Jan Broesen  
Jan Adriansen  
Claes Claessen  
[continued]
Firstly, said Capt. Broodhead in the month of January of the year 1666, new style, came into court when the Bench was in session, and demanded who had authorized the Court to meet without his knowledge, as he said he was Governor of this place and no session should be held without his knowledge and consent, and angrily shoved the papers off the court bench, in violation of the first article of the Instruction accorded to the Schout and Commissioners, which said authority above mentioned is not to be found in Capt. Broodhead's instruction.

2ndly, Regarding the quartering of the soldiers which the honorable Governor General has referred to the Schout and Commissioners; the said Captain has opposed it, contrary to the fifth article of the Instruction given to the Schout and Commissioners, when at the house of Cornelis Slecht he tore up the billets that were issued, and on the contrary gave others in their stead, and on this account in the presence of the Commissioner Jan Joosten picked a quarrel with the Schout because he continued to do so according to authority; likewise has he presumed to exact from diversburghers, being working people, a schepel of wheat per week for himself on condition of relieving them from having soldiers quartered on them. They are Louis du Bois, Walran du Mont, Albert Jansen, Roeloff Swartwout, Jan Jansen from Amersfort, Albert Gerretsen; and he has on the same condition received from Pieter Cornelissen two schepels of wheat, and if unwilling he has quartered soldiers on some of them. This authority for billeting is not to be found in Capt. Broodhead's instructions.

3rdly, In violation of the Seventh Article of the Instruction of the Schout and Commissioners Capt. Broodhead has presumed to arrest without prior complaint the following persons: to wit, Schout Willem Beeckman, Court Messenger Albert Jansen van Steenwyck, Cornelis Barentsen Slecht twice, Tjerck Claesen de Wit, Albert Goertsen, Teunis Jacobsen, Walran du Mont, Magdalena Dirricks wife of Harmen Hendricks, Ariaen Huybertsen, in utter violation even of the Instruction to Capt. Broodhead himself.

Done in Wildwyck in the Esopus this 25th April, 1667.
[TESTIMONY OF WITNESSES AT THE COURT HEARING THE CASE OF MUTINY.]¹

Complaints against Capt Broadhead et alia, Tyerk Clauson

Saith the reason why Capt Broadhead abused him was because hee would keepe Christmas day on the day accustomary with the Duch, and not on the day according to the English observacion.

Capt Broadhead acknowledged it.

Lues De Boys his wife

Saith Capt Broadhead had a knife in his hand when shee demanded the money hee owed her, and hee told her, that if shee were not with child hee would Cutt her and called her many bad names.

Lues de Boys saith

Capt Broadhead used his best endeavors to strew his anchor of wyne when hee threw it downe but cold not, and confessed that hee lost none of the Drinke.

Walraven De mont Sworne

Saith that last new yeares day hee had some freinds at his house, and Capt. Broadhead quarrelled with the wife of Harman Hendrickson, and threw a glass of Beere in her face and called her many bad names and carryed her to the Guard a prisoner.

Capt Chambers. Conc[urr]eth [with] the former [evidence, being] then present at the house.

Capt Broadhead owneth the same but saith that Harman[s wife] called his sister whore which occasioned the quarrell.

The Burgers brought into the Court a paper to excuse their being in Armes, and the reason that induced them to it they say, was because Capt Broadhead and the soldiers threatned to burne the towne and all that was in it, and alsoe because Captaine Broadhead had comitted their Searjeant being a Burger of the towne to the Guard a prisoner and had misused and cut him, which made his wife and Children run about the towne and cry murder the English soldiers kild their father.

Henry Pawling Sworne. Saith

That Cornelius Barnson Jurian Westfallus, Tunis Jacobson John Brewerson and Jacob Van Elmendorp; hee see these 5 persons come out of Heer Batmans house but not in their armes at that tyme, and hee heard Elvendorp say. lett us goe from house to house, for wee will have the Searjeant at Liberty out of the guard,

The Burgers being in their armes was by very many of them confessed.
NICOLLS-LOVELACE PAPERS

Article 3d

But the left being charged with standing at the head of them with his pistoll and sword, made this his defence.

That he[e] was not at home when they gathered toge[ther in] their armes; but the Burgers telling him that Cap Broadhead had threatned the setting the towne one fyer, he came among them, and alleged that that way was not the right way to get the searjeant free, and when Capt. Broadhead came to know the reason of their being in armes, hee comanded them not to shoote which was proved by these following persons.

Samuel Oliver

Sworne afirmeth the same.

Anto. Dalva

Albert Hymens Jan Broerson Jan Cornelison Cornelius Barnson Arient Albertson ross all upon oathe affirme the same.

Richard Haymour Sworne

That they heard Anthonio Dalva say to Capt. Broadhead with his peece presented, stand off for if you move a foot Ile fyer upon you,

Richard Haymour and George Hall afirmhe the Like upon Oath.

saith George Hall

Jacob Jonson

Claus Clason

Both sworne say that the reason why Antonio Dalva presented his gun at C Broadhead was because hee made to him with his naked cutlax and threatned therewith to cut him in peeces.

Saith that when Capt. Broadhead was gathering some of the young Burgers to goe to Albany, hee heard Antonio Dalva say, shall wee goe and fi[g]ht against our freinds, and leave our [ ] enemies at hom[e]

To which Antonio Dalva in his owne defence replied That hee said fight for their freinds meaning the Duch at Albany who in the Last warr sold the Sopes Indians powder and Lead, and leave their enemies at home, meaning the Sopes Indians.

George Hall Sworne

Saith being once at the house of Abert Hymens with William Fisher, hee heard Albert say that if the Burgers would bee ruled by him, hee would not leave an englishman alive in the towne, and that if there any disturbance againe hee would prosecute himselfe let the Magistrates doe what they would,

Humphry Porgison Sworne

Saith being once at the house of Abert Hymens with William Fisher, hee heard Albert say that if the Burgers would bee ruled by him, hee would not leave an englishman alive in the towne, and that if there any disturbance againe hee would prosecute himselfe let the Magistrates doe what they would,

Frederick Hussey Sworne

Hee heard Albert Hymens say that if the English had any quarrell againe with them, they would 4 or 5 fall upon one english man, as the English had done to them.

But Albert Heymans utterly denyeth all.

Annother complaint was brought in against Albert Hymens and his sonn and Couzen, but the Court understanding that hee had bine fined for it by
The Civil Magistrate[s] would not permit it to bee prosecuted

These Persons Acknowledged to bee in armes,

Jan Jansen Van Oysterhoud
Anto. Dalva.
Arient Hubertson.
Gerrit Arte
John Barnson.
Arien Tuneson.

[Endorsed:] The attestacions of witnesse with the proceedings of the honorable Court established by the honorable Governors Comission at Sopes.

22:29

To the Right Honourable Generall Rich Nicols Governor of His Majesties Territories in America The Testimonies of your Honors Soldiers in fort Espanes And nothing but what they will testifie, upon oath;

Imprimis A partie of five men being Commanded from the gaurd, by Sergion Berisford, according to Capt Broadheads order, to the Burgers house, where coming they found him the said Broadhead with his crevate Torne in peices, from of his neck, with his face scratcht And very much abused, and the burgher with his peice in his hand Ready cocked, and his Sword drawne hanging Upon his arm, wherupon by order of Capt Brodhead they Brought him prisoner to the gaurd,

2 All the Soldyery see it

There was: 7: or 8: of townes men went to the Scouts house, but what answer they Received we cannot say but presently they were all in thire armes, and the Scouts servant with them in his armes, and to our knowledge he have none of his owne,

3 the whole Soldyery and the 7 men in particular

there were 60: or 70: of the burgers in thire armes in the Fort, being headed by thir Lieutenant Hendrick Yockam[s] and the other of thir infferior officers, whereupon Capt Brodhead Commanded a partie of the men from the gaurd And marcht to them, they being drawne Up att their Lieutenants dore, our aforesaid officer demanded thir Reason of being in thir armes; thir Lieutenant made answer they would have the burger out of the gaurd, or else they should not Returne thir armes, untill they had him out
[Anthony a frenchman on of thir party presented his peice against Capt Brodhead, with an oath that if he moved on foote he would fire upon him; his peice being loaden with nine bullits the testimony of Avery$^2$ Price to Sergion Berisford.]$^3$ as to the Clause of the 9 Bullets Evert Price saith hee forgetteth that there was any such thing.

when Capt Chambers Commanded them in thir armes, to lett them understand your honors Command, concerning marching to fort albany the last winter, the said Anthony said shall we goe and fight with our friends and leve our enimies att home, they sent for Capt Chambers to his house who comeing to them Commanded them to returne with thir armes to thir houses, they would not, but replied they would have the burger out of the gaurd, then he comeing to us to the gaurd. said they were a company of stuborn Roages and would not be Comanded by him whereupon he said he would have nothing to doe with such mutinus Roages, and returned to his owne house they remaining in thir armes untill about 8: or 9: of the Clock that night.

Capt Chambers said in his owne house to Edward Whitacor and Frances Freeman that he was very much troubled that he had misinformed your honour in excusing them in thir first mutinie and that his information to your honor on thir behalfe was an abomenable lie, in saying they returned thir armes when they did not.

Humphery Forgison was att Albert Hymonds house with Will Fisher being his quarters where the said Albert Hymonds said that if thir party would have been Ruled by him he would not have left an english man alive in the towne; and that if there were any disturbance aqaine lett the Majestrates doe what they would, he would prosecute by himselfe.

Albert hymonds with his son and his Cozen being att the strand with thir armes, then in the winter the difference about $\lambda$ Canow, the aforesaid 3 men Challenged 3 of our souldiers of from the Redout their gaurd to fight with them and drew thir small shot and loaded thir peices with bulitts;

Upon Easter munday John williamson servant by name thomas the brabander Related to the Corprall Hamer that he had not beene in his armes had he not beene Comanded by two of the inhabitants, and that in their Leuitenants name:

thomas Elgar heard his landlord say, Ard Martinson being on of thir Corpralls they were all in generall Comanded to their armes in thir Leuitenants name.
The testimonies of these as Followeth

**Christopher Beresford, Sargion**
**Richard Hamer Corprall.**

The first party
George Porter.
Samuell Oliver.
George Hall.
Anthony: Cooke:

These are the witnesses to the first Article

The second party
Richard Hamer
Sam: Oliver
Geo: Hall
Will: Horton

The 7 men
Hum Furgison
Tho: Mathews
Will Fisher

Att the Redout
Geo: Porter
Sam: Oliver

[Endorsed:] The Soldiers Testimonyes In Generall.

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22:30 An extract out of the Producall or Register of the Towne of Esopus,

The wife of Cornelius Barnson Sleight and her daughter complained to the Court, that Capt Broadhead had grievously cut beate and wounded Cornelius Barnson her husband in his owne house and that hee had alsoe comitted his body close confined to the guard, and would not release him,

Upon which the Court ordered that the Courts messinger should bee sent, to request Capt Broadhead to come to the Court and the said messinger recieved this following answer That if the Comissaryes would speake with him they might come to him, then the Burgers being in armes, the Court endeavored what in them lay to prevent any farther danger, and thereupon ordered that Capt Chambers and Evert Pelse to desyre Capt Broadhead to release the said Burger from the Guard, and if the said Cornelius Barnson had any wise offended him, hee shold according to the Governours order complaine to the Majestrates, who would see that hee make satisfaccion or bee punished according to the merrit of his crime But when the said 2 Comissaryes had delivered the message to Capt Broadhead, hee made them this answer that hee would keepe the said Cornelius as long as hee pleased, and if they would fetch him, hee would bee ready to wayte for them.

The Court alsoe used many arguments to the Burgers that were in armes to goe quietly whome to their houses and went personally themselves to perswade them, that they should not doe any thing against the Melitie, but told them they would adress their cause to the honorable Governor

Then the burgers told them the Magistrates that Captaine Broadhead and more of the Soldiers had many tymes threatened to burne the Towne and that with other reasons moved them to appeare in their armes and the[re]fore they requested to bee impowred by their majestratres to continew in their armes But
the said majestrates utterly denied the same.

[Endorsed:] The Court of Esopes Proceedings

22:31 [ATTESTATION OF BURGHERS EXPLAINING THEIR MEETING]

Wee whose names are here underwritten, inhabitants of the Towne of Esopes doe certefye and acknowledge that on the 4th day of February last, upon the dolfull cry and lamentacions, of the children of Cornelius Barndson Sleight, that their father was miserably beaten and wounded by Capt. Broadhead, and that another person named Andreas Peiterson Van Lewen was killed in the brewhouse, at which accion Some of us being eye witnesses, wee gathered together in an assembly at the first, and through the threatening of the militia formerly to burne up the Towne and thorough their beating their drumm and their further saying they would burne the towne and [murder all] that was theirin, the aforesaid motives and resons, moved us, that every one of us without order of Burger or officer did take our Weapons in hand, not knowing otherwise but this might bee the beginning or forerunner of the utter Ruein of the towne by the Millitia, and that they would doe with us what they pleased, as they had done with several persons since the Governour went from hence, as is particulerly mencioned in our remonstrance to his honnour, dated this 28th Aprill 1667.

In the towne of Wildwycke.

Tyork Clausen de Witt  Peter Helibrantsz  Cornelius Feinhoud
Peter Arienson       John Williamsz  Corn Hooghborne
Lambert Hubertson    Hendrick Martensz  John Jacobz Burkans
Gerrat Fowker        Ard Martensz      Henr Ariason
Tunis Jacobson       Paulus Paulsz     Walrav De mont
Andries Peterson     Claus Clauson     Franc. La Cheir
Arian Geritson       Frede Peterson   John Lodman
Urian Westfall       Derick Hendricksz  Thomas Harmonsz
John Corneliusz      Thom Van Marken   Barnad Holsten
John Hendrixsz       Jan Janson       Albert Janson van stenwyk
Roloph Hendricksz    Albert Janson van stenwyk

[Endorsed:] The Burgers Reasons and Confession of their being In Armes. 1667
At a Court held in the Towne of Esopus alias Wyldwick upon the 25, 26 and 27 dayes of Aprill Anno 1667 by virtue of a comission from the Right honorable Collonell Richard Nicholls, Govenor under his Royall highness the Duke of yorke of all his territoryes In America, Given to Capt Robert Needham and Mr Thomas DeLavall Esquires two of his honorable Privy councell, and Mr Cornelius Van Ruyven one of his Majesties Justices of the peace and were present the Schout and Comissaryes of the said Towne.

Articles against Albert Hymens of Esopus.

1

That the said Albert Hymens was the occasion of the first rebellious Mutiney in the Esopus, and likewise a great incouriger of this last mutiny being himselfe in armes and since that tyme, hath spoken very dangerous words to the prejudice of his Majesties subjects and peaceable government, and contrary to his oath of Alegience,

That hee was the occasion of the first mutiney is Proved by Edward French upon Oath, who saith,

That the said Albert Hymans wounded one Daniell Buterworth in the hand, for demanding his provisions, and calling him and more of us the soldiers in Esopus, Skellums starts and more of the like provoking speeches,

2

That hee was in the second mutiney is by himselfe confessed in a double manner, and that hee was then in his armes is owned by his signeing the peticion, and secondly that hee confessed the leiftennant comanded him and the rest to lay downe their armes and goe home, which hee did not, and therefore needs noe more to prove him guilty,

That hee spoke since very dangerous and mutinous words, is proved by the Oathes of 2 witnes ses, Humphery Forgison and Frederick Hussey,

Humphery Forgison saith hee being once at the house of Albert Hymens with William Fisher hee heard Albert say if the Burgers would be ruled by him, hee would not leave an english man alive in the towne, and if there were any disturbance againe by the English, hee would prosecute himselfe, let the Burgers and Magistrates doe what they would,

Frederick Hussey, saith hee heard Albert Hymans say, that if the english had any quarrell againe with them, they would 4 or 5 fall upon one english man, as the english had done upon them[.]

That formerly Albert Hymens with his sonn and kinsman was at the Redoubt where there was a Canew left in charg[e] of the soldiers at the
Redoubt, which Cannew as it seemse did belong to the said Albert and another man, but the soldiers having charge of it from the other man would not lett her goe whereupon their was some dispute, and one of his company did abuse Samuel Oliver, and tooke his armes from him, and afterwards they challenged to fight with any 3 of the soldiers and one of them drew his small shott and Loaded his gunn with Bulletts. This was sworne to by Samuel Oliver, George Porter and Edward Shackleton, but by reason it was noe long since, and the Court haveing fined the said Albert for the said fault this Court tooke little notice of it, however cold not doe less then represent it to the Generall, to order what his honnour shall see meete in the Matter,

Articles against Antonio Dalva.

That the said Antonio was in the first and last Mutiny, and hath spoken very dangerous and seditious words contrary to his alegiance, and the peace of this Government.

Hee confesseth his being in the 2 Mutineys.

2 George Hall

upon Oath saith, that when Capt Broadhead was gathering some of the young Burgers together for to goe to Fort albany hee heard antonio Dalva say, shall wee goe and fight with o[ur] freinds and leave our enemies at home.

To which Antonio replied in his owne defence, hee said shall wee goe and fight for our freinds meaning the Dutch at albany, who in the last warr sold powder and lead to the Sopes Indians, and Leave their enemies at home meaning the Sopes Indians,

3 Richard Haymour and George Hall

Being both sworne they say they did see Antonio Dalva present his peece against Capt Broadhead, and they alsoe heard him the said Antonio Threaten Capt Broadhead that if hee moved a foote forward he would fyer on him

Articles against Cornelius Barnson.

That hee hath bine in the last Mutiney and a great Forwader promoter and abetter thereof.

Henry Pauling

Upon Oath saith that the said Cornelius Barnson was one of the first 5 that went to the Schouts house, and one of that Company who said just before the last mutiney, let us goe from house to house for wee will have the Searjeant at liberty out of the Guard,

The Schout and Comissaryes doe give a Caracter of the said Cornelius Barnson to bee an Idle seditious fellow

That Ariant Albertson was in the First quarrell with the soldiers at the redoubt is proved by George
Porter Samuell Oliver and Edward Shackleton and that he was the occasion of the first Mutiney by quarrelling with Daniel Butterworth is owned by his father and that he was in armes the last mutiney is owned by his owne hand underwritten, in the Genearl acknowledgment.

Upon which Complaints and informacions of his Majesties officers in the Garrison of Esopes against the Burgers and inhabitants thereof, and it being evidently proved and made appeare that at 2 several tymes a Considerable number of the said Burgers were gott together in Armes without order or Command from their officers in a very dangerous riottous and Mutinous manner contrary to their duty and alegiance to our soveraine Lord the King, and the peace of this goverment,

And upon strict and serious Examinacion wee have found that Antonio Dalva Albert Hymenson Cornelius Barntson and Arient Albertson are guilty of the said Rebellious and Mutinous Riot, and therefore for the more peaceable Government of this towne for the future, wee doe thinke meete to carry downe the foure above mencioned persons to New Yorke there to receive from the honoured governour their finall Sentence for the said fact.

[Endorsed:] The Testimones of Wittnesses against the 4 persons that were principally Concerned in the Disturbance and mutiney in Esopes With the Courts Order Thereupon

22:33 [CONFIRMATION OF THE GRAVESEND PATENT.]1

Whereas there is a certaine Towne in the west rydeing of Yorkshire upon Long Island commonlie knowne by the name of Gravesend, Cittuate lyeing about the westermost part of the said Island Containeing a Certain Quantitie Or parcell of Land begining att the mouth of a Creeke adjacent to Conye Island, and being bounded One the Westermost part thereof with the land hearetofore Appertaining to Antonye Johnsonn and Robert Ponyer,2 and soe to runn as farr as the westermost part of a certaine pond in an Ould Indian feild; On the North side the plantacion of the said Robert Penoyre And from thence to runn directt East as farr as a Valley begining att the head of a flye or Marsh somtime belonging to the Land of Hughe Garretsonn, and being bounded One the Southe Side with the Maine Ocean, for which said Quantie and parcell of land there was hearetofore there was a pattent graunted by the Dutch Governor William Kieft, unto Severall pattentees, their associates heires Executors Administratours Successours and Assighnes togeather with all the havens harbours rivers Crikes woodlands marches and all Other Appurtinances, as also to putt what Cattle they thought fitting to feed and grase upon the aforesaid Conye Island with Libbertie to them the said pattentees to buide3 a Towne or Townes upon the said Land, and to have and Injoye the free libbertie of their Consciences without Molestation of Anye, and to make such Civill Ordinances amongst themselves as the Major part of the Inhabittants free of the said
Towne should thincke fitt for their quiett and peaceable, subsistance, And to use and Exercise all maner of trade and Commerce, as the Inhabitants of this provinc maye or can by vertue of anye privillidge or graunte in As in the said patent beareing Date the 19th December 1645 is sett fourthe. Now for a Confirmation unto the present freeholders and Inhabitants of the said Towne in their possessions and injoyemente of the premises Knowe yee that by vertue of the Commission and Authoritie to mee given by his royall Highnes I have rattified Confirmed [and] graunted and by these presents Doe rattifie Conforme and graunt to Thomas Delavall Esquire and Mr James Hubbard William Bowne John Tilton and William Goulding patten­tees for and on the behalfe of themselves and there Associate[s] the freeholders and Inhabitants of the said Towne there heires successours and Assignhes all the affore Mentioned Quantitie and parcell of Land sett forth and bounded as aforesaid; togethier with All the havens, harbours rivers Creekses, Quarries woodlands, plaines Meadowe grounde pastures waters, Lakes fishing, hunting and fowleing and all other proffitts Commodities Emolluments and herediments to the said Towne and Tractte of Land, and premises within the said limitts affore Mentioned described belonging or any ways appertaining As allso to have freedome of Commonage for rainge, and feede for Cattle and horses as well without there bounds and limitts, with the rest of there Neighbours and to have the hearbidge⁴ of the above said Conye Island to belonge unto them for their Cattle to feede and grase uppon The said patten­tees their associates heires Successors and Assignhes being to have hould and Injoye prepetuallie All and Singular the said Lands herediments and premises with there and every of there appurtinances and every part, and parcell thereof, as their One free land of inherittance with all and every of the privillidges, and Libberties further as affore specified As the libbertie of there Consciences towards god without Molesta[t]ion of Anye what­soever, And the makeing such Civill Ordinances Amongst them selves as the Maior part of the present Inhabitants free of the said Towne shall thincke fitt for their quiett and peaceable subsistence, and to use, and exercise all manner of trade and Commerce, as the Inhabittants of this province Maye or can by vertue of anye priv[l]edge or graunte; further endweing⁵ all and Singular th said [patentees their a]ssociates heires successours and assignhes with all the [privillidges] [ ] belonging to any towne within this Goverment Or that hearafter shall be granted And that the place of there present habbitation shall Continue and retaine the name of Gravesend by which name and stile it shall bee Distinguished, and knowne in all bargaines, sales deeds, records, and writings They the said patten­tees and there Associates there heires successours and Assignhes rendring and payeing such Deus and Acknowledgments As by such wholesome Lawes, that now are, Or hearafter shall bee constituted and Established by the Governor and Deputies of the Countrie they noe wise Infringeing the libberties and privil­liges abovesaid;

[Endorsed:] Gravesend
[Endorsed:] Nicolls Confirmation of Gravesend Patent 1667]⁶
This day, the XVIIth of April Anno XVIIxiiiij,² before me, Henryck Schaeff residing at Amsterdam notary public admitted by Court of Holland, and the underwritten witnesses, appeared Messers Gerrit Zuyck and Dirck Croon, merchants within this city known to me the notary for themselves and also for the other copartners of the old Company of the Verbruggens, and have in that capacity constituted and empowered, in the best form, style and manner possible as they hereby constitute and impower Mr: Johannes van Brugge, co-merchant, now going to New Netherlands, to administer, lease and turn to advantage in the name and on the behalf of the said old Company of the Verbruggens a certain house and lot of the said old Company, situate and lying in New Amsterdam in New Netherland, to demand and receive the rent and income, and especially also the freight and other debts due them which the said Company have yet outstanding in that country; to give acquittance for what may be received and to send over whatever is received in goods and wares, by every opportunity to Mr. Gerrit Zuyck who hath the management thereof for himself and the Creditors of Gillis and Seth Verbruggen and Govert van der Liphorst; with power to account, liquidate and close, also to arrange and agree with all and every person; or else and if needs be to act and proceed at law, against all contumacious persons and debtors before all Courts and Judges either as plaintiff or defendant; to observe the form and terms of law; to elect domicile; defend from wrong; to close proceedings; to hear judgement and put the same in execution. In omnibus et contra omnes ad lites. Cum potestate substituendi. And furthermore in all cases to do everything which they the principals could or might do in quality aforesaid, if present, even though further and fuller power thereto were required than is herein contained. Promising in capacity aforesaid to hold good, firm and valid all whatsoever aforesaid by their attorney or his substitute ad lites, shall be herein done and performed under bond according to law; saving that the attorney shall be bound to render account, proof, and balance of what he shall have received and recovered. Requesting hereof compliance.

Done at Amsterdam in the presence of Isaac Oostendorp and Meyndert Jansz: journeyman shoemaker, both also here as witnesses hereunto invited

Which I attest

Coll:

H: Schaeff

Not: Pub.

[Endorsed in English:] Johannes Van Brugg

Oct. 3rd 1667
This Indenture made the 11th Day of December 1666 and in the 18th yeare of our Soveraigne Lord Charles the Second of Great Brittain France and Ireland King defender of the faith etc. Between Capt. Phillip Carteret Esquire Governor of the Province of New Jersey, John Ogdon Senior and Luke Wattson of Elizabeth-towne in the said Province of the one parte and Daniell Peirse of Newberry and his Associates of the other parte Wittnesseth; That the Said Capt Phillip Cartaret John Ogdon and Luke Wattson for and in Consideration of the Summ of four score shilling pounds Sterling to them in hand paid by the Said Daniel Peirse, the receipt wherof they doe herby acknowledge and doe by these presents fully discharge and acquitt the said Daniell Peirse his heires Executors and Administrators forever; Have demised bargained and Sold the one Moyety or halfe parte of a certain tract of Land Scituate lying and being on the maine Continent of Amerika and Commonly called or knowne by the name of Arthur Cull or Amboyle or by what other name or names Soever, it hath been or now is called. The which Said tract of Land was Lawfully purchased from the Natives or Indeans by John Bayley, Daniell Denton and the Said Luke Watson as by the Said bill of Sale from the Natives bearing date the 28th of October 1664; will more at Large appeare; which said John Bayley and Daniell Denton have made over bargained and Sold all their Right tytle and intrest in the Said purchase unto the aforesaid Phillip Cartaret and John Ogdon as will appeare by their bills of sale under[er] their hands upon Record; To Have and to hold the one moyety or halfe of the Said purchase beginning from the Raratan River and soe to come Northward to Rawake River which is to bee the absolute bounds as farr as the tyde doth flow between the one Moyety of the purchase and the other belonging to Elizabethtowne and from thence to Runn the Same Lyne west into the Land with the North and South Lyne as is expressst in the Said Indian bill of Sale equall with the other Moyety belonging to Elizabethtowne aforesaid with all and Singular Rights, Tytles, intrest and Conveyanc[es] therunto belonging or in any manner of wise of Right appertaineing [Together] with all Rivers, ponds, Creeks, Inletts, bayes [ ]ings and all other appurtenances whatsoever to the Said Daniell Peirse and his associates their Executors and Administrators forever; And the said Phillip Cartaret John Ogdon and Luke Wattson do for themselves their Heires Executors and Administrators Covenant premise and Grant to and with the Said Daniell Peirse and his associates their Heires Executors and Administrators that [h]ee the Said Daniell Peirse and his associates shall and may Inioy all and Singuler the before demised in as full and ample manner as the Said Capt Cartaret John Ogdon and Luke Wattson doe hold and inioy the Same for Ever; In Wittness wh[ ]of wee the Said Phillip Cartaret John Ogdon and Luke Wattson have heerunto Sett our hands and Seales the day and yeare first above written.


Indorsed on the back side of the said deed as followeth.
New York Historical Manuscripts

Whereas mention is made in this Deed of sale to Daniell Peirse and his Associates the Said Daniell Peirse doth hereby declare and acknowledge that these persons whose names are hereunder written are his associates, and are to have an equal privilege and Share with him in that third part of the whole of the Said purchase that is for the accommodation of the town called Woodbridge, Except that he the Said Daniell Peirse is to have the first choice for his accommodation; Vizt Joshua Peirse John Pyke John Bishop Henery Jaques and Hugh Marsh of Newberry, Steepin Kent of Haverell, Robert Dennis of Yarmouth John Smith of Barnstaple and [ ] of [ ] in New England, In Witness wherof the Said Daniell Peirse hath hereunto set his hand at Elizabethtowne the 3 December 1667

Daniell Peirse

Signed in the presence of James Bollen Secretary

[Endorsed:] A Copie of the deed from Capt. Philip Carteret John Ogden, and Luke Wattson, to Daniel Peirce and his Associates, for the Land betweene the Raritans and Rawake River etc.

22:36

The Indictment of Nangenutch alias Will an Indyan for a Rape committed by him upon the body of Mary the wife of Jno Miller.

John Miller of Easthampton in the East Ryding of Yorkshire upon Long Island Husbandman doth present for our Soveraigne Lord the King That an Indyan commonly called and knowne by the name of Nangenutch amongst the Indys, and by the name of Will amongst the English being one of the Montauk Indys, amongst the Montauk Indys residing at The East end of long Island aforesaid; upon the 19th day of March Last past in the 20th yeare of the Raigne of our said Soveraigne Lord Charles the second by the Grace of God of England Scotland, France, and Ireland King Defender of the faith etc.: at Easthampton aforesaid in the House of the said Jno. Miller by force, and Armes upon the body of Mary the wife of the said John Miller did commit a Rape, and that then, and there most feloniously, and carnally he knew her the said Mary and wickedly abused her body against the peace of our Soveraigne Lord the King, and against the Statute Lawes of England in such cases provided and set forth.

[Endorsed:] The Indictment of the Indyan about a Rape.

22:37

[INSTRUCTION FOR THE TRIAL OF NANGENUTCH]

The Forme of Tryall of Nangenutch alias Will an Indyan[n] for a Rape committed by him upon the body of Mary the wife of John Miller of Easthampton;
At the meeting of the Court let the Cryer make Proclamation and say O Yes thrice, Then Silence is commanded whilst this speciall Court of his Royall Highnesse the Duke of Yorke with the Coun­cell and Justices of the Peace of this Government are sitting upon paine of Imprisonment.

After silence is commanded let the Cryer make Proclamation saying All manner of persons That have any thing to doe or prosecute at this speciall Court held by Authority from his Royall Highnesse draw neare and give your Attendance,

Then call upon the Prosecuters of Nangenutch alias Will: an Indyan upon an Indictment for a Rape committed by him upon Mary the wife of John Miller.

Call upon John Miller.

John Miller come forth and prosecute[e] the Indictment brought into this C[ourt] by thee against Nangenutch alias Will an Indyan or else you forfeit your recognizance. Upon his Appearance Then call for the Prisoner Nangenutch alias Will an Indyan.

When hee shall bee brought to the bar call upon the prisoner saying

Nangenutch alias Will hold up thy hand, Then say Thou standst here indicted by the name of Nangenutch alias Will for that having not the fear of God before thine Eyes but being insti­gated by the divell thou didst at Easthampton upon the 19th day of [March last] in the East Riding of Yorkshire upon Long Island at the house of John Miller most wickedly and feloniously committ a Rape upon the body of Mary the wife of John Miller. Nangenutch alias Will what dost thou say Art tho[u] guilty or not guilty.

Upon his answer whether guilty or not Call him by his name Nangenutch alias Will. Heare thy Indict[men]t

Then let the Indictment bee Read.

All manner of persons who have anything to doe at this speciall Court let them draw neare and give their attendance.

All manner of persons who have had any thing to doe at this speciall Court they are dismist from any larger Attendance and the Court dissolves.

[Endorsed:] The Forme of Tryall of the Indya[ ]

22:38 [DEPOSITION OF MARY MILLER.]¹

Mary Miller the wife of John Miller Deposed.

Testiffieth that shee and her husband was comming from their house, and in John Millers ground they mett with an Indian Commonly Called Will amongst the English, and he said he had
wheat a carrying to John Miller; and he said that shee must goe back with him, and John Miller must make hast to Richard Shaws, and John being willing to speake with his brother, he went to Richard Shaws, and sent his wife back to open the doore that the Indian might set in the corne: and as soon as he came in, shee bad him set the bagg on the stoole, and shee sate downe by the fire And the Indian came and pulled her down into the floore, and pulled up her Coates, and stopped her mouth with his hand, and thrust her against a block, and being too strong for her, against her will hee committed the act of uncleannesse upon her body, although shee cryed out and so soone as he let her goe, shee went out and bad him come out of the house; and he said he must light his pipe, and when he was gone out, shee shut the door[e and] shee went to Rich: Shaws and the first person she[e saw] was Rich: Shaws wife; and shee told R: Shaws wife what the Indian had done, and Richards wife came in and told it to John Miller.

This taken before me

Easthampton

John Mulford

March 20. 1667

[Endorsed by MN:] The deposicion [ ] Mary the wife of John Miller

22:39a

[DEPOSITION OF REMEMBER SHAW.]

The deposition of Remember Shaw the wif[ ] Shaw:
This deponant testifieth that as shee was a[ ] that Mary Miller the wife of John Miller came to ha[r] crying and kneeled down by har; and shee asked Mary what the Matter was that shee cryed: and Mary said that it was soe bad she dearest not tell: and Mary asked whear Will was for Will had abused har: and shee said that shee and har husband met him and har husband sent har bak[ ] to open the doare that the indian Might set the wheat[ ] in: and presently after he had set downe the bagg down[e] hee pulled har downe and laid his hand one her Mouth and almost stope[ ] her breath and shee was Afraid he would kill har and she said if hee would let har goe she would not tell what he had done.

This taken before me

Easthampton

March the 20th: 1667

[Endorsed by MN:] The dep[ ] Remember [ ] of Richard [ ]

[Also Endorsed:] Nangenuch
22:39b

[DEPOSITION OF MARY MILLER.]¹

[The testimony Mary ( )iler the wife of George Miler]

[This deponent testifieth that Will the indian came to our house with sum wheat from andrew miler and when he had laid it downe and about ( ) that we ( ) he drew near to me] so that [I se he was ill minded; and I did ( ) him as if I take no nothes of him; but] goeing to the ba[rn to send the cows for the ( ) I would have him com no more and turning my selfe my back being to him he laid his hands on me in an unsimly manner] and I thrust him fro[m me; and further saith] not.

[Sworn to before me]

East Hanton

John [Mulford]

March 21 1667/8

22:39c

The deposition of Annah Chatfeild

Annah Chatfeild aged ninetene yere or there about testifieth that she beinge in her fathers house that Will the Indian came into the house and the Indian toke her by the hand and asked her to goe into the other rome and she toke upp A stoole and said she would kill him if he did not let her alone likewise she testifieth that it was in the sumer last and her boddis was of and he put his hand into her bosome and she strooke him with the stoole and he talked baudily in Indian which she did not well understand; or did not understand all what he said and then [ ] hee run out of dores

This taken before me

Easthampton

John Mulford

March 21th 1667.

[Endorsed by MN:] The deposicion [ ] Anna Chatfield

22:40

The Examination of the Indyan about the Rape. Mar. 28. 1668.¹

[ ] knowes Mary the [ ] John Miller of [ ]hampton

The day before hee was committed to the Marshalls custedy which was the 20th of Mar. inst.

[ ] day it was that [ ] hee carried wheat to John Millers

Hee saith yes
hee doth not remember hee did any such thing hee having beene drinking Liquor at Mr. Backers' Millers

That hee saith about halfe an houre

It was betwene the time of his first being at Mr. Mulford's and his going to John Millers

He thinkes it was About 2 houres.

Hee being found in divers tales was at length threatened to be put in Irons if hee would not tell truth and the Irons being shewne him It was aske him againe

Hee did not pull the woman as she sate by the fire

Hee being ask't, if hee did the same to her as he used to do to his squaw; Hee said no hee had not time to do it, being so prevented but if hee had not beene fearfull

If hee did not send John Miller to his brother: Richard Shawes with intent to abuse the woman in his absence

Hee saith no, for Miller did Miller to Come to as soone as hee [ ] alone hee, began to hav[ ] such [ ]

The mar [ ] Will an [ ]

brought up the [ ]
The Examination of Will the Indyan about a Rape committed by him at East-hampton, taken at the Statehouse on the 28th day of March 1668.

He answered yes hee did know Mary the
John Miller of [Eastham]pton who was his

Hee said It was the day before hee was committed into the Marshalls Custody, being the 19th day of this instant moneth.

He saith That hee did not remem-ber hee did any such thing, Hee having beene a drinking Liquore at Mr Backers

Hee thinkes about halfe an houre.

That it was betw[een]e the time of his first [ ] Mr Mulfords [and] [ ] to John Millers

Hee guesses [ ] about two hou[rs]

The Indyan being found in [ ] was at length threatened to bee [put in] Irons, if hee would not declare [the truth] upon which some Irons being [shewne him] Hee promised to declare all he [knew] Then it was again askt of [him]

If hee did not pull the woman downe as shee sate by the fire

Hee confess [that as shee] sate upon the [ ] fireside, Hee [ ] backwards upon [ ] [one and] tooke up her [coate] [ ] upon shee, bein[g] [ ] him and [ ]voured to [ ] with his han[d][ ] acknowledged [ ] woman accused [him] [ ] paper read to him [ ] onely as to the p[ ] of the block, Hee d[ ]
He being examined to other particulars declares That as shee was downe upon the floore, hee lay downe by her and struggling with her hee did enter her body with his privy member about the Length of halfe his forefingger, but that shee cryde out all the while, and often bad him Leave off or lett her alone, Thereupon being afraid some body hearing the Noyse shee made, might come in and take him in the manne[ ] hee left off.

[Hee be]ing askt if hee did [ ] with Mary Miller [d to doe with his [ ] [en]quired [ ] hee did not send [ ] to his brother [ ] Richard Shawes [ ] to abuse the [ ] [i]n his absence

Hee answered No Hee had not time to doe so much being by her cryeing out and struggling prevented. He saith No for Andrew Miller had spoken to him to tell his brother John that he would speake with him there but confesses that as soone as hee saw her goe home alone, hee began to have such an Intent.

The particulars in the paper [ ] mentioned being read and interp[ ] Indyan Hee againe acknow[ ] and sett his Marke to the [ ]mination

John Jennings Marshall of the East Riding
Charles Stermye
Job Steares

The pe[ ] brought [ ]
Indyan

22:42

[COURT MINUTES OF THE TRIAL OF NANGENUTCH.]

At a speciall Court held by the Governor and Councell and the Justices of the peace belonging to the Government of this his Highnesses Territoryes Apr. 20th 1668.

John Miller prosecutes Nangenutch alias Will an Indyan
hee had give 40 pounds bail to Mr Mulford to prosecute

Obediah an Indyan and Interpreters
Samuell Davis

John Miller appeares in Court with his wife and Remember Shaw. Nangenutch being calld pleads not Guilty.

Mary Miller sworne.
Richard Shaw is sworn Interpreter between the prisoner and the prosecutor.

Mary Miller relates to the Court most of what she deposed unto formerly, but seems in some things to contradict her selfe.

The Indyan confesses that hee brought the wheat to John Millers, that his wife sitting by the fire hee threw her downe, tooke up her Coates and did enter her body a little way, but denies that shee cryde out or made any resistance or that hee laid his hand on her mouth. Hee speakes of his being in drinke.

April 21th. In the morning

The Court gave sentence upon the Indyan and dissolved it selfe.

Upon a warrant given to C. Manning part of the sentence was put immediately in Execucio[n.]

The Court doth order That what moneys shall bee risen upon the sale of the Indyan called Nangenutch alias Will, the product of it is to bee disposed of, toward the defraying of the Charges arisen upon his account both at the tryal and what else hath beene expended in order thereunto.

An Order to the Constables to bee ayding and assisting to the persons who came up about the tryall and to defray their necessary charge which is to bee allowed in their accounts with the sheriffe.

John Jennings petition to the Governor taken notice off the Court and an Order likewise to refer the Consideracion thereof to the Justices at the Sessions.

At a speciall Court held at New Yorke the 21th day of Apr 1668 in the 20th yeare of his Majesties Raigne by the Governor with the Councell and Justices of the Peace belonging to the Government of these his Royall Highnesse his Territoryes.

It is this day Ordered by the Court That the Constables in each Respective Towne upon Long Island through which the persons whose names are here underwritten John Jennings John Miller, and Mary his wife Richard Shaw and Remember his wife shall passe in their Returne upon their Journey homewards to the East end of the Island will bee ayding and assisting unto them in procuring accommodacion and necessary provision for them and their horses (they having attended this Court upon publick service by order from the Governor.) And what as yet the said constables shall disburse upon this account The high sheriffe is to discount so much with them when they deliver in their accounts unto him.

This court having taken the within written petition of John Jennings into Consideracion do Order That the Justices of the peace of the East Riding doe at the next Court of Sessions find out a way to give some satisfaction for the time past to the said Jennings for his extraordinary trouble in executing the office of Marshall in their Riding that they make some
Establishment for [ ] and likewise for the future. And whereas
the said John Jennings did by Vertue of a warrant from a Justice
of the Peace press a horse at Seatalcott for the publick service
yet was arrested and condemned by their Towne Court to pay the
hire out of his owne purse This Court doth further order that
the next Court before the [Court] of Sessions doe call the per­
sons concerned in contempt of the Justices warrant and if they
see cause impose a fine upon the[m] and also see that Jennings
bee not damnified for his publick service.

The peticion was directed to the Governor but by him brought in
to Court the Heads thereof were to desire it might by taken in
to consideracion that the Marshall hath all the trouble of
prisoners but the constables having all writts and Execucions
directed to them take the benefitt and little or no provision
in such cases made for the Marshall. Then hee complains that
having by a Justice warrant prest a horse at Seatalcott for the
bringing up the Indyan Hee was arrested and condemned by the
Constable and one of the Towne men of Seatalcott to pay for the
hire of the horse though prest for publick service.

The persons present in Court the 1st and 2d dayes

The Governor
Col. Lovelace
Mr. Mayor
Mr. Delavall
Mr. Whitfield
The Secr.
Mr. Hicks
Mr. Hubbard
Mr. Denton
Mr. Van Ruyven

[Endorsed:] The proceedings of the Court at the Tryall of
the Indyan Will.
Apr 20: 1668. Easthampton

22:43 [ADDITIONAL MINUTES OF THE TRIAL OF NANGENUTCH.]¹
Apr. 20th 1668:

The Examination of Mary Miller

Shee acknowledges all which shee deposed to before Mr.
Mulford, but saith farther that hee did not spend in her.

The Examinacion of Remember Shaw.

shee declares as shee hath disposed.

The Examinacion of John Miller.

agrees with the deposicions
The Indians name is Nangenutch but by the English commonly called Will:

The said Indyan when he lived with Richard Shaw was twice guilty of Theft; prove of which faults he was publickely whip't by the Magistrates order.

[Endorsed:] Examinacion about the Indy[ ]

22:44 [A COPY OF 22:45a]

22:45a [VERDICT OF THE SUPREME COURT]

New Yorke
April 21th 1668

The supreme Court of the Territories of his Royall Hignesse the Duke of Yorke in America having upon the 20th day of this moneth heard and debated upon an Indictment brought into the court by John Miller of Easthampton upon Long Island Husbandman against Nangenutch an Indyan of Montauke (knowne by the English by the name of Will: the Indyan) for that hee the said Will: did upon the 19th day of March 1667 by force and strength attempt and compasse the carnall knowledge of the body of Mary Miller wife to the said John Miller, as also that the said Mary Miller did presently reveale the same to Remember Shaw the wife of Richard Shaw, and to her husband John Miller; The Court being fully informed by Mary Miller that the said Indyan did penetrate her body a Thumbs breadth or thereabouts, but at her intreaty and perswasion desisted from prosecuting his wicked designe any further; And it appearing by the Confession of the Indyan that hee did penetrate [and] desist as aforesaid alleadging onely that she said Mary Miller seemed to make no resist]ence to his Attempt and that hee desisted upon her intreaty and promise not to reveale his attempt; The said Mary further declaring upon her Oath, that shee did not know what shee did, but was sure that the said Will: the Indyan did not make any masculine Ejection in her body. This Court taking into Consider[ation] the haynousnesse of the attempt attended with all the Circumstances in Court declared and confessed, doe unanimously judge and concurre that upon the whole matter according to the Constitutions of the Lawes, there is not Cause of Death in the fact with the Circumstances thereof, particularly some contradictions in the Informacion, and no appearan[ce] of any resistance to the fact, except a[n Incap]-acity by weakenes of her body, which is not sufficiently prooved either by Markes upon her body or upon the Indyans.

However the Court taking into good Consideracion the testi­monies remitted to the Court of the civill and good behavior of the said Mary Miller, and that shee might bee surpriz'd in the matter, whereby the said Indyan was encouraged to the first part of the Attempt, As also that all Indyans may bee deterred to attempt the like upon any Christians hereafter, This Court doth upon this present 21th day of Aprill sentence and decree, That the said Indyan called Nangenutch or Will the Indyan shall this
day bee publickely whip't before the Towne house of this City, at or before the hour of twelve a Clock, there to receive thirty stripes, from which place the said Indyan is to bee carried back to the Prison, there to remaine untill such Time that the Governour hath an oppertunity of Transporting and sending the said Indyan Nangenutch unto some of the Leeward Islands under his Majesties Obedience.

[April 21st 1668]

The Court doth order that what moneys shall be risen upon the sale of the Indyan Nangenutch the product of it shall be disposed of towards defraying of the charge arisen upon his account.]4

[Endorsed:] The sentence and Decree of the Court against the Indyan.

22:45b  [MEMORANDUM CONCERNING NANGENUTCH AT HIS SENTENCING.]1

Memorand. That as soone as the Sentence and Decree of the Court was read and interpreted to the Indyan, Hee fell downe upon his knees and gave thankes to the Court for their mercy and clemency toward him, after which upon his knees likewise hee begd pardon and forgivennesse of Mary Miller for the Injury hee had done her.

22:45c  [ACCOUNT OF THE SHERIFF'S BILL]1

An account for Will the Indian.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For his dyat 9 wekes</td>
<td>54</td>
</tr>
<tr>
<td>For the negro whipping him</td>
<td>9</td>
</tr>
<tr>
<td>Rodds</td>
<td>10</td>
</tr>
<tr>
<td>To the Marshall that brought him Their Lodging and Dyett</td>
<td>10 10</td>
</tr>
<tr>
<td>For Prizon fees</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>74 00</strong></td>
</tr>
</tbody>
</table>

The Marshalls 10G. 10st.3 is to bee returned hee having allowance otherwise.

[Endorsed:] C. Mannings Bill about the Indyan. 74G.

[Memorandum:] More to mother Dobson for the witnesses Dyet and lodging. 24G.

C. Manning to have Credit for it.
To The Right honourable the Governor and Councell Belonging to the Government of these his Royall highnesses Territories in America, Sitting in a Court of Admiralty.

The Allegacions of Samuell Mosly Establiiht Attorney of Captain Thomas Salter of Port Royall on the Island Jamaco Against Abraham Keeling

The said Samuell Mosley for and on the behalfe of Captain Thomas Salter, Alleadgeth, that After the Said Shipp now Called the Cedar had Lost Company with the George Friggott, William Smith the master did steare the best course he could to follow his Captain to Port Royall and falling Short of Provision hee came to ancor att a place called Loggarhead Key, and sent some of his company ashore to Kill Turtle for provision for the Remaining part of their voyage, where they mett with the said Abraham Keeling in a Sloop and some of them being formerly acquainted, the Said Keeling voluntarily left his Sloop, and came on board the Said Prize, and by his Subtile and Crafty inventions, began to persuade draw and delude the Company to adhere to him, in the Carring on of his wicked and detestable designs for hee well Knew that hee durst not putt foote on Shore att Jamaco for his former misdemenors therefore hee by his faire proposalls and after perswasions Effected his designe by Inveagleing the Company to stand to what hee should propound, which was to force the master to signe to such articles, as they Should make and to Run away with the Vessell and loading, to some port in New England there to sell her and share her and her laden, by which Evill and detestable actings contrary to all law or honesty the said master Being Compeld thereunto, did Consent wherein the Said Keeling Included himselfe as Sharer of the Vessell and loading upon what accompt is not Knowne, and hath had that Impudence and Confidence to Receive a Share of the Said Cargo and converted itt to his owne use, notwithstanding hee had not any Just pretence thereunto, as also by his Conten­tious and troublesom Spiritt, had persuaded the Company to sell the vessell also without the licence or consent of the master, which seing he could not obtayne, although hee hath often tymes Attempted to trapan him thereunto, hee hath assumed to himselfe the power of Selling and disposing of Severall parcells of the furniture and apparrell which belonged to the Said vessell as alsoe he hath sould an Indian man, belonging to the Said Prize by which wicked fraudulent and dishonest actings of the Said Abraham Keeling, the Said Captain Salter and his Company is by him damnified two hundred pounds Starl. the Said Keeling being the onley fomentor actor abettor and Combinor of this unjust designe and hath all along perswaded and incouraged the Company, to Stand in opposition against the master, thereby thinkeing to gaine his owne base Ends, though to the Ruine of the said Captain Salter and Companye.
The said Samuell Mosly, therefore Requesteth in all humility of this honorable Court to consider of the said Salters greate greiveances and damages that hee hath hitherto sustayned by Reason of this Evill Instrument, Keeling, who hath bene the onley authour and Carrier on, of so much Striffe and unjust unlawfull actings, as are two tedious to Relate and to Condemn the said Keeling to make full Sattisfaccion to Captain Salter and Company for that Share of Campacha wood which hee hath Received and disposed of, as also for the Indyan man and such furniture and apparrell belonging to the Said Vessell, which Contrary to all lawes and Customs whatsoever hee hath sould and disposed of without the leave or Consent of the master as also his Damage, and that for his unjust and unlawfull proceedings hee may Receive such Condigne punishment, as according to law and Justice this honorable Court shall adjudge meete to inflict.

[Endorsed:] Captain Salters allegacion Against Abraham Keeling, The shipp Cedar.

22:47 [ALLEGATIONS AGAINST CREW MEMBERS OF THE SHIP GEORGE, IN THE CASE OF THE SHIP CEDAR.]

To The Right honorable the Governor and Councell belonging to the Goverment of these his Royall highnessses territoryes in America sitting In a Court of Admiralty

The Allegacions of Samuell Mosley Establisht Attorney of Captain Thomas Salter Comander of the George Friggott of Port Royall on the Island Jamaco

Against

William Smith
Thomas Davis
Samuell Smith
Thomas Barnes
John Hunter
John Haytor and
Simon Jones of his Company

The said Samuell Mosley on the behalfe of the said Captain Salter alledgeth, that after hee the said Captain Salter and his Company had taken a small barque in the west indies, then Knowne by the name William, and now Called the Cedar Friggott, and had laden her with Campacha wood, hee ordered the said William Smith and Company by Comission under his hand, to the said Smith as master, Establisht by him to sayle and navigate the said Barque and loading of Logg wood with an Indian and other metteralls, unto her the said Prize belonging, or appertayning, unto Port Royall, on the Island of Jamaco (to the end) that att their Arrivall in their Said Port, there might bee a
dividend and shares made of the said Prize, and her loading, amongst the Captain and Company, unto whom in Generall Shee did belong.

Notwithstanding the Said order, as aforesaid, The Said Smith and Company, Contrary to their Instruccions, and the Articles under Severall of their hands and seales, beareing date the 22d of xberl anno 1666 and a penalty therein Exprest, of Five hundred pounds Starl. did dissert from, and leave the Company of the said man of warr, and Entertayned on board some other persons not [ ] all belonging to the Friggott George or Company, and so [ ] Combined Connived and contrived together to Carry the said Prize into these parts, where they have Contrary to order honesty or due Custome in such Cases, Imbezled and Sould the said Cargo together with an Indian man and much of the said Barques furniture to the damage of the said Captain Salter and his Company in the Indies 500 pounds Starl., besides the principall.

And the said Mosley doth further Alleadge that the said Captain Salter is brought into greate troble in the Indies by the Rest of his Company, for and Concerning the Prize and her loading and hee haveing Information that Shee was Arrived in these parts with her Cargo, hee hath by an Authentick letter of Attorney impowred the Said Samuel Mosly of Boston Marriner to sue for and Attach All and Every manner of goods Marchandizes wares debts and all and Every some or sommes of Money that hee shall by any manner of wayes make appeare to appertayne unto him which Said power hee hath put in Execution and is Ready to produce the Original Articles, which will Clearely discover how perfidious and treacharously they have delt by him, and also manefest the Justices of the said Captain Salters Complaint.

The said Samuell Mosley hereupon humbly Requesteth of this honorable Court that the Said Barque or Friggott now called the Cedar, together with all her furniture and apparrell the Indian man, and all other appurtenances belonging to her, may bee Condemned to the use of the said Captain Thomas Salter, and Company who tooke the same as lawfull Prize, and to whom by all law and Justice Shee doth appertayne, As also that the Said William Smith master and the Company, bee Condemned to make Satisfaccion, to the Said Captain Salter and Company for her laden of Campacha wood, which they have Contrary to order or honesty brought into this Port, and disposed of, whereby they have broken their Articles and forfeited the penalty therein Exprest, together with the Shares they might pretend to according to Contract, and the usall manner and Custome of the West Indies,

[Endorsed:] Captain Salters Allagacions Against Hm: Smith and Company.
The shipp Cedar.
Imprimis.

That hee the said William Smith being imploied and put in Commander of the said vessell by Capt Thomas Salter, plying to and frow through shortness of provisions, they were forced to sayle to an Island or place called Loggerhead Key, for the Killing of some turtle to supply their aforesaid defect, where they mett with a sloope unto which one Abraham Keeling did belong; Now the said Keeling being greatly engaged and indebted at Jamacoe, was very unwilling to returne thither againe hee very much importuned some of the aforesaid Cedars company who were his acquaintance, to lett him come on board and bee one of the said vessells company to which the said William Smith by the companyes great desyre condescended and in a short time after the said Keeling being a man of a very turbulent and seditious spirrit, proposed Articles to bee drawne betweene the said Master and the company for the Sharing and dividing amongst themselves the said Barke, Cargo and the Appurtenances to her belonging, at the next port the said Vessell should arrive unto. Now the said Master finding them dayly conspiring together, and there behaviours towards him being much altered, hee was thereat greatly amazed and in deadly feare they would throw him overboard, or use some other violent meanes to make him away, if hee should refuse or denye what they demanded, they being 6, And he but one single person in consideracion of which eminent and apparent dangers, hee condescended to signe the before proposed and premencioned Articles, allwayes supposing and hoping that in any of his Majesties Courts where they should bring the said Vessell hee might have and obteyne releife of the same and preserve the said Barke for the use of the Said Salter and Company which hee the said Smith after their arivall to this port, used his best endeavors to doe, as appeareth by his severall Peticions to the honorble Gouvernor and Courts of this City wherefore hee humbly conceiving and hoping that this honorable Court Will not at all adheare or give Credit to the false allegacions or testimonies of the said Company against him, part of whome being already forsworne and Periured, and the other part of them would have done the Like had they not bine prevented, hee allwayes haveing discovered his honest intentions, to preserve the said Barke with her appurtenances for the use of the said Capt Salter and his Company in the Indies, humbly prayeth this honorable Court to dismiss him of the said Suite hee not being at all concerned in the articles forfeiture or penalty.

And hee shall pray etc.

[Endorsed:] Wm. Smiths Answer to the Allegacions of Thomas Salter.
The shipp Cedar.
A Court of Admiralty held in Fort James the 13th, 16th and 18th days of April 1668.


We finde by the severall Examinacions of the Defendants taken at their first coming into this Port and by what hath beene here declared in Court, That the defendants Wm Smith [and] A Keeling Mariner who had Signed no Articles to Capt Salter, as also T.D.: S:S:T:B::J.H: Simon Joanes [who] had Signed Articles and conditions to and with Capt Salter were not in any Capacity to returne to Jamaica according to their Articles and Condicions but were really forced to this Port by contrary Winds, want of Provisions Sailes and Rigging and afterwards necessitated for their Releife and subsistence to make sale of the Campechio Wood which was brought into this port by them and is now in Question.

It appeares likewise to this court by the said Articles made by the Defendants or part of them with Captain Salter (which are the sole strength of his Plea) that the said Defendants were to have a proportion or share of whatsoever Campechio Wood should bee taken in that Voyage and that Capt [ ] Salter returned to Port Royall in the George laden with Campechio Wood

This Court doth therefore hereupon Judge and Order, That the said Campechio Wood now in Controversy or Question here as aforesaid, or the product thereof doth and shall remaine to the Defendants proper use as the Just proporcion or share of all that was taken in the said Voyage from Port Royall aforesaid the sale whereof by Wm Smith Master and the whole Company is allowed by this Court they having acknowledged before the Court to have received satisfaction and Payment for the same. They doe also Order that the Indyan brought in hither by the Defendants as part of their Prize shall bee sold to defray the Charges arisen on both sides upon this occasion;

But the ship Cedar now under Arrest at the suite of Captain Salter, shall remain[e] for the use of the said Captain Salter with the remainder of all such Tackle Apparrell Canon or Ammunition as belonged to the said Vessell when shee came first into this Port. The just Debts of the said shipp being first deducted and paid. And all former Pacts, Contracts, Articles, or Agreements at any time made touching or concerning the disposition of the said shipp Cedar by or between the said Defendants or against them by Sea or Land are by this Court adjudged and declared Void and of no Effect to all Intents and purposes whatsoever.

Delivered an Order or Sentence of the Court of Admiralty to Mr. Delavall, which hee gave to John Hayter.
Another to Tho: Barnes.
Another to Will: Smith, Master.
Another to C. Breeden.
Another for Simen Joanes.

[Endorsed:] Sentence of the Court of Admiralty about the ship Cedar and Privateers:
April 18, 1668

22:50 Resolutions for Settling the Severall Garrisons in this Government to the least expence Safety considered

Att Newcastle upon Delaware a Lieutenant a Corporall 18 men
Att Sopes a Serjeant and 21 men
Att Albany a Lieutenant a Serjeant a Gunner a Drummer 20 men
Att Fort James a Lieutenant an Ensigne a Gunner a Marshall a Chirurgeon 4 Serjeants 4 Corporalls Eighty Men and an Hospitall Keeper whereof 3 Drummers.

3 Lieutenants
1 Ensigne
1 Chirurgeon
1 Marshall
6 Serjeants
5 Corporalls
2 Gunners
4 Drummers
1 Hospitall Keeper
136 Private Centinells

[Endorsed:] The Establishment of the militia by Governor Nicolls 1668.

22:51 [INSTRUCTIONS FOR CORNELIS VAN RUYVEN AS COLLECTOR OF CUSTOMS IN NEW YORK]¹

May 24th 1668

Instructions for Mr. Cornelius Van Ruyven Collector of the Customs in the City of New York by Order of Colonell Francis Lovelace Governour

1: You or your Clerk are to be dayly at the Custome house from nine in the Morning untill twelve at Noone, there to receive the Customes both in and out, as the Merchants shall come and enter, the Merchant is to make foure Bills, and signe them with his hand, writeing his name to them, and the same time, when you have signed the War[r]ant, or one of the Bills, you are to demand the Custome, either in kinde at 10 per Cent inward[s] or
double the value of its first cost in Holland, in Beaver: And likewise outwards for Peltry you are to receive 10 1/2 per Cent, according to the value in Beaver, and for Tobacco one half penny per pound Sterl, which is noe more then all Englishmen doe pay, and that you doe receive foure for one, (that is to say) two Stivers in Wampam for every half penny, or the value of it in Beaver or Goods to your satisfaction.

21y: You to tell the Merchant you are not to give Credit, and that what you doe is for present dispatch for them, their Signing the Warrants is as obliging as any Bond or Bill of Exchange, And that yew are to have your Custome without any Suite at Law, It being toward[s] the maintaining of the Garrison, and that you must have it on demand; If they doe not like your propositions, you are not to pass their Bills.

31y: When you have signed the Warrant or Bill you must deliver the Copy to the Customer and Comptroller, which they are to compare and then signe, but you must signe first, which will satisfy them, the Custome is paid, or at least passed to respective Accompts.

41y: If any Merchant doth make a true Entry and shews you his Invoice, yew may Enter it in the Book, and if the Surveyor shall finde more, the Merchant is to make a Post Entry; without you shall see hee had an Intent to defraud the Customes, and then yew are not to admitt of a post Entry, but goe on to prove it a Seizure: And then there must be half for the King and half for the Customer, Collector, Comptroller and Surveyor equally divided; But if it shall happen that a Seizure be made by way of informacion, as thus, If a Man shall come and tell you that there are such goods landed privately in a house by night or by day, and hath not paid custome, Then one or more of you that have Deputacions (which you must be sure to carry with you) may take the Constable, and goe and search any house, and take away such Goods as you shall finde h[al]th [been] landed without Warrant, then the Informer is to have one third, his Majestie one third, and the other third to be divided amongst the Officers.

But if you shall see cause to Relieve the party that shall be soe taken, and that you are willing to take noe advantage, you must first speak to the Governour to give the Kings part, who hath power, and none but the Governour hath power soe to Relieve him; But the Informer may demand his third part by Law, or at least ought to have some satisfaction to his Content, for his or any other their Incouragments.

On Bills of sight where the Goods are brought into the Kings Warehouse to be perfected you cannot justly make a Seizure, because you have the Goods in your possession, and the quantity and quallity nor Vallue is exprest in their Bill.

The Surveyor must come every Morning when the Custome house is open, and give you an accompt what passed the day before by him.

If by yourself you shall perceive any Tides-man or Waighton [or] other that shall belong to the Custome house to be negligent, ignorant or subject to be familiar with the Merchants, that you have just reason to suspect him, you are to acquaint the Governour of it that hee may be dismissed.
It concerns all the Customers Officers to advise together often for the carrying on the business with more security; and upon just and true information to put in Execution the several Clauses in the Act Entitled, An Act for the preventing of Frauds, and Abuses in his Majesties Customs, Fol: 63: too long to Relate here.

You are to keep a Book apart for all Goods that shall come out of Europe, especially these three Ships that have liberty from his Majesty and his Counsell to trade here for seven years.

For Goods from London, Boston, Barbados, Jamaica, and all other Leward Islands you are to take but 5 per Cent in, and 5 per Cent out; If they give security to carry the said Goods to some of his Majesties parts in Europe, and not otherwise, and of this Customs in and out, you must keep a Book apart, and make it up every three months, and compare with Customer and Comptroller, and see if you all agree.

You must read over the forenamed Act Fol: 63: and put up in Writing in the Custom house the most material things, that Masters and Merchants may know what danger they may run into, if they should transgress against that Act.

What goods you receive in kind, you must keep in a Book apart, and therein [specify] the Contents of sorts of Goods, and their Prizes, and of whom received, [and] what sort they be, [and] what names they are called, and if many of one sort of Goods although received of several; This may be brought over into one Folio after, as if it were in Account current, and see better the Account as you deliver them out by Order.

You are not to trade in any Merchandizes whatsoever without particular leave from the Governor under his hand, by reason it is against the Law for any Collector to trade, and Complaints would come daily to the Governor of it; Noe Customer nor Comptroller ought to trade; But by reason Goods are received in kind, and of necessity some body must be appointed to take that charge for the Carrying forward the Affairs of the Garrison; By special Leave from mee I doe [ ] Appoint Isaack Bedlow Comptroller to doe it, who medleth not with the Receipt of the Customs; only such parcels as shall be delivered him from time to time by you, to Provide for the Garrison, and to give an Account thereof.

And Lastly, pray let the Books be kept all in English, and [all] Factoryes and Papers, that when I have occasion to satisfy my self, I may better understand them.

[Endorsed:] A Copy of Mr: van Ruyvens Instructi[ ]
Instructions for Mr Isaack Bedlow as Comptroller for the Customs, By Order of Coll Francis Lovelace Governour of New-Yorke.

Imprimis:

You are every Forenoone when there is great busines to attend the Custome house, from nine untill twelve, and you are to see that the Merchants makes foure Bills, whereof you are to demand one before you, Signe the Warrant, and that you are to keep lockt up, untill you have convenient time to enter it faire into a Book, But first you are to compare the File or Bill with the Customer and Collector, and see it doth agree with that the Collector doth Signe.

2ly: You are to see that the Warrants be kept in the Custome-house untill twelve of Clock, and then to deliver all that is passed that Forenoone unto the Surveyor that hee may doe his Duty in landing of Goods, or Shipping out Goods, and this Rule must be observed if you have much busines in one day, but if you have but little busines, and to accommodate the Merchant where you think there's noe Fraud intended, at the request of the Merchant you may deliver the Warrant to the Surveyor to put itt immediatly in execution, if hee shall think fitt; For observe, the Surveyor is not to Ship on Board, or Land on Shore any Goods without a Warrant; without it be when a ship is first come in, that by order from the Custome house to take on shore all small parcels in Hold, or between Decks, or Sea-mens Chests, that hee thinks may be taken away without paying of Custome, and those Goods in such Cases hee ought to secure.

3dly: At your leasure you are to goe into the Storehouse, and see what and how the Surveyor doth clear mens Goods, and whether hee doth Right, and that hee favours none rich nor poore, but if it must be given by Store, it must be demanded at the Customehouse; for it lyes on you to see that the Collector and Surveyor committ noe Errors; If you finde they doe; you are to tell them of it, and to acquaint the Customer, and then if it be not mended for the future you are to acquaint mee, that I may give directions in it: For the Customer and your self do check the Collector and Surveyor, and they not you nor the Customer, because one receives the money, the other perfects the Entry, therefore you must constantly call on the Surveyor, to perfect all Entries with what expedition may be, and to know a reason why they are not done:

4ly: The Collector hath not power to give for Store above fourty shillings, which is the vallue of three Beavers, If hee shall give more, you aren'tt to Signe it, and the Customer and your hand must be to all Bills of Store, but if the Collector shall tell you hee hath order from mee, to grant more, lett it be specifyed in the Bill of Store by Order

5ly: If at any time you finde an Error in your own books, or mistrust there may be some mistake, you may ask for the Collectors book, or goe to him, and hee is bound to shew it you to rectify all things.

6thly: When these Ships are discharged, or not much busines, at the Custome house, that you have busines at home, you must speak to the Customers Clerk to take up the File, and signe for you,
And that you send for them every day, that you may know what passeth in the Custome House.

[Separated endorsement:] A Copy of Mr Bedloos Instruction

22:53 Instructions for Nicholas Bayard Surveyor of the Customes in New-Yorke^

Imprimis

You are to Attend at the Custome house in the Forenoone to take all Warrants that shall be signed by the Customer, Collector, and Comptroller, and in the Afternoone to land such Goods, as you have Warrant for, and at the Landing, as they come out of the Vessell or Boat, you are to sett downe the Numbers of them, quantity and quality on the Backside of the Warrants, as you land them, or to Stipell the No: as you Land them, that you may know what is come ashore, and what remains aboard.

2ly: You are to putt the Goods into the Kings warehouse, where you are to perfect them, and take the Kings part there; but in case of Liquid Goods, if you are satisfyed the Merchant hath entred right, you may lett him take his Wines away, and you secure the tenth for his Majesty: It will save the Merchant charge, and yew will have less trouble, but then you must have a Cooper by to tast that you take not the worst; In case all should be bad you can but he content with the Kings part because you take the Custome in kinde.

3ly: You should have a Pockett Book to Enter the Warrants in, which will serve you for a Brullion, for you must keep the Warrants faire, and enter them exactly in a Booke, word for word, mark, and No: and quantity as is specified in the Warrant: For that in case any Error should be in the Booke above Stayres, your Book must cheek them; And if you should loose a File, you must come next sitting at the Customehouse and desire a Copy, and every dayes busines must be entred by itself, writing on the back-side the Warrant, the true perfect Copy of the Entry and what is received, and this must be done in the Custome house publickly before all the Officers, that they may putt itt in their Files also.

4ly: You are not to deliver any Goods out of the warehouse before nine in the Morning or five in the Afternoone, without acquainting the Customer, Comptroller, and Collector, or any two of their Consents, and that upon a point of necessity; for the Merchant if he intends to defraud the Customes, will often give you trouble, although[he] it be to noe purpose; to see if hee can gett his Advantage, which you may discerne by his importunity, if real, or otherwise you can justly answer him, you can doe nothing without the consent of the Custome Officers; but if hee comes at lawfull houres you are obliged to give him what dispatch you can. In case hee hath first entered, but if the Merchant that hath first entred be not there, you may give him his dispatch, or any other; For you are to keep the Kings Warehouse as cleare as you can, and may boldly tell the Merchants, In case hee will not take his Goods out, you will secure the Kings dues, and putt the rest of the Goods out; This
is when you have much Business, and The Ware House full, and more Goods that are entred at sight to come in, but if you are not soe pressed, you must be kinde to the Merchant; but still press to perfect his Goods; For you will be called on dayly for your perfect Invoice you receive, which you are to deliver to the Customer only, the Collector and Comptroller may take Coppies if they please; the Customer is to keep the Original; for his Book must check all.

[Endorsed:] A Copy of Nicolaes Bayard Instruction.

22:54 [DISCHARGE OF JOHN BULL FROM MILITARY SERVICE.]

Whereas John Bull, came over into these parts in his Majesties Service, under the Command of the Right Honorable Coll Richard Nicolls, wherein hee hath continued for the space of foure yeares and upwards, and being now a time of peace, having requested his discharge, These are to certify all whom it may concerne, That the said John Bull, hath behaved himselfe Civilly and like a Souldier, during the time of his being under my Command, and I do hereby give him a Discharge from his Military Employment in this Garrison, hee having Liberty to remaine in the Country at his pleasure: Given under my hand, at Fort James in New Yorke, on Manhatans Island in America the 4th day of November, 1668.

Fran Lovelace

22:55 [DECLARATION CONCERNING THE CRIMINAL ACTS AND ENSUING CAPTURE OF SAMUEL BUGGY.]

The Testimoney and Declaration of James Bowne Randall Huett junior, and John Williams taken this 29th off March Anno 1669.

Wee the Abovesaid Parties doth hereby Declare, That About the 10th of this instant month, two men named Ralph Hutchinson and Christopher Andrewes, coming to Portland poynò where the above named parties live and inhabit, making inquiry for a certaine Nonresident person, who as it Appears came from Maryland, and thoss partes, and finding Such A one: (who a little before came hither) Affer Sume words past, in discours with him, Aprehended him the Afforesayd Straggler, Or Nonresident, who called himselfe by the name of Samuell Buggbe, as A efionious person. Laying to his Charge, many theftes and roberies by him the sayd Samuell comited, peremptorily Affirming him the said Samuel to bee the Selve Same person upon thare owne sure knowledge, which had Pelloniously robbed the Chancelor At Maryland off a certaine Sume of money and plate with other words tending to the like effect rendering him as a most Notorius Malefactor or Evill doer, in that as in other Actions, but the Afforesaid Samuell Standing out in the denyall, of Such thare Impeachment or Accusation, the Afforesayd Ralph and Christopher for the present, Securing of the said Samuell, bound his hands
Or pinioned him, in the Night tyme, Saying these words that if hee Should be looss or left to his own liberty hee would robbe Sume of the inhabitants that Night, which: Accordingly came to pass: as wee might safly Affirme upon probable reaasons and circumstances soe as wee doe hereby declare, for Affter, his soe binding as Afforesayd, in the house off Henry Percy, At the tyme of goeing to bed at night, the Next moring the Afforesayd Samuell, Was gone, leaveing the rope behind him wharewith hee was bound, the Afforesayd James Bowne giveng information to the Naybours that a blanket was taken out of his [hous][s] the same night, and a palazado removed by meanes of an wooden Wedge which lay without door, and left Sticking about the place, The Above[sa]id John Williams likewise gave information to the rest of the Naybours the Same morning that hee had he[en] rob[ed] the Night before of One Suite of cloths a doublet and one payre off breeches, two payre of Stockins one payr of Drawers [ ] handchercher and one neck cloth One Shilling in Silver and one shert the next night Af[ter] the Afforesayd, Samuel Cumeing to the hous off Randall Hue[tt] the younger, about three houers Befor[re] day hee was perfectly discovered by the sayd randall (as hee afirmes) and to Approach, to the door of the houss: feeling or gropeing for the lacth thareof, but being discovered by the said Randall and his wife, who rushing hastily out of the door the said Samuell made an escape, and got away. Af[ter] this the next night Following being Saturday night and about the 13 of this Instant, James Grover off the towne of Midltowne complaining likewiss off a robery, done the Same night his hous broke up and severall cloathes off linin and woolen taken away, thare was found drapt near or about his house a sute off cloathes doublet and breeches, the which the Afforesayd John Williams did Afterwards clayme as his Ownne and soe knowne by others to bee, Nott many dayes Af[ter] intelligence being given to Sume At Midltowne, of such a kind of person to bee not farr Off at an indian towne, Sume going th[ere] finding him among the indians brought him to Midltowne, bu[t] finding not thoss clothes about him which warr taken away, upon information given by Sume indians certaine from the tow[ne] ride forth, and after inquriery made of those cloathes a[s] Afforesayd taken from James Grover, At last found sume or all of them, and among the rest a Coat which the sayd Samuell was seen to ware, before, upon which account, and for these reaasons It was thought convenient by the inhabittants hear to secure the body of the said Samuell and to present him to furder examination and triall findng him as well by words Speeches and Outward behaviour as by his wors actions to bee a very dangerous audaciou[s] Suspected and Notoriouss offender.

Attested by

Rd Richardson
Henery Percy
Randoll huit
James Bowne

[Endorsed:] Testimonyes against Sam: Bugby from the Reritans.
New Yorke March the 23th 1668/9

the Examination of George Canida, aged about 30 Yeares, this day taken by the Worshippfull Mayor of this City;

1st Question:
Whether he knew any thing of the Robbery, which Alexander frizzel Committed, in the house of Jan hendrickson, on the 16th of this Instant

1st Answereth
No but was a bed, before 8 or 9 a'Clock as he will prove by 2 or three persons

2d Question:
Uppon what account Alexander frizzel gave him 4 peices of eight and one beaver,

2d
Answers, he acknowledgeth that he received the same, but was to pay for the pieces of eight 48s- Wampum, and for the beaver so much as it would Yeild by others and sold it to Mr Pattisson for 27s- wampum

3 Question:
What day he received the said Monney and beaver

3dly Answer
That he received the Monney on fryday and the beaver on Saturday last

4: Question
Whether he did not Enquire how Alexander came to that monney and beaver

4:
Answ' No;

5 Question
What day he heard that the said Monney and beaver was stolen by the said Alexander

5thly
answers, No sooner but this Morning.

6thly
Answer No;

6
Whether he knew not that the Stollen goods where Conveyed in the house of Thomissin Nicolls

Thus Examined In the Presence of Capt. Jno Manning Sherif of this City; and mee

N. Bayard Sec.
New York March the 23th 1668/9.

The Examination of Thomissin Nicolls, wife of Richard Nicolls, aged about 43 Yeares, this day taken by the Worshipfull Mayor of this City New Yorke.

first Question

Whether any Linnen was brought at hur house which was stollen from Jan Hendrick van Gunst

first Answer

That Alexander frizzel on friday last being the 10th of this instant about 9 a Clock in the Night, brought a Pillobrear of Linnen at hur howse, desiring to wash them for him;

2dly

What Alexander frizzel did doe in hur house, all that remainder part of the Night

That he dried the said Linnen, it being Wett, which shee did help him to do

3dly

What shee received more of the Stollen goods

That she received neither did see non other of the Stollen goods.

4thly

Whether she had no discourse with him, how he came to such a parcell of Linnen

That shee had no discourses about it, Whereas she did not Question him in the least

Thus Examined In the Presence of Capt Jno Manning Sherif of this City; and me

N. Bayard Sec.

[Endorsed:] Severall Examinacons
22:57

The Examinacon of Alexander Frizzell and Georg Canada accused for felony and Burglary taken by Order of the Governor before Mr Cornelys Steenwyck Mayor of this Citty and Mr Matthias Nicolls Secretary to the Councell the 26th day of March 1669.

Alexander Frizzell being Examined confesseth the fact he is accused of, and saith that George Canada called him out of the Fort about 8 of the Clock at night, before they comitted the Felony, he being going to bed when the said Canada came, but by his inticement he went with him and about Eleaven a Clock at night, that they the said Frizzell and Canada went to the house of Jan Hendricks van Gunst in the Broad way (Canada saying he had intellegence the said Jan Hendricks was out of Towne, and That no body was in the house) and with a peice of Iron they wrenched open the dore and gott in, when they were come in Georg Canada shewed him the said Alexander Frizzell where the money and Goods were, so with the help of the same Iron they opened the Chests and tooke out the money and goods.

Some of the Goods being shewed Frizzell, he acknowledg[ed] they were the same that were stolen by him and Canad[a] and Jan Hendricks van Gunst challenges them to be his goods and the same which were taken out of his house.

The said Frizell being asked how many peices of money were taken by him and his Comerade out of the said house saith there were 10 peices of Eight and 1 Ducatoone, That Canada had 4 of the peices and a beave[ ] that three were engaged for drinke at Mr Greveratts 2 at Sarah Clays, and l was missing.

Being demaund what many Chests were broke open he saith 3.

He saith further that Canada and he did not part until one of the Clock after they comitted the Robbery, and that as soone as they had done it, they went both together to the North Ryver syde without the Towne where they staid some tyme and Canada threw the peice of Iron there into the Ryver.

George Canada being Examined denies all that he is accused of as to the breaking open the house and taking the Goods, but confesseth he had some Peices of 8 of Alexander Frizell and the Beaver, which he sold to Mr Pattisen and there bought Goods with the money. He confesseth further that he enjoyned Mr Pattisen not to tell Captain Manning he had put away to him any money or Beaver, because he owed C. Manning money.

And also said if he had the keeping of the stollen things he should have hid them more Carefully then to be so discovered as Alexander Frizell was.

This day Jan Hendricks van Gunst Enterd into a Recognizance of 40£ to prosecute the said Frizell and Canada for the felonious breaking his said house and taking and carrying away his said Goods.

[Endorsed:] Alexander Frizells Examinacon.
Upon the meeting of the Court, Call to the Cryer to make Proclamacon and say, O Yes, O Yes, O Yes, Sylence is commaunded in the Court, whilst his Majesties Commissioner, of Oyer and Termer, are sitting upon paine of imprisonement.

Then lett the Cryer make Proclamacon againe and say - All manner of Persons, that have any thing to do, at this speciall Court, of Oyer and Termer, lett them draw neare and give their attendance.

Read the Commission next.

Then call over the Commissioners names very distinctly, and Record the default if any be absent.

Upon the Returne of a Jury by the Sheriffe, read over the Jurors names, the which the Cryer must repeate aloud after you.

Before the Jury is sworne, Call for the Prisoners to be sett to the Barre, Then say to the Prisoners.

These good men who were last called, are to passe upon your severall lives and deaths, therefore if you or any of you have any thing to object against them, why they should not be sworne, Challenge them as they come to the Book, and you shall be heard.

Then sweare them.

After they are sworne lett them be called over, and bid the Cryer Count them, One, Two, etc.

Then Lett the Cryer make an Oyes, and say Jan Hendricks van Gust Come into Court and prosecute Alexander Frizzell, on the behalfe of our Soveraigne Lord the King, about a certaine felony and Burglary comitted by him, in breaking into thy house, and stealing away thy Goods.

Upon his appearance, Let the Prisoner be sett to the Barr that is to be tryed

Then call to the Jury and say Look upon the Prisoner you that are Sworne.

Then say.

Alexander Frizzell hould up thy hand, when he hath so done, Read the Indictment - and say.

Alexander Frizzell, Thou stands't here Indicted by the name of Alexander Frizzell, of the City of New York Labourer, for that thou upon the 16th day of March last past, not having the feare of God before thine eyes, but being Instigated by the Divell, about Eleaven a Clock at night, the dwelling house of Jan Hendricks van Gunst, with a peice of Iron didst break, and
entring thereinto didst then and there with the same peice of Iron, breake open the locks of severall Chests or Trunks, and privily and feloniously, steale take and carry away severall parcels of goods, belonging to him the said Jan Hendricks van Gunst, amounting to the value of ten pounds or thereabouts against the Peace of our Soveraigne Lord the King and against the Lawes of this Government in such Cases provided.

Alexander Frizzell what sayest thou, art thou Guilty of the Felony and Burglary whereof thou stands' Indicted or not Guilty He pleads-Guilty.

If he plead not Guilty - aske By whome wilt thou be tryed If he say By God and the Country say God Send thee a good deliverance

So Proceed to Tryall - Call the witnesses.

[Endorsed:] Directions for the holding of the Court of Oyer and Terminer at the Tryall of Alexander Frizell.

22:59 Farther Directions for this present Court

Afternoone April 7th 1669.

Let the Court bee opened as in the forenoone Then Call over the Court, as before.

Upon the coming in of the Jury say=Answer to your names Gentlemen, then Let them bee called over, and after counted, one, two, etc

Then ask, Gentlemen are yee agreed of your Verdict, concerning the matter in Question betwixt your Soveraigne Lord the King and the prisoners at the Barre,

Upon their saying Yes.

Aske, who shall speake for them

Upon their saying The foreman - say hould up thy hand G.C. look upon the Prisoner you that are sworne do you find him Guilty of the felony and Burglary for which hee stands endicted, or not Guilty.

If they say Guilty, then say = what goods or Chattells lands or tenements hath he, bid the Undersheriffe, or Marshall sett him aside.

Do the like by Alexander Frizell.

After the Tryall of Samuell Bugby, which is to bee next, proceed in like manner as before

Then call for the Constable of the City of New Yorke to bring in his presentment against Thomazin Nicolson for receiving the stolene Goods.

Then read the presentment.
Before the Court breaks up: Let proclamacion be made.

After which Bid the Cryer say after you All manner of Persons who have had any thing to doe, or have beene summoned to attend at this present speciall Court of Oyer and Terminer, or Gaole Delivery, they are dismist from any longer attendance The Court being dissolved.

God Save the King

Then the Commission is to be cancelled.

[Endorsed:] Instructions for holding, the Court.

22:60 [MINUTES OF THE TRIAL OF GEORGE CANADA AND ALEXANDER FRIZELL AND OF THE TRIAL OF SAMUEL BUGBY.]

At a Speciall Court of Oyer and Terminer held by the Governors appointment on Wednesday the 7th day of Aprill 1669.

Forenoon

Present

Mr Matthias Nicolls President          ap  Alexander Frizel Guilty
Mr Cornelius Steenwyck                ap  Geo; Canada Guilty) by Indictment
Captain John Manning                   ap  Samuel Bugby Guilty
Mr Cornelius van Ruyven
Mr Rich: Cornhill and                  ap  Thomazin Nicolson by Presentment
Mr James Hubbard.
Mr Robert Coe                          ap

Georg Canada being brought to the barre denyes the Fact totally and Pleads not Guilty.

Alexander Frizell being brought to the Barr confesses the fact and Pleads - Guilty.

Witnesses

Georg Walsgrave being sworne and Examyned saith that the said Canada went out of the Roome where he this Deponent lay, about 8 of the Clock at night, and came not in till after tenne of the Clocke to his this Deponents knowledg, he being awake all that tyme. This Deponent likewise saith that Cannida did soliciite Anthony Gleane severall tymes to Rob a vessell then lying in the Harbour, as the said Gleane declared to this deponent, Likewise this Deponent saith, that the serge which Cannye had of Mr Pattisen, the said Cannide retaled his Country man Pattisen had trusted him for it and given him Wampum to buy buttons and silke.
Wm. Trotter sworne and Examined saith that that Cannida came not into the Roome at tenne of the clock at night, till which tyme, this Deponent lay awake in his bed.

Mr Lovell Examined but not sworne saith he was in the said Canadaes Company drinking, and parted with him about 7 of the Clocke, when it was probable the said Canada was going about the said felonious designe.

The witnesses Deposicions were given in to the Jury who went out to consider of their verdict, and the Court Adjourned till 2 of the Clock in the Afternoone.

Upon the request of the Jury thinking that the informacon of A. Frizel given against Geo. Canity was Invalid, for satisfaccon to the Court and Jury the said Alex Friz; hath sworne to every particular which formerly he informed the Jury of against the said Canada.

Afternoone

Present

Mr Matthias Nicolls President a
Mr Cornelius Steenwyck a
Capt'n Jno Manning a
Mr Cornelius Van Ruyven a
Mr Richard Cornhill a
Mr Robert Coe & a
Mr James Hubbard a

Samuell Bugby being brought to the barr pleads Not Guilty

Witnesses Sworne

James Sandilands being swo; and Examined saith the prisoner at the Bar was apprehended by Jno Borage upon suspicion of felony and being at the house of the said Borage stole away the said Borage Pistoll and made his Escape to Delaware, the said Borage overtook with a hue and Crye and brought him to the Deponents house where they took of his Clothes and put him in a Bath stow and at night he broke open the house and stol his Clothes, he coming in at the Window and the window being nailed and the same breeches the Prisoner hath now on being the same that were put in the Deponents house which the prisoner himselfe confesseth. The Prisoner from thence made his Escape to Tenicoms Island and came to the house of Geor Marcellis there where he brought the Pistoll which he stole aforesaid.

Sworne

Joris Marcellis saith that James Sanderlyns came to the Deponents hose and inquired if the said Bugby had beene there, he answered no, about 2 dayes after the said Bugby came to his house where he saw the said Pistoll that was formerly stolne and this Deponent saith that the Indians stole the said pistoll away from him, as the Indians tould the Deponent and the said Bugby
saith he gave the Indians a pistoll to show him the way.

Thomazin Nicholson appeared to her presentment, who denyed she knew the said Goods brought to her house were stolen, but that she washing for the said Frizell, thought they were his owne personal goods, Whereupon the Court was pleased to dismis her.

[Endorsed:]

Apr. 7th 1669
Papers relating to the Tryall of George Canada and Alexander Frizzell.
As also of Samuell Bugby at a Speciall Court of Oyer and Terminer

[INSTRUCTIONS FOR THE SENTENCING OF ALEXANDER FRIZZELL AND OTHERS.]

The sentence of this Court is

That the offenders for the severall Burglary and felony shall bee burnt in the hand publickely in the street[e] before the Statehouse, before the rising of the Court after which they are to bee return'd to the Prison from whence they came there to remaine without bayle [or] mainprize one yeare and a day unlesse the Governor out of his c[lemency] shall sooner give them their Liberty.

After the sentence is pronounced against the Prisone[rs] Hee should bee informed That its his duty to fall downe upon his knees and thanke God, and the Ben[ch] for mitigating the Rigour of the Law against them.

[Endorsed:]
The Sentence of [ ] Court Alex: Frizz[ ] etc.

[EXAMINATION OF SAMUEL BUGBY AND OF WITNESSES AT HIS TRIAL.]

April 6. 1669

The Examinacion of Samuell Bugby prisoner Hee saith that hee came into Virginia in the America whereof was Master Hopefor Bendall a little before Christmas last, Hee had difference with his Master so lost h[is] wage and left him; the[n] came to Delaware and Nevisans so was brought h[i]the[r]

James Sandyland, saith about the 5th or 6th day of March last, one John Burredge and Robert Peacock living upon the ridge of Fleming Towne in Maryland brought the prisoner with two souldiers appointed by Captain Carre to looke after some servants that were run away, to the deponents house, At night they put the said prisoner into a Kill where they drye malt and suspecting that hee might give them the slip, as hee had once served John Burredge before in Maryland, where hee being in hold hee run away and stole his pistoll, they took his cloathes and carried them into the house leaving him there but the said Bugby while they were asleepe broke downe a window, came into the house,
gott his owne cloathes and he run away. That the said prisoner having beene wanting two dayes, came another night into the deponents house where hee tooke away a Gun, a pistol, a wastecoat a paire of shoes and a powder horne bag and shot and a canoose in which hee got away.

The prisoner denyes all this but his taking away his owne Cloathes, but the deponent lost these things and saith he can prove the prisoner had the pistoll with which hee threatend to kill a man that met him if hee followed after him to apprehend.

Christopher Andrews and [Ralph Hutchinson] } Coming from Delaware met James Sandylands at Andrew Carrs Island hee being returning from the pursuit of the prisoner where they were made acquainted with what prancke this fellew had play'd him, and giving them his description desired them if they met him to apprehend him.

When they come to Nevisans they met this man and suspecting him to bee the person described, they seized upon him, and brought him to the Deputy Constables house, where hee was pinioned with his armes behind him, notwithstanding, before the next morning hee was got away and they heard of two houses that had beene broken open that night which was suspected to be done by him. They never saw him since till hee was now brought hither.

Richard Richardson who brought the prisoner from the Nevisans in his Shallop, hath nothing to say of his owne knowledge concerning the men but produceth some testimonie, concerning him.

Samuell Bugbye was committed by order of the Governor.

[Endorsedi] Sam: Bugbye, Exam[ ]cion.

A Jury of Inquest upon the Childe of Angle Hendricks that is found drowned May the 3th 1669.
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Cornelius Hendrickson
Lawrence Colefelt

Their Oath

You doe sweare by Allmighty God (in the behalfe of our Soveraigne Lord the King) that to the best of your Knowledge you will make Enquiry how the Childe of Angle Hendricks came to its death.

Soe help you God etc:

The Verdict of the Jury

That the Childe was putt alive into the Well, and soe drown'd - They say all.

[Endorsed:] The Coroners Inquest about the murder of Angles Child.

22:64

[PROCLAMATION FORBIDDING THE CONCEALING OF ENGEL HENDRICKSZ, ESCAPED PRISONER.]¹

Whereas Angle Hendricksen being Committed close prisoner in the prison at the State-house, for having murdred her child, hath this day, (or not long since) made her escape, and cannot as yet bee found againe.

These are to give notice unto all Persons of what degree or Quality soever, living or residing within this City and pre­cincts, or any other place within this Government, that they doe not presume to harbor or conceale the said Angle Hendricksen upon any pretence whatsoever, but if it shall happen, that they know or are privy to the place where shee lyes concealed, that they forthwith give notice thereof to the officers of this City, under the paines and penalty of death, the which by the Law shee hath deserved: Given under my hand this 11th day of June 1669.

Fran Lovelace.

To the Mayor and Aldermen
of this City to be immediately published.

[Endorsed:] A Proclamacion for the recoverey of Angle Hendrix.
Instructions and directions to bee observed at the Speciall Court of Oyer and Terminer appointed by the Governor for the Tryall of Angle Hendricks this 2th day of July 1669

Upon the meeting of the Court, Call to the Cryer to make proclamacion and say oyes, oyes, oyes, Silence is comanded in the Court, whilst his Majesties Commissioners, of Oyer and Terminer, are Sitting, upon paine of imprisonement.

Then let the Cryer make proclamacion againe and afterward say. All manner of persons, that have any thing to doe, at this Speciall court of Oyer and Terminer, let them draw neare, and give their Attendance.

Read the Commission next.

Then call over the Commissioners names very distinctly, and if any bee absent, Record the default.

Upon the returne of a Jury by the Sheriffe read over the Jurors names, the which the Cryer must repeat aloud after you, and record the default of any Juror that was Summoned is absent.

When 12 men are empannelled and sett downe for a Jury, lett them bee Sworne and bid the Cryer count them, 1,2,3, etc.

Before the Jury bee sworne, Call for the Prisoner to be sett to the Barr, then say to the prisoner these good men that were last called are to passe upon you life or death, there fore if you have any thing to object against them, or any of them, whey they Should not bee sworne, challenge them as they come to the boock, and you shall bee heard.

then sweare them.

You doe sweare by the Ever living God that you will con-cienciously try and truly deliver your verdict between our Soveraigne Lord the King and the Prisoner at the Barre according to the evidence and the lawes of this Country so help you God.

That being done lett the Cryer make an Oyes and say/Hendrick Obee Constable of this City of New Yorke come into the Court, and prosecute Angle Hendricks, on the behalfe of our Soveraigne Lord the King, for a Certaine murther cometted by her upon the body of her infant Cheild.

Upon her appearance, Lett the Prisoner bee sett to the Barre.

Then call to the Jury and say looke upon the Prisoner you that are sworne

Then say

Engel Hendricks hold up thy hand when shee hath soe done, Read the Indictment and Say

Angle Hendricks thou standest here indicted by the name of Angle Hendricks of the City of New Yorke. For that about the latter End of the month of Aprill last, not having the feare of God before thine eyes, but being instigated by the divell, thou didst most wickedly, murdrously and Feloniously doe unto death, a young Infant Child, born of thy body, by putting it into a Baskett, which with the weight of stones putt there in, also
was sunke downe to the bottome of a certaine well in this City, out of which it was upon the 3th day of May last taken up dead, so that by the wayes and meanes aforesaid thou didst most wickedly, maliciously, murdrously and feloniously slay and doe unto death the said young Infant Child, about the time and place aforesaid, against the peace of our Soveraigne Lord the King, and against the Lawes of this Government in such case provided.

Angle Hendricks what saidst thou, art thou guilty of the murder and felony whereof thou standest here indicted or not guilty.

If shee plead guilty, say no more. But if shee plead not guilty, Aske By Whom Wilt thou bee tryde.

Shee must have directions to say, By God and the Country. Then say you God send thee a good deliverance.

So proceed to Tryall

Call the witnesses that were at the taking up the Child.

The Jury found the Prisoner guilty of murder

Lucas the Negro, accepts to pay 400P mentioned in the sentence.¹

[Endorsed:] Instructions for the Tryall of Angle Hendrix. July 2d 1669.


Mr Ralph Whitefeild president¹
Mr Cornelius Steenwyck, Mayor of this City
Mr Matthias Nicolls, Secretary and one of the Councell
Mr Isaac Bedloo Alderman of this City
Mr Johannes de Peister, Alderman of this City
Mr Nicholas de Meyir, Alderman of this City
Mr Cornelius van Ruyven, Justice of the Peace
Captain John Manning, Justice of the Peace
Mr Robert Coe, Justice of the Peace
Mr James Hubberd Justice of the Peace
Mr Richard Cornwell Justice of the Peace
Mr John Hix Justice of the Peace

You doe Sweare by the ever living God, that the evidence you shall give unto this Court, betweene our Soveraigne Lord the
King, and the Prisoner at the Barr, shall bee the truth, the whole truth and nothing but the truth. So help you God.

These good men that were called are to pass upon your life or death therefore if you have any thing to object against them or any of them challenge them, the goodmen that now called are to pass upon your life or death.

[Endorsed:] The Comissioners prest at the Tryall of Angle Hendrick[ ]

22:67 [VOTES FOR PRESIDENT OF THE COURT TO TRY ENGEL HENDRICKSZ]\(^1\)

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<th>Mr Whitfield</th>
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22:68 [THE SENTENCING OF ENGEL HENDRICKSZ.]\(^1\)

At a Speciall Court of Oyer and Terminer held at the Statehouse this 2d day of July 1669, for the Tryall of Angle Hendrickse

Beforenoone

Mr. Whitfield chosen President.

The Prisoner was brought to the Barre and the Jury empanelled and sworne.

Afternoone

The Prisoner was againe brought to the Barr and her Indictment read, To which shee pleaded Guilty.

The Jury bring her in Guilty of Murder.

All the Bench condemne her.

Sentence of death pronounc't against her by Mr Whitfield President.

That shee was to goe to the place from whence shee came and from thence to the place of Execucion, there to hang by the
Neck until she be dead.
So Lord have mercy upon her soul.

[Endorsed:] The Sentence of the Court of Oyer and terminer against David du Pour and Lucas the Negro. And also the sentence of Death against Angle Hendricks.

22:69 [THE JURORS AT THE TRIAL OF ENGEL HENDRICKSZ.]¹
Mr Humphry Davenport
Mr Marke Noble
Mr Henry Creeke
Mr Thomas Hall
Thomas Major
Thomas Taylor
Timothy Gabry
Johannes De Witt
Warner Wessells
Jonas Bartells
Isaack Greveraet
Guillaume D'Honneur

[Endorsed:] The names of the Jurors upon Life and death at the Tryall of Angle Hendricks.

22:70 [WARRANT FOR THE EXECUTION OF ENGEL HENDRICKSZ.]¹
These are to tell and require you to take Care and see that the Sentence of Death given on the 2d day of this instant month by the Court at the Statehouse against Angle Hendricks for murthering of her Child bee put in Execucion according to the tenor of the said sentence on Monday next before twelve of the Clock at noone at the place appointed, for which you are to make Provision of such things as shall be requisite and necessary thereunto And for see doing this shall be your sufficient Warrant: Given under my hand and seale at Fort James in New Yorke this 3d day of July 1669.

To Captain John Manning
Sheriff of this City.

[Endorsed:] The speciall Warr. for Execucion.
Charges about Angle Hendrickson

Inprimis

To 2 cans Brandy to Mashpage Kills  0-08-0;
To Brandy and Provisions carryed to Neversincks  2-00-00
To Moneys spent at Neversincks  1-05-00
To 6 Men in the Boat to Neversinks  3-00-00
To 5 Indyans who were employed to finde her  0-15-00
To 5 Cans Brandy at the time shee was taken  1-00-00
To 6 men that took her  3-00-00
To French wine to the Jury  0-12-00
To Brandy to the Carpenters  0-11-00
To French Wine to the Carpenters  1-05-00
To the Negroes in Brandy  0-08-00
To the Executioner in Brandy and French wine  0-08-00
To work done by the Executioner  3-00-00
To Ossenbriggs and Makeing  1-00-00
To the Carrmen and Porters in Brandy  2-00-00
To French wine to the Carrmen and Porters after Execucion  2-04-00
To an Account brought in by Hen: Newton of Moneys spent  1-00-00
To her Dyett dureing the time of her Imprisonment  0-13-00
To an Indyan  10-00
To the Jury of Life and death in French wine  0-12-00
To more Wine and Beere  1-00-00

Summa Totalis  26-11-00

This Accompt I have paid in part, and the rest I stand engaged to pay

John Manning
These charges are allowed by the Court of Oyer and Terminer.
New Yorke this 7th July 1669

Thomas Lovell Clarke of the Court.

Recieved in part of this by the Governors order two hundred guilders wampum from Mr Van Ruyven Collector.

July 7. 1669. John Manning

[Endorsed:] Captain Mannings bill of Charges.


22:73 [PRESENTMENTS AGAINST DAVID DU FOUR AND LUCAS THE NEGRO FOR AIDING AND ABETTING ENGEL HENDRICKSZ.]

The Constable of this City of New Yorke doth present to this Court of Oyer and Terminer for our Soveraigne Lord the King, David Du Four upon suspicion of abetting and contriveing the Escape of Engel Hendricks out of the Prison at the State-House; the which person hee really did afterward harboured and concealed in his house Severall dayes and nights, in contempt and breach of a Proclamacion sett forth by the Governor, wherein all persons were (upon paine of death) forbidden to harbor or conceale the said Engel Hendricks, The which, hee the said David Du Four, hath done against the Peace of our Soveraigne Lord the King, and against the Lawes of this Government.

Then read the Proclamacion

Then read the presentment against Lucas the Negroe in the same forme and manner.

First let David Du Four and Lucas the Negroe be called. Then read the Presentments.

[Endorsed:] The presentment[ ] the Constable of da[ ] dufour etc.

22:74 [THE SENTENCES AGAINST LUCAS THE NEGRO AND DAVID DU FOUR.]

The Sentence against Lucas the Negroe

That for his crime in harbouring and concealing Angle Hendricksen, knowing shee had made an Escape out of Prison where she was committed for Murder, That hee shall bee Execucioner for 3 yeares, which if hee refuse, he shall pay 400 G. Sewan as a fine and acknowledge his fault and offence to the Court.
The Sentence against David Du Four.

That for his Crime in harbouring and concealing Angle Hendrickse, knowing shee had made an Escape out of Prison, where shee was committed for murder, That hee pay as a Fine, the summe of foure hundred Guilders sewant and acknowledge his fault and offence to the Court.

22:75 [PETITION OF DAVID DU FOUR FOR MITIGATION OF HIS SENTENCE]

To the Right Worshipfull the Court of Justices of Oyer and Terminer Appointed to sitt upon the Tryall of Angle Hendrickson and the rest of the Prisoners.

The humble Petition of David Du Four Prisoner

Sheweth

That whereas the person of Angle Hendrickson was lately lodgd and entertaind in the house of your Peticioner for some four dayes, contrary to the Order or publicacion of the Right Honorable the Governour, your Peticioner was absolutely ignorant of the said Order, neither did hee soe much as heare there was any prohibition to the contrary, for if hee had, hee humbly declareth that such is his obedience to Authority, that hee should not have done it for all the world: And does humbly acknowledge that hee has highly offended therein.

That your peticioner being sensible hee is like to incurr some grevous Sentence either by Fine or punishment for his soe doing, humbly prays that your Worships will seriously consider and take notice of his deplorable condicion, who through the late disastorous death of his deare son ¹ (who was the only Studd and Pillor of your Peticioner for his dependency) is brought to such extreame poverty as hee can scarce maintain himselfe and his Family.

Now yo'r Peticioner humbly prays that your Worships will take into your serious consideracion the sadd Condicion of your Peticioner, and that you will soe farre extend your pitty and compassion towards him as to mitigate the rigor and severity of that Fine or punishment the Crime has deservd.

And your Peticioner shall ever pray etc.

[Endorsed:] The peticion of David Du Four.
Honorable Sir.

My humble Service to your selfe, good Mr. and Miss Susanna presented - hoping of, and praying for your health and happiness - the knowlledge - and intimation thereof wold bee a satisfaction to mee, My last to you was of the 3d past to which I referr haveing little to add more than to acquaint you that I have Shipt aboard the Ketch willing minde Six Hogsheads and a But of Sugar for your Account and Risque the Invoive is underwritten I desire that you would please respect the goodness of the Sugar when you Sell it, and not passe it away as Slight Shipping Sugar for 'tis as good Sugar for the most part as I have Seen upon the Island for Muscovado and I beleive (if I mistake not) will Serve for grocers.

I have some eight baggs of good Ravell Cotton by mee and Six or eight bags of Scrap ginger which I reserve purposely to procure freight for my Sugar, wee wonder and admire whats become of Collier, and Scarlet also hath been a greate while expected. I stay for one of you, to goe home. I thought that [I] had done se[ll]ing Beefe and porke as I intimated in my last for upon the receipt of yours per Mr Goddard from N.E. to make dispatch - was advise[d] to send downe to Spikes bay some beefe and 8 barrells in all porke as j[udging] to have had a quicker sale and larger price, but I see the qu[ite contrary] for haveing kept them a month there they have not sould one Barrel of them which is a deadly trouble and vexation to mee if I had not sent them down I question not but could have sould them heere at the Bridge but, 'twas done only to make disp[at]ch, but were I to come a thousand tymes would send nothing to see[nd] unlesse went downe in person. I shall make what hast I can to bee going and to bring my business to a period not to trouble you farther but Committing you to divine protection I remaine.

Sir
your Faithfull Servant
Lancelot Talbot

I have sent two Barrels of Rumme to Mr Snasosell and shall send more trade suddainly.

[Beside the address:] Per Mr Rich Freeman att the furriers shopp att the Talbutt in Southworke

[Addressed:] These for Mr Samuell Wilson Merchant at Mr Thomas Parris at the white horse within Algate London per a friend Q.D.C.

[Endorsed:] Lancellot Talbutt[ ] Lettre.
[BOND OF JOHN BERRY OF BARBADOS AND SAMUEL EDSALL OF BERGEN, N.J. TO MATTHIAS NICOLLS.]

Know all men by these presents, that we John Berry of the Island Barbadoes Merchant and Samuel Edsall of Burghen in the Province of New Jersey Beaver maker do stand and are bound firmly unto Matthias Nicolls of the City of New Yorke Gent in the summe of one hundred pounds of lawfull money of England to be paid to the said Matthias Nicolls or his lawfull Attorney Executors and Administrators, To the which payment well and truly to be made we bynde ourselves and either of us by himselfe joyntly and Severally for the whole and in the whole, our and either of our heires Executors and Administrators and every of them firmly by these presents, Sealed with our Seales Dated the fifteenth day of August in the 21th yeare of his Majesties Raigne Annoque Domini 1669.

The Condition of this Obligation is such That if th' above bounden John Berry and Samuell Edsall or either of them their or either of their heires Executors Administrators or Assignes doe well and truely pay or cause to be paid unto th' above named Matthias Nicolls his Executors Administrato[rs] or Assignes Three thousand weight of good Sound merchandable Tobacco in Caske to be Delivered at the Weigh house in New Yorke on or before the first day of January which shall be in the yeare of our Lord 1670; That then this obligation to be void and of none effect otherwise to remaine and be in full force and vertue.

John Berry [Seal]
Samuell Edsall [Seal]

Sealed and Delivered in the presence of
Goulain Verplanck
Jo: Rider
John Garland

[Endorsed:] Mr. Edsalls bond for 3000 lb. of tobacco to be paid January 1670.

[COMPLAINT BY WILLIAM PATERSON AGAINST CAPTAIN JOHN BAKER.]

To the Right Honorable Collonell Francis Louvlace, Governor Generall under his Royall Highnesse the Duke of Yorke, of all Territories in America.

The Complaints of William Pattison Merchant

The Complainant most humbly declares, that on the 31th day of July last past, he being at Albany about his affaires there, and sitting in the doore of his Landlord Jochem Wessellsen towards the evening, Captain John Baker past by the doore of
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the said Jochem, and the said Baker seeing this Complainant sitting, said to this Complainant, Mr: Pattison, can you not be Satisfied with the use of the Domenies Daughter, but must you alsoe have the use of Your Landlords Wife; Whereupon this Complainant answered, that he had no more to doe with the domnies daughter, as he had to do with the said Captain Bakers owne Wife, and that the said daughter, (for as much as he knew) was a Civill and honnest person; But the said Captain Baker, not being Satisfied with the said answer (his Intention being only to pike a quarrel as its afterwards evidently appeared,) Drew Neare to this Complainant, and after severall threatenings which he made at this Complainant, he the said Baker Struke this Complainant over his face, The Complainant said and Warned him Civilly not to Strike him any more, or that he Could not avoid to defend himselfe; Whereupon the said Baker gave this Complainant the Second blowe, and this Complainant Rising from his Seat, did in defence of himselfe, give the said Captain Baker several Blowes; Upon Which the said Captain Baker Went to his fort, and Commanded a Guard of his Souliders to go out with him and comming at the house of the said Jochem he Charged them to breake open the doore, which they refused to do, uppon Which he himselfe did doe the same, and Runne in the howse with his Sword drawne, Saing where is that Scotts dogg, meaning thereby this Complaynant But he not finding this Complainant there after several abuses done to the said Jochem[ ] Wife, he Came Running with his said Guard to the Howse and Lodging of this Complaynant; and without knocking, or Warning of this Complainant, that he would be in the Howse, he Charged his said Guard, to breake open the doore of this Complaynants Howse, which they Likewise refused to doe, and this Complainant hearing the Noize being Just reddy to go a bedd, Called out to them and said Stay Captain Baker I will open the doore, But the said Baker Replyed No, but I wil breake it open, which he Likewise did, Committing Violence and Burglary uppon this Complainants Howse, which being done he came in, with his Sword drawne, and pointed at this Complainant, with intent to have killd him, which he Likewise would have done, in Case it was not hindered by the Providence of God; And after all this he Commanded this Complainant to Prison in the fort, and there kept him cloase prisoner for the space of 21 howres Long, Contrary to the Priveledges of the said Towne of Albany; although the Magestrates of the said Towne declared and protested against the said proceedings; as this Complainant can and will make evidently appeare to your Honnor. Wherefore this Complainant most Humbly prayeth that the said Captain Baker, may be Left open to the Law, and Commanded to Prison, for to answer at the Next Court of Assizes, or before whom Your Honnor shall be pleased to appoint, the said Burglary and other Violent Actings and proceedings Committed against this Complainant, Contrary to the Lawes and Statutes of all Nations, and especially against the Lawes of this Your Honnors Government.

And Your Honnors Complainant, shall ever pray etc.

Will. Paterson

To the Right Honorable Coll. Francis Lovelace etc; and Governor Generall under his Ri: Highness of all his Territoryes in America.

The answer of John Baker (under your Honor) Deputy Governor of Fort Albany to the Informacion of Wm. Patterson.

This Defendant answereth and saith that on the 31th of July last about the Evening he came by Jochem Wessells where he found the Complainant and Jochem's wife sitting upon a Bench, and this Defendant having the day before heard a Complaint from the Domine that this Complainant had mightily abused him, and that he much feared he would bring his Daughter in disgrace, this Defendant in a familiar jesting manner did say why how now Mr. Patterson is not the Domine's Daughter enough for you, but that you must sit so close to Jochem's wife; but doth utterly deny that ever he did say the use of his Daughter or Landlords wife, which the said Complainant hath falsly set forth. And whereas he saith that this Defendants intencion was to pick a quarrell, and after threatning did strike the Complainant it is a very unjust allegacion; for in a very outrageous manner he flew upon this Defendant with so fierce an assault that he beat him to the Ground the Defendant not in the least suspecting that he durst have been so presumptuous as to have attempted such an accion in the Street without respect to this Defendants Command under your Honor; Moreover not long after in a boasting manner The Complainant confessed in presence of two or more persons that he struck this Defendant first, and that very severely as was long after seen by his black face, neither could he well see for two dayes after. And further the Defendant looking upon the said assault not so much for his person, but that it was more in contempt, and derision of Government, doth own that he fetcht 4 Musqueteers and came to the said Jochems and demanded the Complainant but broke no Doore open, neither did he draw his sword then the Doores being open, and they telling me he was gone home. And further this Defendant answereth, and saith that coming to this Complainants House he knocked, and called to him to open the Doore, which he said he would not doe, whereupon this Defendant did push hard against it and the staple of the Lock flew out, so coming in and finding him not in Bed without any farther disputes carried him to the Fort, where he committed him to the Guard for one houre or thereabouts, and then released him resolving to take some other course with him; But he falsly alleadge that I kept him close Prisoner for 21 houres, for after one houre was expired he stady the rest of the time for his recreation, So that your Honor may clearly see that this Complainant being a contentious fellow hath stuffed up this his Informacion with lyes, and idle Allegacions. And further this Defendant can make it appeare that he is not the first by many that he hath affronted, and abused at Albany.

The premisses considered this Defendant humbly requesteth your Honor to take into consideracion the presumption of the said Complainant in committing an assault, and battery upon this Defendant in the street, without respec[ ] had to his command under your Honor which must absolutely imply that he did it in contempt of Government and that your Honor
will be pleased to make him a severe Example to prevent such
heinous misdemeanors for the future, And also graunt that this
defendant may receive such redresse as your Honor i[ ] justice
shall adjudge meete.

John Baker

[Endorsed:] Captain Bakers answer to Mr. Patisons Complaint.

22:80a [COMPLAINT BY OFFICER SWART ON BEHALF OF
GEERTRUYD JERONIMUS AGAINST CAPTAIN JOHN BAKER.]

On the 31st July 1669 about one hour after the ringing of
the bell at night, hearing a noise in front of the house of
Jochem the baker, I asked the crowd what was the matter?
Geertruydt Jeronimus, wife of Jochem above named, came to me
and complained that Captain Backer had made use of force and
violence towards them, coming with four or five soldiers
(neither she nor her husband present in the house), and threw
or pushed the door onto the floor. She coming home in the
meantime was berated for a whore etc. by him Captain Backer.

To me,

G: Swartt, Schoutt

[Endorsed:] Complaint of Geertruyd Jeronimus.

22:80b [MEMORANDUM OF THE APPLICATION MADE BY THE
MAGISTRATES TO CAPTAIN JOHN BAKER FOR THE
RELEASE OF WILLIAM PATTERSON, AND HIS
REFUSAL.]

Present--Magistrates
Major Abraham Staets
Ryckert van Rensselaer
Mr Verbeeck
Mr Jacob de Hinse

Whereas Captain Backer on the 31st July 1669 at night after
the ringing of the bell, with soldiers did drag a merchant
named Mr. Paterson out of his house and conveyed him in custody
to the fort -

The same being made known to the Magistrates, they went at
the time in a body to the fort and by way of protest told
Captain Backer that he had violated the laws, rules and
privileges of this place; that Mr. Paterson had lot and scot
and was an inhabitant here. Whereupon the Captain made answer,
I shall justify it. Then I further requested him in friendship
to release Mr. Paterson and to confine him in his own house.
He refused to do so, and said: Whether I have imprisoned him half an hour or twenty four hours, it's all the same; I shall have to justify it to the General. Not being able to obtain any more, we took our departure. In Fort Albany in the night as above.

In the Secretary's absence,

G: Swartt, Schout

[Endorsed:] The events which transpired between Captain Backer and Mr. Paterson on 31 July 69.

22:81 [MINUTE OF WILLIAM PATERNON'S COMPLAINT AND THE COURT'S RESPONSE.]

Extract.

Extraordinary Session. Sunday afternoon, first of August 1669, Albany.

Mr. William Paterson, appearing in Court, complains of force and violence committed against him by Capt. Backer on the night of the 31st July between the hours of nine and ten, and demands right and maintenance of Justice in the case according to the Civil Laws.

Their Honors of the Court decide and adjudge that Mr. Paterson shall prepare the evidence and testimony thereof, and place the same in the hands of the Court to be transmitted to the Right Honorable General.

Collated by me

Ludovicus Cobes, Secretary.

[Endorsed:] Complaint of Mr. Paterson

22:82 [DEPOSITION OF MICHAEL COLLIER THAT CAPTAIN JOHN BAKER BURST OPEN JOCHEM WESSELSZ' DOOR AND ABUSED JOCHEM'S WIFE.]

Before me Ludovicus Cobes Secretary of Albany, colony of Renselaerswyck and Schaenhechtade appeared Michiel Calier, a young man in the service of Jocchum Backer, who at the request of Officer Swart attests and declares that it is true and truthful that on yesterday evening about one hour after the ringing of the bell, Capt. Backer came with four soldiers before his master's door, and his master with his wife being out, he the deponent being in the house, with Mr. Paterson's servant, sat at the table and had shut up the house all around; he, Capt. Baker, or his soldiers with three or four blows with a musket or something else tore the door from the latch and hingepin so that it fell on the floor, and coming with drawn swords in hand
into the house to the deponent who was eating, said: Where is the dog? meaning Paterson. Thereupon the deponent answered, He is not here. And Capt. Baker, not being satisfied with this answer, would have forced open the door of the room which was closed, as he had already made a push against it. Thereupon a soldier named John Isaacs said: Captain, do not do that. I should rather go fetch the key; and with that came the wife of the deponent's master into the house, who said: Well, Capt Baker, why are you committing such violence in my house: Thereupon the Captain said in reply: It's none of your business, you whore, it is not your house; shoving his mistress on the breast with his fist, and said to the soldiers: Take the whore along to the Fort. The wife of the deponent's master replied thereto: If Jochem were at home, it would not be good. Capt. Baker retorted: Were Jochem home, I would take him to the Fort, too. Herewith concluding his deposition, he is ready to confirm the same, if necessary, by a solemn oath. Done, Albany the 1st of August Anno 1669.

The mark of Michael Caller made with his own hand

In my presence
Ludovicus Cobes, Secretary

[Endorsed:] Deposition as to what Capt Baker did at the house of Jochem on the 31st July 1669 after the ringing of the bell.

22:83 [NOTICE FROM THE MAGISTRATES TO CAPTAIN JOHN BAKER FOR THE RELEASE OF WILLIAM PATERSON.]

Copy.

Capt. Backer

Whereas we were at your house in the Fort last night and courteously requested the release of the person of Mr. Paterson, which you refused and denied us, you are again once more notified to set said Paterson at liberty. Awaiting your answer hereto. Albany the 1st August Anno 1669.

By order of the Hon. Magistrates of Albany etc.

Ludovicus Cobes, Secretary.

22:84 [DEPOSITIONS OF LAMBERT ALBERTSZ VAN NECK, JACOB THEISSZ VAN DER HEYDEN, JOHN LAWRENCE, JR. AND HENDRICK ALLEINE CONCERNING ACTS OF CAPTAIN JOHN BAKER.]

Before me Ludovicus Cobes secretary of Albany, colony of Renselaerswyck and Schaenhechtede appeared Lambert Aelberts van Neck, merchant from New York, who declares and attests as strict
truth that between nine and ten o'clock on Saturday night the 31st July last, he saw and heard Capt. Backer, accompanied by 4 or 5 Soldiers, burst open Mr. Paterson's door with force and violence, both by himself and aided by his soldiers, and that Mr. Paterson thereupon answered he would come and open the door; but before he came the door lay flat under foot. And then Capt. Backer said: "Here, you Scotch dog, you must come along." and forced his way in with his sword drawn, Mr. Paterson caught him around the body, and Capt Backer tried to run Mr. Paterson through from above with his naked sword. Herewith concluding his deposition he is ready to confirm the same, if necessary, with a solemn oath. Done, Albany the 2d August 1669.

Lamert Van Neck

Hereupon the deponent has made oath at the hands of Gerart Swart the officer in the presence of the Hon. Magistrates, Master Abraham Staes and Mr. Jacob de Hinse.

In my presence

Ludovicus Cobes, Secretary

Jacob Thyss van der Heyden corroborates the above named deponent, except that he did not hear what Mr. Paterson had answered. Done as above.

Jacob Theissen van der Heyd

Hereupon deponent has made oath.

In my presence

Ludovicus Cobes, Secretary.

Mr. Jan Larens and Hendrick Alincx corroborate the above mentioned affidavit, except that they did not see that the door was burst open by Capt Backer, but they distinctly heard the uproar and violence, whereupon they came and found Mr. Paterson's door open and distinctly saw and heard the other acts. Done as above.

John Lawrence [Junior]

Henry Alleine

Hereupon the said persons made oath in the manner of England at the hands of the Officer.

In my presence

Ludovicus Cobes, Secretary.

Present Mr Abraham Staes

and Mr Jacob de Hinse.

John Waert and other Soldiers (as he says) are willing to testify to the truth of what they saw and heard, whenever they have orders from the Right Honorable General. Albany, the 2d August 1669.

Quod attestor

Ludovicus Cobes, Secretary.
Before me Ludovicus Cobes Secretary of Albany, Colony of Renselaerswyck and Schaenhechtade appeared Mrs. Maria Teller wife of Mr.  Willem Teller, who at the request of Gertrude Jeronimus declares and attests as strict truth that between 9 and 10 o'clock in the evening of last Saturday the 31st July she saw and heard Captain Backer strike the petitioner with a fist on the breast or body, and that she previously heard great uproar and noise in the petitioner's house; that he also said several times to his soldiers: Take the whore along to the Fort; that she, the deponent, also heard that the petitioner in coming into her house where Capt. Backer already was, said "Why is there such violence in my house?" Herewith concluding her deposition, she is ready to confirm the same on oath if necessary. Done Albany the 2d August Anno 1669.

Maria Teller

In my presence,

Ludovicus Cobes, Secretary.

Mother Schaets declares and attests at the request as aforesaid that at the noise she also came to the house of Jocchum Wessels where Capt. Backer was, who behaved quite badly and said to the soldiers: "Take the whore along to the Fort;" meaning the wife of Jocchum Backer. Herewith concluding her deposition, is ready to confirm the same by solemn oath if necessary. Done Albany this 2 August 1669.

Angenis Schaets

In my presence

Ludovicus Cobes, Secretary.

Before me Ludovicus Cobes Secretary of Albany, Colony of Renselaerswyck and Schaenhechtade appeared John Isaacks a soldier, who declares and attests as strict truth that on last Saturday the 31st July between nine and ten o'clock, Capt. Backer, accompanied by some soldiers, came before the door of Jocchum Wessels, baker, and burst the same open by force and violence. Herewith concluding his deposition, is ready to confirm the same on oath if necessary. Done Albany the 2d August anno 1669.

John Isaacks

In my presence

Ludovicus Cobes, Secretary.
Right Honoroble General,

We have received your Honor's letters of the 22d and 26th July ultimo and have considered the contents well. In answer we state that we have communicated your Honor's resolution to the present Farmer, who accepts the lease again on the same conditions, and hereby states that Capt. Willet has written to your Honor for an abatement of 2 or 300 guilders, to which he has not as yet received any answer, but he defers the matter to Your Honor's discretion. In whatever is to be done further in the case, we shall obey Your Honor's order and report pertinently thereon by the next opportunity.

As regards the Burghers excise we answer: That we are very much surprised that the Mayor and Aldermen of New York shall receive our revenue which they expend to their advantage, to the serious prejudice of this place. Your Honor will please consider and reflect on the said circumstances of this present time, that our means are by subreption suspended, and abstracted, and we placed in an embarrassing position to our great discontent. Nevertheless all burdens rest on our shoulders in the paying of such large and onerous salaries both to the ecclesiastical and political ministers, although it is notorious that no service can be rendered by them.

On the other hand, [there is] the memorandum presented to Your Honor by Mr. R. v. Renseler and Mr. Abraham Staas, not to the effect that the profits should accrue to New York, but [rather] to this place for the payment of the aforesaid salaries. We know then of no means to be employed for their support, whilst we are already very much in arrear. In the winter we assessed the inhabitants who can no longer supply the demands. Moreover it is maintained that this place should recover thousands. But that creates much division and this [barely] affords the idea. Our point is that the Mayor and Aldermen cannot have any authority in this precinct and that they have therefore imposed on and misled your Honor.

What relates to the war with the Indians and what occurred in consequence, your Honor can ascertain from the enclosed. We shall do our duty and await what your Honor shall have transacted with Mr. Winthrop therein.

To conclude: We cannot omit informing Your Honor how a merchant, Mr. Paterson, and Geertruyt Jeronimus wife of Jocchum Baker have complained and remonstrated to us respecting the force, violence, assault and outrage committed on them by Capt. Backer on the night of the 31st July, as will appear by the attached papers. These complaints are certified by us, and we promised him that we would seek redress therein from Your Honor. We maintain that Capt. Backer has deviated from the ways of Justice, and refer the whole proceeding to Your Honor so as to obviate all misunderstanding; and concluding we commend you to the gracious protection of God Almighty, and are,

Albany the 3d of August 1669.

By order of the same,
Ludovicus Cobes, Secretary.
The Commissaries of Albany, their Letter to the Governor dated Aug. 3d. 1669.

C. Baker
Mr. Paterson


August the 18th 1669

At a Court Marshall then held at Fort James in New Yorke on the Island Manhatans in America before his honor the Governor.

Present

Mr Ralph Whitfield
Mr M Nicolls
Captain John Manning
Captain Sil. Salisbury

of the Councell
officers of the Garrison

Mr William Paterson exhibitts a Complaint against Captain John Baker, which is signed by him.

The Complaint was read upon the appearance of C. Baker and Mr. Paterson, who were summoned by order of the Governor.

The proceedings at Albany read, and severall Testimonies taken there upon Oath.

Captain Bakers Answer put in signed, It was read, but no part proved.

Lambert Van Neck appeared in person to justify what hee had delivered in upon oath at Albany.

It doth not appeare who strooke or first brake the peace.

The Court having taken into their serious Consideracon what hath been alleaged on the part of the Complainent and heard the answer and defence of the deft. they do order. etc.

It was ordered as followes -

That in regard C. Baker hath absolutely broken the 7th article of the Instructions given him by the Governor, where in It is said That etc. It is ordered that Captain Baker bee suspended his Military Employment; And whereas William Paterson hath in his Complaint laid great and heynous matter to the Charge of the said C. Baker, Hee the said Paterson hath liberty to take his Remedy against him at Common Law, The Complaynt giving security to prosecute and the Deft to answer, which shall bee then and
there objected against him at the next Generall Court of Assizes.

[Endorsed:] The Hearing of the Complaint of William Paterson against Captain Baker

John Isaacks
Maria Teller
Engenis Schaats
Michiel Callier
Lambert Van Neck
Jacob Teysen
Henry Allen
John Laurence
G. Swart

22:88 [DEPOSITION OF GEERTRUYD JERONIMUS CONCERNING THE ALTERCATION BETWEEN CAPTAIN JOHN BAKER AND WILLIAM PATERSON.]¹

Before me Ludovicus Cobes Secretary of Albany, Colony of Renselaerswyck, and Schaeenhechtede appeared Geertruyt Jeronimus wife of Jocchum Backer, who at the request of Mr. Paterson, declares and attests as the strict truth that after the ringing of the bell on the night of the 31st of July, she the deponent, sitting before her door with a piece of food in her hand, and Mr. Paterson coming out of her house with a pipe of tobacco in his mouth took a seat beside her on the threshold. And there also came out of Piter Adriaentsz's tavern Capt. Backer, who said, Good evening, Mistress Jocchums, I come from the tavern where I had some business but could not finish it until tomorrow. And he said to Paterson—You rascal, do you sit there? Who thereto answered nothing. Capt. Backer again said: You rascal, Have you not enough with the Domine's daughter, you vagabond, must you have still more? Thereupon Mr. Paterson answered, I have had no more to do with the Domine's daughter than with Your Honor's wife. Then said Capt. Backer, you rascal, If you intend to get smart I'll first cut your ears off, and then let you go, at the same time striking Mr. Paterson in the face with his fist, who rising up, went to stand in the door, and she the deponent, in front of him in order to prevent mischief, turned Capt Backer, saying: Well, Capt. Backer, what are you going to do? You know well that it is evening; who raising his arm over her head again struck Mr. Paterson in the face. Thereupon Mr. Paterson grasped Capt. Backer by the body and threw him on the ground and also beat him. Whereupon Jan Bruyn and she the deponent said that they should separate; and Mr. Paterson rising up went into the house, and Capt. Backer as soon as he got up drew his sword or rapier and ran it past Mr. Paterson's arm, and thereupon he went away. Herewith concluding her deposition, she is ready to confirm the same on oath. Done Albany the 26th August 1669.
NEW YORK HISTORICAL MANUSCRIPTS

This is the mark of Geertruyt Jeronimus made with her own hand

Who in the presence of Mr Jan Verbeeck Magistrate has taken the oath at the hands of the schout. In my presence Ludovicus Cobes, Secretary.

[Endorsed in English:] The Deposicion of Gertruyde Jeronimus

22:89 [RECOGNIZANCE OF WILLIAM PATERSON TO PROSECUTE CAPTAIN JOHN BAKER.]

Memorandum That the 19th day of August in the 21 yeare of the Raigne of our Soveraigne Lord Charles the Second, by the Grace of God, of England, Schotland, France and Ireland King, Defender of the faith etc. Annoque Domini 1669. William Paterson of the City of New Yorke Marchant, personally appeared before mee Matthias Nicolls, Gentleman Secretary to the Governor and one of the Councell; and acknowledg'd him selfe by way of Recognizance to owe unto our Soveraigne Lord the King and his Successors, the summe of one hundred pounds Sterling to bee levyed of his Lands and Tenements, Goods and Chattells to the use of our said Lord the King if hee the said William Paterson shall fayle in the Condicions hereafter following Vizt:

The Condicion of this Recognizance is such, that if the above banden William Patersson shall and doe personally appeare at the next Generall Court of Assizes to bee holden upon the first Wednesday in October next in this City of New Yorke and shall then and there preferre a bill of Indictment against Captain John Backer of Albany, upon accusacion of Burglary, which hee hath laid to his Charge; And shall then and there give evidence against the Said John Baker as well to the bench as to the Jury that shall passe upon the Tryall of the said John Baker and not depart without license of the Court; that then this Recognizance shall be void and of none effect; otherwise to stand, remaine, and bee in full force, strength and vertue. In Testimony whereof He hath hereto sett his hand and seale

[seal] Will. Paterson

This recognizance entered into before me the day and yeare above written

Matthias Nicolls Secretary

[Endorsed:] Mr. Patersons Recognizance of 100 lb. to prosecute Captain John Baker at the Assizes for Burglary.

22:90 [APOLOGY TO WILLIAM PATERSON FROM CAPTAIN JOHN BAKER.]

Mr. Pattirson I am Contented to Submitt to the Order of the Committe apointed by his honnor The Governor to determine the difference betweene you, and my selfe, and doe Confesse What I
did at Albany to you, was Rashly and unadvisedly don, and I am Willing to be friends with you, and Desire Your Excuse for my passion, and so do drink to you, --

[Endorsed:] Captain Bakers acknowledgment to Mr. Paterson.

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Jan Isaack, Jan Povey and John Ward soldiers, being summoned to court, and the order of the Right Honorable the General being read to them that they should testify as to what they heard and saw on the 31st of July last in regard to the encounter and dispute between Capt. Backer and Mr. Paterson, who in this manner testified and declared in court as the precise truth, that on the date above written in the evening between the hours of nine and ten, they were commanded by Captain Baker to accompany him to the house of Mr. William Paterson, and having arrived there, Capt. Baker ordered Jan Povey, one of the deponents, to shove open Mr. Paterson's door, who not pushing hard enough, Capt. Baker took the musket from him and forcibly burst open the door, and Mr. Paterson while undressing himself was taken by force out of the house by Capt. Baker who thrust with his drawn sword at Paterson who grabbed Capt. Baker around the body, and then Baker tried to run Mr. Paterson through from above. Whereupon Schout Gerard Swart came and said, What is the matter here, Capt. Backer? Who answered, I shall answer for what I do. And so took Mr. Paterson to the fort. Herewith concluding their deposition, they are ready to confirm the same by oath. Done in court, Albany the 26th August 1669.

[Endorsed:] The Deposicions of John Isaack and John Ward.

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This 26th August 1669, in Fort Albany.

Capt. Joan Backer pledges as security to Schout Gerraert
Swart for two hundred pounds sterling his house and lot situate at the Hill here in Albany, together with all his goods and moveables for payment of said 200 pounds, to appear at the Court of Assizes in New York, and having appeared there, this bond is void.

Was signed John Baker

Witnesses

Wm Parker,
Edward Joannes.

Beneath was,

In my presence

Ludovicus Cobes, Secretary.

Lower was:

The officer has attached all the property of Capt. Baker, in my presence, and that of Sergeant Parker. Done as above.

(Signed) Ludovicus Cobes, Secretary.

Collated G. Swartt, Schout

[Endorsed in English:] The arrest upon Captain Baker's house and Goods at Albany.

22:92 [BOND OF CAPTAIN JOHN BAKER FOR HIS APPEARANCE AT THE COURT OF ASSIZES.]

Know all men by these presents That I John Baker of Albany Gentleman, am holden and firmly bound unto Gerrit Swart Schout of Albany, in the summe of two hundred pounds of good and Lawfull money of England, to bee paid unto the said Gerrit Swart his Heires, Executors Administrators or Assignes. For the Payment whereof well and truely to bee made; I bind mee my heires, Executors, and Administrators; As also all my Goods, Chattells and Estate, both reall and personall within this Government, firmly by these presents; Sealed with my Seale. Dated this 26 of August in the 21th yeare of the Raigne of our Soveraigne Lord Charles the 2d, by the Grace of God, of England, Scotland, France, and Ireland King, Defender of the faith etc; Annoque Domini 1669.
The condition of this Obligacion is such, that, whereas the above bounden John Baker, stands accused by William Patersson of Burglary, for which he is to receive his Tryall at the next General Court of Assizes; and by the Governors Speciall warrant directed to mee, hee is to putt in Security to answer the Same. Now if hee the said John Baker shall appeare at the next General Court of Assizes to bee held on the first Wednesday in October next, then and there to make answer, to what shall bee objected against him by the said William Patersson, as to the said matter in Question, and doe not depart without leave of the Court, that then this obligacion bee void; otherwise to bee in full force, power, and vertue.

Sealed and delivered in the presence of John Baker
Wm. Parker
Edward Joanes

Done at Albany the 26 August 1669

[Endorsed:] Captain Bakers bond. [ ] The Bond

22:93 [COMMISSION OF RALPH WHITFIELD AND OTHERS TO HEAR AND DECIDE THE MATTER BETWEEN WILLIAM PATERSSON AND CAPTAIN JOHN BAKER, 4 OCT. 1669]

22:94 [JUDGEMENT IN THE CASE OF WILLIAM PATERSSON AND CAPTAIN JOHN BAKER.]

Att a Committe appointed by his honnor the Governor, held at New Yorke, October the 6th Anno 1669:

Present
Mr Corn: Stenwyck mayor of this Citty
Mr Ralph Whitefield one of the Councell
Mr Tho: de Laval Esq.
Captain Silvester Salisbury
Mr Jno: Laurence Merchant.

Uppon a Commission from his honnor bearing date the 4th day of this Instant Month, for the deciding of a differance rissen betwixt Captain Jno: Baker on the One partie and Wm. Pattisson merchant on the other partie;

Uppon Several debates, both parties, being present, the Committe perswading of them to a Mutual agreement, Mr Pattisson flong up his papers, and left the Case to be decided by the Committee,

The Worshippfull Committee having perused the Several papers produced by both parties, uppon Mature Consideration and
Deliberation, and being Verry Willing to Make a final determination; the Worshipfull Committe, do find that Captain Baker is in the fault, and therefore do Order that the said Baker shall pay to the said Pattison a Summe of two hundred Gilders Zewant, and the Charges of this Committe to be Equally paid by them;

Cornius: Steenwyck
Tho: D. Lavall
Raphe Whitfeld
Silvester Salisbury
John Lawrence

[Endorsed:] The Commission Result about C. Baker and Mr. Paterson.

[RENEWAL OF COMMISSIONS IN THE MILITIA AT ALBANY, RENSSELAERSWYCK, AND SCHENECTADY.]

Commissions renewed.

To Abraham Staets Major.

By vertue of the Power and Authority unto mee given by his R. Highness I have constituted and appointed and by this my present Commission doe constitute and appoint you Abraham Staets [to] be Captain of the Foot Company risen in the Towne of Albany and Major of the three Companys thereunto and the parts adjacent belonging. You are to take into your Charge and Care etc.

William Teller to bee Lieut of that Foot company at Albany whereof Major Abraham Staets is Capt. etc.

Andrees Teller to bee Ensigne of that Foo[t] Company in Albany whereof Major Abraham Staets is Capt.

Richard Renzlaer to bee Capt. of that Foot Company risen in the Colony of Renslaerwyck neare Albany.

Volckert Jans to bee Lieutenant of that Foot company whereof Richard Renzlaer is Captain

Gerritt Teunissen to bee Ensigne of that Foot Company whereof Richard Renzlaer is Captain.

Philip Pieters Schuyler Capt. of that foot Company risen at Schenechtade and part of the Towne of Albany.

Jan Clute to bee Lieutenant of that foot Company whereof Phil. Pieters Schuyler is Capt.

Jacob Sandersen En[signe of] that foot Company etc. whereof Philip Pieters Schuyler is Capt[ain.]
[DEED TO LAND OPPOSITE SCHENECTADY FROM SANDER LEENDERTSZ GLEN TO HIS SONS.]  

True Copy:

Before me Ludovicus Cobes Secretary of Albany, Colony of Renselaerswyck and Schaenechtady, in the presence of the Honorable Magistrates of said Court, Mr. Rykart van Renselaer and Mr. Jan Verbeek, appeared Sander Leendertse Glen residing at Schaenechtady, who declared that he cedes, transports and conveys in true and right ownership hereby to and for the behoof of his three sons, by name Jacob, Sanders, and Johannes Sanderse Glenn, a certain parcel of land situate between the pond and the River, opposite the village of Schaenechtady, containing Fifty morgens according to the patent thereof from the Right Honorable Governor General Richard Nicolls dated the 3 November 1665, whereunto reference is had herein; and that free and unincumbered without any charge being thereon or outstanding, save the Lord's right, without the grantor having the least claim thereon; acknowledging to be fully satisfied and paid therefor, the first penny with the last, and that through the hands of his three sons, as appears by correct account; therefor giving to his above named three sons, their heirs and descendants, or whomsoever may hereafter acquire their right and action plenam actionem celsam, and full power to do therewith and dispose thereof as they might do with their patrimonial goods and inheritance, promising to maintain the aforesaid land against all persons whomsoever and to free it from all future claims and nevermore to do or suffer to be done in or out of law any manner of thing, under bond as by law provided. Done in Albany, the 9 March 1669.

In the Margin was:

R V Renselaer
Jan Verbeek.

[Endorsed:] Copy of the conveyance from Sander Glen to his three Sons, dated 9 March 1669.

[PETITION BY THE HEIRS OF SAMUEL PALMER OF WESTCHESTER THAT HIS WIDOW BE GRANTED A LETTER OF ADMINISTRATION.]

The humbel petishon of your honnors humbel petishonnours Request is: that whearas it hath pleased the Lord to take awaye our Father lately out of this life and that with a sudden Blowe
of death withoute sicknes that wee Could anye wayes Conseve
Only a distemper he hath had one him manye years which we Could
not Conseve mortall: and dyeing suddenly left noe will onlye
verbally which was exprest to none but wee his Children that
ware by long before his Death and heard him saye hee haveing
but Littel Esteate in this Life his Whole desire was haveing but
a small matter of esteat in this life; and not knoing how it
might Please the Lord in his goodness and mercye to deal with
him: Sayd that what he left behind him should Fully and Freely
be left to his wives will and disposeing For her mayntaynance
in Respect shee was striken in years and Far unfit for labore
your honners humbel Petishonors desire is that your honner will
be Pleased to grant such favor for Us that our Mother the Widdo
being soe left may finde soe much favor from your honner to have
a letter of Administration granted her without anye further
Charge [in] Respect the esteate is but smalle and shee unkeape-
able of paying Charge that maye Arise: and your honners
Petishonors [will] ever praye
Westchester Aprill
the 26th: 1670
Joseph Pallmer
beniamen Pallmar
Samuell pallmar
Obadiah Pallmar
[T]homas Squyer
his ma[  ]1

[Endorsed:]  [ ] Palmer of Westche[  ]
dead. for letters of Administracion.
Apr. 26 1670. Administracon granted and issued
as according to Request.

22:99  [RECORD BOOK OF THE COMMISSIONERS TO REGULATE THE
AFFAIRES AT ESOPUS AND THE NEW VILLAGES ADJACENT.]1
[cover title:] Esopus

Instructions for Ralph Whitfeld
Esq, Capt John Manning, and the
rest of the Commissioners for the
Affaires at Esopus and the New
Villages adjacent,1

1. Inprimis -- That after you have first publishd your Commiss-
ion (which you are to doe with all convenient speed after your
Arrivall) you doe send to the Sachems of the Esopus who sold
their Land to my Predecessor Colonell Nicolls to come and acknow-
gde the Sale of the said Land before you, and upon acknowledging thereof, and renewing of Friendship, you engage them to doe
the like yearely at the same place for the future.2

2. That you acquaint the Souldiers and all the Inhabitants in
Generall, that now being a time of peace, and Land being allotted
to every Souldier for his Subsistence, I have thought fitt to
reduce the Garryson, and to take that Charge off his Royall
Highnes the Duke.

3. That then you make Enquiry into the strength of the Place
by taking account of the number of Families and persons capable
to beare Armes both at the Esopus and the two new Villages, after
which you are to endeavour to finde out the best and most con-
venient way for maintaining a constant Watch at the Redoubt.
4. That you make Enquiry how the Inhabitants of Esopus have proceeded in following my Orders and Instructions left them when I was there, and what [is] the Remora or reason they have not proceeded [ther]ein.  

5. To make enquiry after, and to view the Land commonly call'd the Wash-makers Land, and to endeavour to know the pretences of Governour Stuyvesant, or any other person thereupon, and upon what Account and consideracion they claime it.  

6. To make enquiry after, and to view a piece of Land adjacent claymed or belonging to Thomas Hall lately deceased.  

7. To enquire after the Limitts and Bounds of Capt. Thomas Chambers, whether it be according to his Grants or Pattents, and how much further it extends?  

8. To enquire how Capt. Chambers is enclined to performe his Undertaking last yeares, about erecting and keeping the Store-house at the Redount (of which you have the Articles,) And if hee still declines it to propose it to some other Undertaker.  

9. That you make a speciall Injunction that noe Wheat or other Graine be Transported and mingled with other, without the Corne be very well cleansed; That place haveing already in part lost the Reputation they formerly had.  

10. That you give Order, for the Farmeing of the Excise to the best advantage, and take Account how the last years Income is disposed of.  

11. That you take Order that all persons who have any pretences to Lotts at the New Durps (which was burnt) doe forthwith Settle there under the penalty of some Fine or forfeiture.  

12. That when Mrs. Broadhead doe remove from the Washmakers Land, you are to take care to make a very good provision for her at the further Dorp, in regard of her great charge, and her being a Commission Officers Widdow.  

13. That you take it into your consideracion how the further new Durp shall be Governed, as to Officers, and by what Lawes.  

14. That you appoint some Officers to order the Well Laying out the High-ways from one Village to another, and keeping them passable.  

15. That you enquire after and appoint fitt places of Rendevous, in case of Insurrection or Invasion, and how each place may have recourse one to the other for Succour.  

16. That you take some order for the reparacion of the House next to Mr. Beckmans, commonly calld the Domine's or the State house.  

17. That you take great care to regulate the Abuses of the Indyans and their Drunkennes at Esopus, and make enquiry who transgresse in giveing them more Drink or Liquors then is fitting or allowed off.  

18. That you cause an Officer to be made in the nature of a Constable amongst the Indyans to keep them in the better Order.
19. That one or more Officers be appointed by you at the further Durpe, to whom the Indyans thereabouts may have recourse for Redresse upon occasion.

20. That you take care and give your best advice and direction for the continuance of the late made peace amongst the Indyans; and if any breach shall happen, that you give order to make Enquiry into it, and where the fault lyes to cause satisfaction to be given by them, to those Injured or abused.

21. That you cause a Prohibition to be made that noe Strangers be permitted to come amongst the Neighbour-Indyans there, and disturb the publique peace.

22. That you acquaint the Souldiers, that as soon as their Accounts can be Stated, to know what is due to them, their Arreares shall be paid.

23. That you likewise take into your consideracion how some Rate may be impos'd upon the Inhabitants there, according to the Lawes Establishd for the defraying their own publique Charge.

24. That you cause with convenient speed the Palisadoes to be renewed, and place them at the extremitie of the Towne, where the New Addition is made, and to open the comeing in of the Towne in the middle of it, as is designed.

25. That the place for Buryall be impal'd, as likewise the place for a Towne-House.

26. That you take care that the Morasse that lyes under the Towne be drayn'd; whereby the Place will not only be Improovd to be better; But it will contribute much to the health of the place.

27. That according to the Agreement made before mee, you see that they goe on with the Fence between them and their Neighbours on the other side, That there may be noe further occasion of difference upon that Accompt.8

28. And Lastly that haveing done your utmost in prosecuting my Commission, and following these my Instructions, that you break off, and repayre to your respective Employments and Occasions.- Given under my Hand at Fort James in New Yorke this 11th day of September. 1669.

Francis Lovelace

Aesopus. Sept. 17th 1669.

At a Speciall Court held there by vertue of a Commission from his Honor the Governour to Regulate the Affayres of that place and the Villages adjacent.

All the Commissioners being then present, the Sachems were sent for to attend them etc.:

They likewise gave Notice to the Souldiery of that place to appeare the next day at 2 of the Clock in the Afternoon.

The Commissioners then adjourn'd till the next day at eight of the Clock in the Forenoon, and went to view the Villages,
and nam'd the further Village Marbeton according to his Honors directions.

Three places of Rendezvous were appointed for Safegard of the Villages, vizt the first in the middle of Marbeton, the second at Halfe way ground, the third in Hurley, which is the Village next to Esopus, and then see nam'd by them.

Septem: 18th

Present all the Commissioners. John Joesten petitioned about the exchange of a Lott, it lyeing not properly before us it was thrown out.

Ander Cooley producd before them the Generalls Speciall Warrant, and desir'd a continuance of the Attachment, the Court acquiesst in that, and dismissed him.

Matthias Blanchan peticioned for a Lott of Land according to his Patent.

Garrett Fokar peticioned for a certaine Lott promised (as hee alleadged) by the late Governour, and his Honor the present Governour.

Both were referrd to Munday at 2 of the Clock in the Afternoone. since wee are inform'd Mr. Nicolls hath Order to draw it up.

The Commissioners then drew up this Order which was immediatly publisht, and after affixd to the Doore of the Towne House, as followeth.

Whereas the Commissioners appointed by his Honor the Governor to regulate and settle the affayres of Sopus and the Villages adjacent, have heard of severall pretences or Titles to the Washmakers Land; and the Villages adjacent made by severall persons, and the Lands pretended to by Thomas Hall lately deceased, They have thought fitt for the clearing and determining of all Claymes concerning those places to warn all persons to bring in their Patents or pretences to the places aforemencioned, and doe hereby strictly Enjoyne all persons to bring in their Patents or Pretences on Munday next, about 2 of the Clock in the Afternoone to them who shall be then sitting at the Towne-House at Sopez, Then and there to receive a Conclu­sion and Judgment of their severall Titles and pretences as may be most satisfactory to the said severall Pretenders. Given under my hand at Sopez this 18th of September --

Ralph Whitfeld President

Resolved then that the Watch at the Redoubt should be maintaind by the Towne of Sopez only; The Villages haveing enough to doe to defend themselves.

Septem: 20th

A Speciall Order from his Honor Dated September the last, and directed to the Scout and Commissaryes there was read; And the Towne was Fyned Fifty Skeple of Wheate, for not performing one Particular there; vizt For not impaleing the Buriall place;
The rest of the Injunctions of the Scoute is to give further Answer to.\textsuperscript{10}

It was agreed to make an Order to prevent the making of the Indyans drunk, for the first Offence five pounds to be paid by the Offender, for the second ten pound, for the third Banishment.

A Petition was then delivered by Cornelis Barnsen Slecht concerning a Grant of Land the Busines was orderd to be heard the day following.

Albert Heymensen petitiond to set up a Brewhouse and Tan-Fatts in Hurley.

It was Ordered that the Scout and Commissaryes should take care that two Men should constantly watch at the Redoubt.\textsuperscript{11}

A List of the Men able to beare Armes at Sopex was then brought in, with the number of the Familyes there, but noe Account then given of the Two Villages.

The Court examining all the Patents, which were then brought in (excepting only Mr Stuyvesants, Peter Schyler\textsuperscript{12} Thomas Hall) and finde in them nothing nam'd concerning the 2d Styck or peece, either by Dutch Patent or English.

Complaint was made by an Indyan that Tyerk Claes had employd and not paid him; the Court made him make satisfaction, and Fyned Tork Claes.

Septem: 21th

Capt. Chambers produc'd severall Patents for Land and House-Lotts

- The first for -- 38 Morgan and -- 451 rod
- The second for -- 5 Morg: and -- 230.r
- The third for -- 26 Morg: and -- 52.r
- The fourth for -- 45 Rod and Foure Fott, being a Home Lott.

The fifth Patent had foure Grants in one

- The first -- 440 rodd
- The second -- 160 rodd
- The third -- 504 rodd
- The fourth -- 128 rodd.


The Busines between Cornelis Barnsen Slecht and Hendricks Children was orderd to be determined on the 22th Instant.

Orderd that the Excise should be offerd to Farme on the 22th instant at 4 of the Clock in the Afternoon.

Then orderd that Robt. Gouldsberry should have 12 Acres of Land in Marbleton.

Capt. Chambers refusd to meddle with the building of a Storehouse at the Redoubt, it was then offerd to others but noe Man would undertake it.
Matthias Blanchan appeared in the Afternoon to make good his Petition against Tierck Claus de Wyt; upon a full hearing his Banishment was repealed, and his Fine of six hundred Guilders reduc'd to two, which was to be paid to the Scout.

Septem: 22th

The Instructions being then read over again every Particular was debated; and the Resolution of them will appear in the Answer to the Instructions at large.

Blanchan complained against a Soldier; It was referred to Capt. Manning, Mr. Beakman, and Mr. Berrisford to hear, determine, and then report.

The Scout and Commissaries desired time to consider of the Watch at the Redoubt, and to answer the Instructions formerly directed to them from his Honour, and were to bring in their Answer on Thursday.

Septem: 23th

Mr. Pawling was Voted to be the Officer to whom the Indians should repair for Redress of Injuries in Kingston, Hurley, and Marbleton, and that he take Care, noe Stranger Indians come among them.

Mr Bereford chosen chief Magistrate of Marbleton and Hurley to bee above a High-Constable and short of a Justice of peace, and two Overseers in each Towne to be chosen.

That hee have power to hear and determine concerning the High-Wayes, the Overseers to give him an Account.

That Mr. Chambers have an Account from the Scout and Commissaries of Kingston of the High-wayes belonging to that place, and have the same power to hear and determine.

The Towne to be Fined if the Morass be not drained by the last of November, one hundred Skepples of Wheat.

John Reynolds of Marbleton desired a quantity of Ground there, alluding his Honors promise for more then a Lott.

The Scout and Commissaries then gave an Account of certain Instructions formerly sent to them; vizt. That to the Motions of the Indians they will be watchfull over them, and will upon any Occasion give notice to the Governor;

That they will new Tyle the Towne House where wanting.

The Commissaries and Scout will provide an Officer to Cleanse the Corne and measure it.

The Watch at the Redoubt to be kept by two Men, appointed by them; And the Scout and Commissaries are to take care to keep it in repair at the Charges of Kingston.

The Business between Barens Slecht and Hendricks Children was heard and adjudged for Hendricks.
Mr. Pawling peticoned the Commissioners to discharge him under their hands from certaine Injunctions his Honor formerly laid upon him; They answered They would make his Honor acquainted with it.

These Orders following were then drawn up and afterwards publishd, and affixt to the Doore of the Town-House.

An Order that noe wheat or other Graine be Transported or mingled with other, without the Corne be very well cleansed.

Whereas the Commissioners appointed by his Honor the Governour to Regulate and settle the Affaires of Kingston and the Villages adjacent have had certaine Informacion that all sorts of Graine growing here, and being the proper product of Kingston and the Villages adjacent have not been well cleansed, and soe become less merchantable to the great disrepute and prejudice of the place; To prevent which Inconvenience for the future; They have thought fitt to Order, and doe hereby strictly Order and enjoyne that noe person doe utter or sell any Graine whatsoever to be transported from Kingston, Hurley and Marbleton but such as shall be well cleansed and unmengled upon paine of forfeiture for any such negligence or default one full quarter part of such Graine soe uttered or sold contrary to this Order, one third parte soe forfeited to goe to our Soveraigne Lord the King, one third part to the Informer, and the other third part to the Scout and Commissaryes then being (who have hereby power to name the Officer for this purpose) to goe towards the charges of keeping the Watch at the Redoubt; And that it shall be lawfull for the Informer to seize and detaine in possession such graine until upon complaint made to the Scout and Commissaryes or any two of them, the matter in question be Determined; Which they are to doe with all speed convenient according to the Tenure of this Order. Given etc: 23d Septem: 1669.

An Order for the Draining the Swampish or Morasse Ground adjoyning to the Towne of Kingston.

Whereas his Honor the Governor had formerly sent Instructions to the Scout and Commissaryes of Esopus now called Kingston about severall Things relating to that place; and hath since Commissioned severall persons to Regulate and settle the Affaires there, who among other particulars in thier Instructions are obliged to enquire after the performance of what was formerly given in Charge, to the said Scout and Commissaryes, and findeing one Article belonging to the Publique Good as yett unperform'd, vizt, the Draining the Swampish or Morasse Ground lyeing and adjoyning to the said Towne, The Commissioners in pursuance of those Instructions have thought fitt to hasten the performance of it. And doe hereby strictly charge the Scout and Commissaryes (in regard it would very much conduce to the health of the place, and the Improvement of soe much ground which is rendred at present almost useless) to Drain the said Swampish or Morasse ground by the last day of November next ensuing, upon paine of forfeiture of one hundred Skepples of Wheat to his Majesty, according to the Vote and Sentence of the Court this day held by the said Commissioners to be Levyed on the said Towne of Kingston. Given etc. this 23d of Septem: 1669.

Whereas the Commissioners appointed by his Honor the Governour to Regulate and settle the affaires of Kingston and the Villages adjacent have among other Instructions one concerning the Reparacion of the Domine's House or Towne-House in Kingston which now growes ruinous, to prevent further damage, it being of absolute Necessity to keep that House in good repair in regard of the frequent use of it both for Religious Dutyes and Civill Affayres, It is thought fitt to give Order in that behalfe. And the Scout and Commissaryes of this Towne are hereby strictly enjoyned to repaire the said House as soon as they can gett Pan-Tiles to doe it, and other Materialls thereto requisite; Which Reparation (it being for the publique Good) ought to be performed at the publique Charge; And which they are hereby empowered to demand and Levy in this Towne of Kingston, And that they doe give an Account to his Honor the Governour of the performance of this Order as soon as it shall bee by them Obeyd. Given etc: this 23d of September 1669.

An Order to prevent Drunkenness among the Indyans.

Whereas the Commissioners appointed by his Honor the Governour to Regulate and settle the Affaires of Kingston and the Villages adjacent have been inform'd that several persons Inhabitants of Kingston have for their private Lucre and Gaine Sold to the Indyans therunto resorting great quantityes of Strong Liquors therewith They have been frequently drunk to the great dishonour of Christian Religion, and the breach of the Lawes of this place; They have thought fitt in order to prevent all Excess and Deboishery in that kinde for the future, strictly to Enjoyn, And they doe hereby strictly enjoyn all persons not to utter or sell to any Indyan or Indyans such quantityes as shall make them drunk upon the Penalties following, vizt For the first Offence the person soe selling is to pay Five pounds, for the second Offence Ten pounds, and for the third Offence to suffer Banishment out of this Towne; Which Summe or Summes the Scout is hereby Empowered to Levy by way of Seizure or Distress of any such Offenders Goods; Two parts of which said penalties or Forfeitures are to goe to the Reliefe of the poore of this place, and the third part to the Scout. Given etc: this 23d of Septem: 1669.

The like Order was drawn up for Hurley and Marbleton, Mutatis mutandis.13

Septem: 24th

An Order for the laying out and keeping passable the High-Wayes and Common Roads in Kingston, Hurley and Marbleton.

Whereas the Commissioners now appointed by his Honor the Governor to Regulate and settle the Affaires of Kingston, Hurley, and Marbleton are obliged by a particular Article in their Instructions to take care that the High-웨이 and Common Roads belonging to those three Townes be conveniently layd out and constantly kept passable, They have thought fitt to Order and doe hereby Order that the High wayes and Common Roads
belonging to Kingston be kept passable by the Scout and Commissaryes belonging to Kingston, who have hereby power to Command every person (whom they shall adjudge lyable) to attend their Orders in the mending of the High-ways and Common Roads, and to Fyne such as shall neglect or refuse to obey their Summons according to such Contempt; And if the Scout or Commissaryes shall neglect their Duty herein of supervising or Fining Offenders where just cause is, That then Capt. Thomas Chambers who is hereby made and constituted Surveyour General of the High-ways or Common Roads for the three abovementioned Townes or Villages, shall have and hereby hath power to Fyne the Scout and Commissaryes or any such of them as shall omit his Duty therein; As before expressed 20 Skepple of wheat to be paid to our Soveraigne Lord the King; which power as Surveyour Generall hee is to exercise within twenty one dayes after the Date of this Order in Kingston; And whereas Mr Christopher Berrisford is chosen Chiefe Magistrate for the Townes of Hurley and Marbleton, hee is hereby empowered to Command the Overseers in each Towne to take the like care for the mending and repaireing of the High-ways in those two last mentioned Townes; and to Fine all the Overseers of both places or any of them as shall neglect their Duty in 20 Skepple of Wheat to be paid to his Majestie, and hath hereby power to Levy the same; And if the said Christopher Berisford shall refuse any part of his Duty herein, That then the said Surveyour Generall of the Highways shall have power to Fyne him 20 Skepple of Wheat to his Majestie, and to Levy it for the use aforesaid; which power in both the said Thomas Chambers and Christopher Berisford shall begin within 21 dayes after the Date hereof in Hurley, and 21 dayes after the laying out of the Lotts in Marbleton. Given etc: this 23 Sept: 1669.

An Order for the settling of Hurley.

Whereas severall persons by vertue of former Ground Briefs or Patents claime Lotts or proportions of Land in Hurley, and have neglected their Settlements there, alledging frivolous reasons for their soe doeing, to the publique prejudice; It is thought fitt by the Commissioners now authorized by his Honor the Governour to Regulate and settle The affayres of that Towne and the places adjacent, [to] Declare and Order; And they doe by this Declare and Order that every person haveing a Ground-Briefe or Patent to any Lott or proportion of Ground doe settle their said proportion by the first of Aprill next ensueng the Date hereof; And if any person soe claimeing shall refuse to Settle his Lott or proportion according to the Tenor of this Order, That then such Lott or proportion shall immediately become forfeit to his Majestie, and to be dispos'd of as his Honor the Governour shall think fitt, and withall to pay Twenty pound as a Fine to his Majesty, which the chiefe Magistrate of this Towne is empowered to Clayme and Levy to the use abovesaid. Given etc: Sept: 24th 1669.

There appeared some Indyans though none of the Sachems that sett their hands to the Sale of the Land to Colonell Nicolls; two of the Sachems to that Sale and one of the Witnesses are dead. It is left to Mr. Pawling to Summon them, and to endeavour the performance of that Article.

It was orderd that the Scout should bring in the Charges as
it stands in the Towne Book, that Barents Slecht may be paid againe by Hendricks Children.

Blanchan to have an Order for his 1500 Sheafs of Reed burnt by the Souldiers to oblige them to make him satisfaction.

Katherine the wife of John Jonson complained of her Husbands beating of her; Hee and his two Suretyes entred into recognizance of Ten pound a piece that hee should keep the peace. The Bond is in Mr. Beakmans hands.

September 25th

Blanchans Order was then drawn up and directed to Mr Berrisford.

Barens Slecht's Order was then drawn up.

An Order was then drawn up for the keeping the Watch at the Redoubt, and repaireing it.

Instructions were then drawn up for Mr. Berisford chiefe Magistrate of Hurley and Marbleton.

Instructions were drawn up for Mr. Pawling Officer over the Indyans.

The Order for the Redoubt.

Whereas the Commissioners empowered by his Honor the Governour to Regulate the Affayres of Esopus now called Kingston, and the Villages adjacent have taken into consideration the Keeping of a Constant Watch at the Redoubt at the Charge of the parrish of Kingston, obligeing them to finde two Men to remaine constantly there upon this Duty; They have thought fitt to Order, and doe hereby Order that the Scout and Commissarys of Kingston doe take constant care for the Reliefe of that Watch; and whereas the said Redoubt is very ruinous, they are hereby enjoyd to repaire well and sufficiently the said Redoubt within six weeks after the Date hereof, upon paine of forfeiture of twenty-skepple of Wheat to our Soveraigne Lord the King; And soe constantly to keep it in good repayre. Given etc: this 25th of Septem: 1669.

On this day (vizt 25th) the Towne formerly calld Sopex was named Kingston.

Septem: 27th

Complaint was made by Peiter Vlesen about a House now in the possession of Sam: Olliver etc: It was Ordered upon the hearing of that Complaint that the Scout should deliver possession thereof to the said Vlesen etc:

An Order was then drawn up for Tyerk Claesen to make satisfaction to the Indyan hee employed etc:

Two Orders were then drawn up for settling the Excise in the two New Villages.-- vizt. for Hurley.

 Whereas it is thought fitt to Settle the Tappers Excise in Hurley, it is hereby Orderd that Mr. Beresford doe take care
for the settling and gathering of it in the said Towne of Hurley; And that hee observe to sett the same Rates, and use the same course in gathering it; and have the same power in every regard upon refusall of payment to Seize or distreyne as is usd at Kingston; And is hereby obligd every yeare to give an Account thereof to his Honor the Governour.

Directed to Mr. Berrisford.

The Like for Marbleton.

These 3 Lotts following are vacant by the death of the persons to whom they were promisd, and are to be disposed of as his Honor the Governour shall appoint. -- vizt.

<table>
<thead>
<tr>
<th>Constaples</th>
<th>Jan Joosts</th>
<th>David Crawfords</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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<td>2.</td>
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<td>3.</td>
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</table>

An Order was drawn up for Albert Heymensen's erecting of a Brew-House and setting up of Tan-Fatts; referrd to Mr. Beresford to consider of the place.

Overseers for Hurley

<table>
<thead>
<tr>
<th>Lewis de Boys</th>
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<tbody>
<tr>
<td>Albert Heymans</td>
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</table>

Overseers for Marbleton

<table>
<thead>
<tr>
<th>John Biggs</th>
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</thead>
<tbody>
<tr>
<td>Fredrick Hussey</td>
</tr>
</tbody>
</table>

Ankrup an Indyan peticioned against Capt. Chambers pretending hee was not paid for certaine Lotts of Lands.

It was referrd to the next Morning. --

September: 28th

Ankrup the Indyan appearing, Capt. Chambers produc'd the Bill of Sale, and the Indyan then ownd his marke, and full satisfaction for the Land; the Commissioners then causd that Acknowledgment to be Endorad on the Bill of Sale; And they took care that unjust Complaints from the Indyans in that nature should be punished.

September: 29th

An Order for the Officer to measure Corne was then made as followeth -- vizt.

Whereas 'twas thought necessary by the Commissioners etc. that an Officer should be chosen to supervise and measure all sorts of Corne and Graine that shall be transported from Marbleton, Hurley and Kingston to other parts; To the End that none but what is merchantable may be utterd or sold, It is hereby orderd that the Scout and Commissionaryes of Kingston shall Elect and choose a person whom they shall judge Most fitt for the Execution of that place; And they are hereby empowered to Charge every person soe uttering or selling any Corne or graine with the payment of one Styver upon the Skepple then to the said Officer, when any such Corne or Graine shall be brought to
be viewd or measur'd, by the Owner or bringer of the same to the
said Officer; Who is hereby commanded to suffer noe Transports-
cions to be made of any such Corne or graine, but what is truely
merchantable. And that the Scout and Commissaryes or any two of
them be made Judges of any default or Complaint; or have power
to punish where any cause is in any thing mentioned in this Order
both to the Officer soe chosen, or any person that transports
such Corne or Graine. Given at Kingston. Septem: 29th 1669.

This Morning the Court was Dissolv'd.

The Answer of the Commissioners
to his Honors Instructions
annexed to the Commission. as
followeth.

1. On Thursday the 16th of this Instant the Commissioners
arrived at Kingston. In the Evening meeting with Capt.
Chambers and Mr. Beakman joynd likewise in Commission with them,
'twas privately read. The next Morning being the 17th Instant a
Court being call'd the Commission was publiquely read, all the
Commissioners being present (and were constantly soe dureing the
setting of the said Commission) and the Inhabitants were fully
informed of the cause of their Coming; and how great a care of
his Honor the Governour had for their prosperity and welfare,
not only in remedying some former irregular Proceedings there,
and composing the private differences of unfriendly persons,
but by taking the best way for settling the 2 new Townes, and
endeavouring to render them as flourishing as the place could
make them, which was soe pleasing to the Inhabitants that they
express'd that acknowledgment which was due to soe excellent a
person.

The Sachems being then sent for, a few days after appeared
Waposhequiqua, and Sewakanoma two of those Sachems that sold
the Land to the late Governour Niccolls, who ownd their marks
with the whole agreement; An Indyan who came with them sett his
hand to the paper, and they were then obliged to bring two young
Men to witnesse what they own, the other two Sachems mencioned
in that Agreement are dead, but these Sachems that appeared
obliged themselves to bring the Successors of those deceased to
Mr. Pawling, to whom it is referr'd to give full answer to the
rest of this Article.

2. This they were acquainted with, and they are willing to
turne the Sword into a Plow sheare, Only in regard their Lotts
are not measured out to them yett, and the little ground they
manure at present, bringing in a poore Revennew, likely to dis­
courage new Beginners, it is humbly desird that their Provisions
may be continued six months longer.

3. They have a List of the Familyes of the three Townes, with
the number of them that are able to beare Armes.
For the maintaining the Watch at the Redoubt it is imposed wholly
upon Kingston, the other Towns being exposed to more danger from
the Indyans, and in that regard may very well be excus'd from
that Duty, the Scout and Commissaryes are to take that Charge
upon them, and an Order is draw'n up for it.

4. The former Instructions to the Scout and Commissaryes are
these, First to renew the Pallizadoes, and place them at the
extremity of the Towne where the addition is to be made, and to open the Towne in the middle.

To this the Scout and Commissaryes answer that they doe repaire the Stockadoes, and that they conceive the Towne needs noe Enlargement, it decreasing in people, when it encreaseth they will be very ready, which will if now be a very great Charge to the few Inhabitants.

Secondly the place of Buriall was to be impald, this hath been altogether omitted, and the Towne fyn'd for it 50 Skepples of Wheat.

For the impaleing a place for a Towne House there, they conceive it is a mistake, they have a Towne House already, standing conveniently within the Towne.

Thirdly to Drayne the Morasse.

This hath been omitted, but an Order is drawn up under a penalty to have it suddenly done.

Lastly for the Fence, when any come to live on the other side they are ready to obey that Command.

5, 6. They have viewd both Lands but noe Patents were producd though enquierd after.

7. A Patent was granted to Capt. Chambers by Colonell Nicolls of the Land here mentioned, and was never surveyd, Soe wee cannot give any Account of it; his other Patents wee have seen, and judge them to be indifferently measurd.

8. Capt. Chambers doth absolutely refuse to meddle with it, 'twas offerd to others, but none accepted it.

9. An Order is publishd to redress it.

10. The Excise was offered to Farme, but noe person coming neer the value it is continued as before; For the last yeares Income, they have the Scouts Account.

11. An Order is publisht concerning it.

12. Mrs. Broadhead hath 100 Acres allotted her.

13. They have chosen Mr. Christopher Berisford Chiefe Magistrate over Hurley and Marbleton who is to Govern by English Lawes, there is likewise chosen two Overseers in each Towne under him.

The Instructions they left for Mr. Beresford till your Honors further directions are as followeth.

Whereas you are chosen by the rest of the Commissioners Chiefe Magistrate over Hurley and Marbleton, You are to observe these Instructions following; If any Order or Command shall be directed to you from his Honor the Governour, concerning those places committed to your Charge, You are speedily to obey them, which you may the better doe by the help of the Overseers in each Towne, whom you have power to Command in any thing that concerns the Execution of your Office. If any difference ariseth between the Inhabitants, you are to give them a speedy
Decision, not regarding partyes but the merritt of the Cause, 
And you are likewise to take the same Care that the Overseers 
doe their Duty, in whatsoever they are commanded in relation to 
their places. You are to Governe by English Lawes which will 
speedily be sent to you; and as you are obliged to preserve the 
peace as much as you can between particular persons, see you 
must endeavoure that those Townes committed to your Charge may 
well agree among themselves, and both with Kingston; And that 
you take away all Obstructions from that Trade or Correspondency 
You have with the Indyans, and give his Honor the Governour an 
Accompt of whatsoever you judge considerable by the first 
Opportunity.

14. An Order is publishd, and the Officers nam'd.

15. Three Places of Rendevouz are appointed, the first in the 
middle of Marbleton, the second at Halfe-way Ground, the third 
at Hurley.

16. An Order is publishd for it.

17. An Order is publishd for it.

18. 19, 20, 21. Mr. Henry Pawlling is made the Officer over 
the Indyans, and those foure particulars fall under his care.

His Instructions are as followeth.

Whereas you are chosen an Officer over the Indyans, you are 
strictly to observe the above written particulars, and not to 
make your own Interpretacions, but to follow precisely the Letter 
of those Articles; And you are not hereby anyways empowered to 
preserve or hinder the Trade of any person with the Indyans, or 
give any cause of just complaint, but to carry your selfe 
answerable to the Trust reposed in you; And in case of any 
disturbance or Riott among the Indyans, that may Endanger the 
publique quiet, You are to repaire to the next Magistrate in 
that Towne, and consult with him or the rest of the Magistrates 
what is best to be done for your assistance and the keeping of 
the publique peace; And you are likewise to performe the 
remaining part of the first Article in the Generall Instructions, 
and send an Account thereof to his Honor the Governour, as like­ 
wise of any thing of Moment concerning the Indyans by the first 
Opportunity.

22. The Souldiers are acquainted and well pleased with it.

23. This is to be Regulated as in Long Island. And it is 
desir'd a Copy of the Lawes may be sent them.

24. This is willingly obeyd, and they humbly desire, that in 
this and in all other your Commands your Honor would be pleas’d 
to accept of their Endeavors.

Signed Ralph Whitfeld president
John Manning
Thom: Chambers
Wm Beckman
Christoph: Beresford
Henry Pawling.
Instructions for Captain Dudley Lovelace, Mr. Jaques Curtilleau and the rest of the Commissioners for the Affaires at Esopus and the New Villages adjacent.

Inprimis that the Precincts of every Towne be justly Stated, according to their severall Patents, and that the particular Lotts be laid out as the ground falls out, onely in case a larger proportion of vile Land or Swamps shall happen to one Mans Share, That then it be in the Breast of the Commissioners to make some Addition of good Land over and above his allowance specified in his Ground-Briefe, otherwise each man must be contented with his Lott as it falls out.

2. That after the exact Bounds of Kingston is laid out, that there is to begin the Boundaryes of Hurley, and where that terminates, Marbleton is to begin, and soe the Lymits of that to be set out as farr as that extends towards the Indyans, which beare as I suppose, South.

3. That noe persons have noe more Land laid out but what is comprized in their Patents, and the Souldiers their Proportion.

4. For the Washmakers Land I shall referr you to the particular Instructions of his Royall Highnes wherein you are to use Mr. Styvesant with all the Favour, soe that it prejudice not the Townes.

5. That Mrs. Broadhead be accomodated at Marbleton and have the first choice of her Lott.

6. That the Land that belongs to Mr. Varlett be Surveyd, and noe more allowed but what is comprisd in his Pattent.

7. The like for Thomas Hall, who under the pretence of 150 Margen layes Claime to above 300, but if the occasion of that Patent were throughly Inspected, it would appeare hee had little or noe pretentions to it at all.

8. There is a Tract of Land by the Calle Berge16 which I purpose to improove for a Feeding ground, which I would have you to survey, and give mee an Account of it, it is called the Butter Field. -- Mr. Pawling will direct you.

9. That such strict Rules be left to the Planters to finish their severall Lotts, that whossoever compleats not the Fence of his Lott, and improves the Land, shall make a forfeiture of it, if it be not Inclosed within one yeare.

10. That you review all the Instructions sent to the Commissioners for the regulateing the Affaires the last yeare, and to give mee an Account where the nonperformance lyes.

11. That all be compelld to settle in Townes, except one I have given Lycense to, who in regard hee lives between Hurley and Marbleton may be of convenience to Travellers, and make a Nearer Correspondence between the two Towns.

12. That in regard many occurrences may arrise, which will be impossible for mee to foresee, here therefore you are at Liberty to take any thing into debate that may conduc to advantage of the Publique though not expressed in these particular Instructions according to your prudence and Conscience; Nevertheless
soe that it be not obligatory, till it receive my approbation and Confirmation.

13. Lastly that haveing done your utmost Endeavours for the regulateing and settling the Affaire at the Esopus, according to these and other Instructions deliverd you, and noe new matter arising worthy your Attendances that then you break off, and each Commissioner repaire to their severall other Employments, rendering mee a just Account of all Transactions in the prosecution of this my Commission directed to you. Given under my Hand this 24th of March. 1669.

Francis Lovelace

Towne Hall at Kingston in Esopus.

At a Speciall Court held there by vertue of a Commission from his Honour the Governour for Setting out the Boundaryes of Kingston, Hurley and Marbleton; and for Regulateing the affaires of those places and the parts adjacent. — Die Mercury vizt 30mo die Marty Anno Regni Caroli 2di. Dei gra. Angliae, Scotiae Franciae, et Hiberniae. Regis Fidei Defensoris etc. xxijdo. Annoque Domini 1670. —

There being present

Capt. Dudley Lovelace President
Capt. Thom: Chambers
Capt. Jaques Curtelliau
Mr. William Beakman
Mr. Christoph: Berrisford
Mr. Henry Pawling.

It is this day Ordered that the Lands of Thom: Hall and Nicholas Valett cont. about 44 Acres -- 150 Rodd lyeing upon the first great piece of Land next Hurley is Elapsed and forfeited; by reason the Patent for it was not renewd according to the Law in that behalfe provided. And that Mr. Jaques Curteleau doe Survey the same, and as hee findes the Extent of it to make report thereof to the Governour. —

It is this day Ordered that Matthias Blanchan shall have in Liew of foure Acres of Meadow which hee setts over to the use of Marbleton, foure Acres of Wood Land elsewry.

The like is orderd for all the rest who have subscribed to the Transport hereunto annexed; And that they choose out the said Wood Land which is to be in Liew of their other soe disposed, where they shall judge fitt. And they are to repaire to the Chiefe Officer of their Towne for a Confirmation thereof.
Copy of the Transport of the Inhabitants of Hurley.

Wee the Inhabitants of the Towne of Hurley in the Esopus whose Names are underwritten, doe remitt and Sett over unto his Honor Colonell Franc: Lovelace the Governour the several parts and parcelles of Land contained in a Schedule annexed to dispose of it, for the better provision of Marbleton. And the Commissioners for the Setting out the Boundaries and Lymitts of the Townes aforesaid, are desired to take care that the several parcelles of Land soe given by us, may be disposed of, to the Pretenders and Inhabitants of Marbleton, there being not Land enough thereunto belonging to satisfy them according to the Grants given them by the Authority of the Governour.

Signed

<table>
<thead>
<tr>
<th>Name</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas Delavall</td>
<td>......</td>
</tr>
<tr>
<td>Lambert Heybertsen</td>
<td>12</td>
</tr>
<tr>
<td>Roeleff Swartwout</td>
<td>4</td>
</tr>
<tr>
<td>Lewys de Boys</td>
<td>4</td>
</tr>
<tr>
<td>John Joesten</td>
<td>8</td>
</tr>
<tr>
<td>Cornelis Winecoop</td>
<td>10</td>
</tr>
<tr>
<td>Matthias Blanchan</td>
<td>6</td>
</tr>
<tr>
<td>Garrett Fokar</td>
<td>6</td>
</tr>
<tr>
<td>Albert Heymens</td>
<td>8</td>
</tr>
</tbody>
</table>

Copia vera
Jo Clarke Cler: Cur:

Upon the humble Request of Mr. Cornelius Winecoop the Commissioners doe unanimously agree that the said Cornelius Winecoop shall have Liberty to lay his two parcelles of Land scituate in Hurley into one Farme, upon consideracion that hee allowes and setts over Five Morgan of Land to the assistance of Marbleton; hee likewise rendring up againe one of the Home-Lotts at Hurley to be disposd of as the Commissioners shall think fitt.

The Commissioners have granted the said Homelott to one Francois La Ceire of Hurley to build there in the place and stead of Cornelius Winecoop.

Ordered that Capt. Jaques Curteleau be desired to begin to Morrow being the last of this instant March to survey the Land belonging to the Towne of Hurley at the North West Line which Terminates the Extent of Kingston; and soe onwards towards Marbleton soe farr as the Patents will reach, and to make report to the Commissioners what quantity of Land is therein contained, at their next Meeting.

Capt. Jaques Curteleau was this day sworn Surveyour in open Court.
Register.

Of all the Lands granted by the Authority of his R: H. lyeing within the Precincts of KINGSTON.

<table>
<thead>
<tr>
<th>Name</th>
<th>Acres</th>
<th>Rod</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rouloff Swartwout</td>
<td>4</td>
<td>560</td>
</tr>
<tr>
<td>Evert Pells</td>
<td>180</td>
<td>...</td>
</tr>
<tr>
<td>Widdow Jacob Hop</td>
<td>85</td>
<td>122</td>
</tr>
<tr>
<td>Wallrave de Mount</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Edward Whittacre</td>
<td>56</td>
<td></td>
</tr>
<tr>
<td>Edward Whittacre +</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Thomas Matthews</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hendrick Joakims</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>Jacob Hopp</td>
<td>72</td>
<td></td>
</tr>
<tr>
<td>Heere Petrus Steyvesant</td>
<td>92</td>
<td></td>
</tr>
<tr>
<td>Mr Jeronomyas Ebbings</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Capt Thomas Chambers</td>
<td>10</td>
<td>390</td>
</tr>
<tr>
<td>More in the same Patent</td>
<td>34</td>
<td>82</td>
</tr>
<tr>
<td>Capt Thom: Chambers</td>
<td>6</td>
<td>180</td>
</tr>
<tr>
<td>Capt Thom: Chambers</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Capt Tho: Chambers</td>
<td>10</td>
<td>230</td>
</tr>
<tr>
<td>Capt Tho: Chambers</td>
<td>74</td>
<td>451</td>
</tr>
<tr>
<td>Capt Tho: Chambers</td>
<td>52</td>
<td>30</td>
</tr>
<tr>
<td>More purchased</td>
<td>24</td>
<td>80</td>
</tr>
<tr>
<td>Jan Barents Kunst now of Hurly</td>
<td>24</td>
<td>460</td>
</tr>
</tbody>
</table>
Register

Of the Patents granted to the Inhabitants
of the Towne of

HURLEY

<table>
<thead>
<tr>
<th>Name</th>
<th>Acres</th>
<th>Rod</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conelius Winecoop</td>
<td>24</td>
<td>450</td>
</tr>
<tr>
<td>Cornelius Winecoop more</td>
<td>48</td>
<td>580</td>
</tr>
<tr>
<td>Thomas Hall</td>
<td>10</td>
<td>500</td>
</tr>
<tr>
<td>Arian Hybertsen</td>
<td>25</td>
<td>450</td>
</tr>
<tr>
<td>Arian Hybertsen more</td>
<td>17</td>
<td>400</td>
</tr>
<tr>
<td>Capt Delavall by Transport from Gosen Garetson</td>
<td>18</td>
<td>250</td>
</tr>
<tr>
<td>Capt Delavall more from the same Man</td>
<td>48</td>
<td>460</td>
</tr>
<tr>
<td>Philip Pieters Schyleen</td>
<td>16</td>
<td>250</td>
</tr>
<tr>
<td>More the same Man</td>
<td>50</td>
<td>440</td>
</tr>
<tr>
<td>Albert Heymensen</td>
<td>10</td>
<td>500</td>
</tr>
<tr>
<td>Lewis de Boys</td>
<td>24</td>
<td>450</td>
</tr>
<tr>
<td>Lewys de Boys more</td>
<td>16</td>
<td>408</td>
</tr>
<tr>
<td>Matthias Blachan</td>
<td>16</td>
<td>248</td>
</tr>
<tr>
<td>More</td>
<td>24</td>
<td>450</td>
</tr>
<tr>
<td>Antho: Crippell</td>
<td>16</td>
<td>350</td>
</tr>
<tr>
<td>Volcaert Jansen</td>
<td>18</td>
<td>250</td>
</tr>
<tr>
<td>More</td>
<td>40</td>
<td>460</td>
</tr>
</tbody>
</table>

Ultimo Marty.

The President employd the Surveyour, and all other persons concerned to measure the first Great piece of Land next Hurley containing by Estimation 300 = 000:

Primo Aprilis.

They also surveyd the 2d piece, cont... 420 = 000:

The Surveyour als[ ] makes Report that the Wash-makers Land containes... 148 = 000:
Whereas John Joesten of Marbleton Husbandman hath putt in his Clayme or Pretence to two parcells of Land containing foure Acres and 150 Rod, by vertue of a Bill of Sale formerly granted to him from Thom: Hall and Nicholas Valett deceased, whose Patent could not be produc'd by reason 'twas then (as hee alleged) in the Office of Records at New Yorke; The Commis­sioners have therefore upon serious and mature deliberation thought fitt to lay out the quantity of Land aforesaid upon the second great piece adjoyning to the Bounds of Hurley; And that Mr. Jaques Curteleau doe make Report thereof to his Honor the Governour, that upon sight of his Patent, hee may possess and Enjoy the said parcells of Land accordingly.

Orderd that the Bounds between Kingston and Hurley Eastward doe beginne at the Foot of the Hills upon the Easterly side of Premakers Land, and then running from the Hills along the great Creek to the East end of the Washmakers Land directly to the Woods, and then with a North West Line thorow the Woods to a certaine Creek commonly called and known by the name of the Redoubt Creek or Kill.18

Orderd that the Bounds between Hurley and Marbleton do begin at the Foot of the Hills all along the great Creek between the first and second piece of Land, Hurley Includeing the first; Marbleton the second. And then with a North-West Line from the nearest part of that Creek to the place of Rendevouz, cleare thorow the Woods to the Redoubt Creek or Kill as in the other Boundary.

In persuance of an Order made the 30th of March last past, Capt Jaques Cortealeau doth report to the Commissioners that hee hath surveyd not only all the Lands given by Patent, but also those promised to the Souldiery; And findeing the quantity thereof to fall short of expectation, To the end therefore that the Townes of Hurley and Marbleton may be supplied with good and valluable Land to give each Man content as near as may be; The Commissioners have thought fitt to Sett over, and by this Speciall Order have sett over soe much of the Washmakers Land to the Inhabitants of Hurley, as by the Survey doth appeare to fall short in that Precinct.

Upon a Motion made by Capt. Thom: Chambers and seconded by Mr. Henry Pawling; It is this day orderd that the Washmakers Land be divided into two equall parts, The one moiety to be recommended to his Honor, to be Granted to Mr. Petrus Styvesant in persuance of his R Highness his Directions; and forty Acres of the other Moiety to Captain Thomas Delavall towards the satis­faction of his Patent, hee being excluded the second piece; The Overplus containing 34 Acres is hereby more especially recommended to be disposed of, to his Brother Capt. Dudley Love­lace in compensation of the great care and paines hee hath taken in laying out the Lands, and settling the Affaires of these parts to the Generali Content and satisfaction of all partyes concernd herein.

This day the President gave Order to the Minister or Fore­Loser19 to pray publiquely the day following (being Easter day) and soe from time to time hereafter for the King, Queen his R. Highness the D: Yorke, and all the Royall Family, which was obeyd accordingly.
The Commissioners fall into debate about settling the Militia, but finding no Commission Officers already established, Thought good in obedience to his R: Highnesses Lawes; and the Governours Instructions, to Nominate Mr. Henry Pawling Capt, Mr. Christopher Beresford Lieutenant, John Biggs Ensigne to be Officers for the time being, and to raise and exercise, the Inhabitants of Hurley and Marbleton according to the Discipline of warr; Whereupon Proclamation was made by Beat of Drum according to the Warrant underwritten.

You are upon sight hereof to give notice to all the Inhabitants of Hurley and Marbleton, and also all the Pretenders to the Land now to be allotted and laid out for them, that they appeare in Armes at the Rendezyouze appointed the last yeare; and that you cause Samuell Olliver Sergeant or Albert Heymens or either of them to read the Summons herewith sent you by beat of Drum publickely in the Towne of Kingston, and afterwards to affix the same upon the Doore of the Towne Hall. And for soe doing this shall be your sufficient Warrant. Given under my Hand at Fox-Hall this fourth of Aprill 1670.

Signed. Dudley Lovelace President.

To Ensigne Biggs--

Proclamation was made accordingly by Beat of Drum and the Souldiers Lysted.

The Names of the Officers and Souldiers appointed to be present at the Rendevouz at Marbleton, Tomorrow the 5th of Aprill 1670. -- as followeth. vizt.

**Officers**

- Hen: Pawling........Captain
- Christo: Berisford..Lieutenant
- John Biggs+........Ensigne
- Sam: Olliver+......Sergeant
- Albert Heymens+...Sergeant
- Richd Cage+.......Drummer

**Marbleton Souldiers**

- Thomas Quynell+-
- Willm: Fisher+
- John Hendrick+
- Geor: Porter+
- Fredr: Hussey+
- Joh: Pound
- Edw: Whittacre
- Thom: Matthews
- George Hall
- Antho: Cooke
- Antho: Addyson+
- Evert Price+
- Thom: Elgar
- Edward French
- Wm: Horton+
- Robt: Bickerstaffe
- Robt: Peacock+
- John Reynolds+

**Marbleton Souldiers [cont.]**

- John Joesten
- Jacob de Wael.
- Henry Crump
- Fredr: Pieterson
- Cornet: Finehold
- Gisbert Crump
- Garret Johnson

**Hurley Souldiers --**

- Paulus Paulenson
- Jacob Johnson
- Lewys De Boys
- Araon Tunys
- Antho: Crippell
- Lambert Hyberts
- Wardenr Hornbeck
- Garrett Pokar
- Garrett Corneliuson
- Francois Le Shiere
- John Albertsen
- Arian Albertsen
- Jacob Carle
- Robert Goldsberry
- John Dihoth
- Arian Francon

[continued]
Hurley Souldiers [cont.]

Allard Rose
Arian Rose
John Rose
Pieter the Negroe
Matthias Blanchan.

In all -- 54.20

Tuesday Aprill 5th 1670

This day Capt Pawlings Foot Company appeared at the Rendevouze, where they were musterd, and exercised in their Armes. The President also caused all the Laws relating to Military Affaires to be read before them; and then Marched them with Flying Colours to the Towne of Hurley, and there dismissed them; The Colours were Lodgd with a Guard at the Towne Hall in Kingston; Where the Souldiers were Commanded to apper next day in Court to draw their Lotts.

Wednesday, Apr: 6th

The Commissioners this day took care for the publishing of the Orders for the Boundaryes of all the three Townes, Kingston, Hurley and Marbleton, causing the same to be Fixt upon the Towne Hall of Kingston to publique view; And that noe Man might plead ignorance of the same, the said Orders were also published and affixed in the Dutch Language by Order of the President; The which were likewise recorded in the Dutch Register.

This day also the Commissioners thought fitt upon the Debate of Mrs. Broadheads Land to order that shee according to his Honours Instructions should have the first choice of her two Lotts; whereupon shee pitchd upon the seaventh and eighth parts, upon the first peice of Land belonging to Marbleton.

The Commissioners doe order that Mr. Pawling and Mr. Beresford shall have three Lotts out of the Land belonging to Marbleton, to be divided this day by the Commissioners aforesaid by vertue of the Authority granted them by his Honour the Governour.

Ordered that for the more just and impartial distribution of the Souldiers respective parcels of Land, whereby there might be noe murmuring or cavelling on any side, They should submitt to draw Lotts for the same; And the Commissioners to that End appointed that the next Childe (or that which was nearest at hand) should draw the Lotts and Numbers out of two Hatts and as they are drawn to deliver each Lott and Number to the President to open, and publiquely to read the same, and Register it in the Journall.

The first Lott was that John Hendrick, Richard Cage, and Thomas Quynell should have each 10 Acres of Land upon the first piece of Ground belonging to Marbleton, which was forthwith Ordered them by the Commissioners. No: 4.
The like Order for -- Porter
   Hussey
   Addyson
   No. 10.

The like Order for -- Horton
   Elgar
   Olliver
   No. 5

The like Order for -- Peacock
   Price
   Reynolds
   No. 6

The like Order for -- Biggs
   Clinton
   Fisher
   No. 9

The Court adjourns till 2 of Clock in the Afternoon.

A Paper Deliver’d in to the President by [21] tending to Sedition and Mutiny; which was torne as a scandalous Libell repugnant to the Lawes of this Government, and the Authority thereof.

The Commissioners proceeded to draw the rest of the Lotts (14) for divideing the 2d piece of Land belonging to Marbleton amongst the Souldiers by the same Rules of proceeding as in the Morning.

This being done 'twas Orderd that (according to the Chance of the Lotts) Corporall Biggs, Wm Fisher, and Clinton Maund should have 20 Acres a piece on the 3d Styck. No. 15. 16.

The like Order for Jo: Hendrick, Cage and Quynell...No. 19. 20.
The Like Order for Elgar, Olliver, Horton...............No. 11. 12.
The like Order for Hussey, Addyson, Porter..............No. 17. 18.

This day upon the humble Request of Robt Bickerstaffe, setting forth severall Reasons thereunto moving him, to yield up his Right, Title and Interest of all the Land allotted him within the precincts of Marbleton, The Court doth Order that Clinton Maund haying formerly had a Promise from his Honour the Governour be Inserted in the Roome of Robert Bickerstaffe aforesaid, and receive, possess and Enjoy the same parcell or parcells of Land if his Honour the Governour think fitt to confirme the same.

Also upon the Request of John Pound, setting forth severall reasons thereunto moving him to yield up his Right, Title and Interest of all the Land allotted him within the precincts of Marbleton, the Court doth order that Willm Fisher be Inserted in the Roome of the said John Pound, and receive, possess, and Enjoy the said parcell or parcells of Land to the use of him and his Heyres forever; If his Honour the Governour shall think fitt to confirme the same.

Ordered by the Court that the Land upon the first and second pieces belonging to Marbleton thus divided and drawn by Lott as aforesaid for the use of the Souldiers be forthwith recommended to the Governour for his allowance and confirmacion And that his Honour be supplicated in their Name to settle the same by Patent to them and either of them, their Heyres and Assignes forever: And that his Honour would be pleas'd to send
them half a yeares provision (now due to them as they allledge) and their Discharges (as they were promised) by the first convenient Opportunity.

Joest Arian having this day given to Gisbert Crump his Home Lott lying at Marbleton, the Court has unanimously orderd and Granted that the said Joest Arian be Released from that Towne, seeing hee has gott this Gisbert aforesaid to supply his place.

Thursday Aprill 7th.

This day Mr. Christopher Beresford was sworne chief Magistrate of Hurley and Marbleton.

Also Mr. John Biggs was then sworne Overseer of Marbleton.

Ordered that Mr. Christopher Beresford chiefe Magistrate, John Biggs, Fredrick Hussey, Lewys de Boys, and Albert Heymens Overseers for the Townes of Marbleton and Hurley or any three of them are hereby Empowered and Enjoyed to settle a due way of Fences (improoving and preserving such Common Fields and the Fruits of them) as lye within the precincts of the Townes respectively where they dwell, and the said Chiefe Magistrate and Overseers shall from yeare to yeare appoint one or two of the Planters for all or each Common Field belonging to the Townes where they dwell, to view the Common Fences within their Trust; and to take notice of the defect thereof, and forthwith to acquaint the Owners with the same; And if the Owners or Occupyors doe not make or repaire the Common Fences proportionably to the quantity of Land allotted them before the first of May next, and to measure the said Fence within six days after the Date hereof, That then upon report of the Viewer or Viewers soe chosen, the said Viewer or Viewers shall renew them if they think fitt, and have double recompence for the same to be paid according to the known Lawes of this Government in that Case provided.

Ordered that Capt. Henry Pawling be appointed Viewer for the measuring, making and repaireing all Common Fences within the precincts of Hurley and Marbleton, and that Albert Heymens of Hurley, and Fredrick Hussey of Marbleton be his Assistants for the measuring of it, and to Attend the said Service within six dayes after Notice, upon the penalty of twenty shillings.

Ordered that Capt. Pawling be appointed also Viewer for the measuring and Laying out of the Home-Lotts and Streets of Hurley and Marbleton exactly and regularly according to the Draught or Pott of the said Townes herewith given him.

Whereas severall parcels of Land are broken up and manurd in the Bounds of Hurley and Marbleton, before the Lotts were drawn and the Land apportioned; It is orderd that if any persons Lott falls in the place where another person has already plowed or manured as aforesaid, That then the said present Possessor (by Lott) shall break up, manure, and bring into soe good Tillage the like quantity of Land for that person who soe plowed or broke up the Lott as aforesaid, upon paine of forfeiture of his Land and Patent.

Upon the Speciall Instance and Request of the Inhabitants of Marbleton setting forth the great necessity of erecting a Bridge at Marbleton to pass over to the certaine third piece of
Land called the 3d Styck; It is this day ordered that Capt. Pawling doe take care for the Erecting and building of a Bridge there, and to take to his assistance Capt. Thomas Chambers Surveyour Generall of his Majesties High-Wayes in these parts, and to make the Bridge with all convenient speed; The Laboures that are employed therein to be duey paid out of The Generall Rate assessed or to be assessed upon all the Inhabitants of Marbleton for makeing or Building the Bridge aforesaid.

The Names of the Persons that this day in open Court surrendred up their severall parcells of Land allotted them in Marbleton, for the good of their Fellow-Souldiers.

Anthony Cooke
Edward French
Thomas Matthews
Edward Whittacre
George Hall
Robert Bickerstaffe.

Copia vera
Jo Clarke Cler. Cur.

These Men did then Petition to the Commissioners that (since they had thus given up their Land to the Enlargment of their fellow Souldiers proportions) They might be Freed from Marbleton, as also that they might have their halfe yeares provision sent them down, with their Discharges from his Honour the Governour. The Grant of which Requests falling not properly under the power of the Commissioners the President thought fitt to recommend the same to his Honour the Governour for a Resolve.

Friday Aprill 8th.

Upon the Request of Tyerck Clausen de Wyt (producing a Grant from under the Hand of his Honor) the Court doth Order that hee shall have Liberty to Build a House, Barne and Stable between Kingston and Hurley upon his Land (containing sixteen Acres) according to his Grant, And that hee begin his Building within fourteen dayes after the Date hereof.

The Commissioners doe also agree that all Persons whatsoever in the precincts of Kingston, Hurley, and Marbleton shall hold and Enjoy all Lands and Inheritances granted them by Patent or Lott, paying in Corne Two shillings six pence Quitt Rent annually for every hundred Acres to his Royall Highnes according to Law.

Upon the humble Request and Petition of Robert Goldsberry tis this day ordered that the Peticioner be recommended to his Honor the Governour for a Patent for eight Acres of Land lyeing in the Mid-way between Hurley and Marbleton, according to an Order heretofore made, beareing Date the one and twentyeth of Septem: 1669.

Upon Notice given that Jacob [22] refused to send his Boat and Servant to attend his Majesties Service, the President Signed a Warrant to Impresse the same according to Law, Which was forthwith obeyd accordingly.
Orderd that Jon Joesten and his Son shall be recommended to the Governour for the Grant of 2 Lotts of Land lyeing upon the 3d great Styck -- No. 23. 24.

Report given in touching the Excise at Hurley by Mr. Berrisford.

Upon Tappers Excise, (vizt from the first of January to this day) at 14 Guilders the Ankor 3 Ankors............42 : 00

Marbleton.......................................00 : 00

Report given by Mr Beckman of the Excise at Kingston extracted out of his Booke.

<table>
<thead>
<tr>
<th>Aug. 10.</th>
<th>1669</th>
<th>Guilders</th>
<th>Sti.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inprimis. Given in by Hen: Pawling 5 Ankors Rum, at 14 guilders per Ankor.............70 =</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept: 11.</td>
<td>By Matthias Blanchman...1 Ankor Wine..14 =</td>
<td></td>
<td></td>
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<tr>
<td>16:</td>
<td>Mrs. An: Broadhead.......2 Ank: Rum....28 =</td>
<td></td>
<td></td>
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<tr>
<td>Oct: 25.</td>
<td>Mr. Wm Beckman..........2 Ank: Brandy.28 =</td>
<td></td>
<td></td>
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<tr>
<td>Nov: 6.</td>
<td>Mr. Beckman.........1 Ank: French wine. 8 =</td>
<td></td>
<td></td>
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<tr>
<td>Nov: 11.</td>
<td>Mr. Mat: Blanchan......1 Ank: Wine...14 =</td>
<td></td>
<td></td>
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<tr>
<td>13.</td>
<td>Mr. Geor: Hall..........1 Ank: Brandy.14 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Rouloff Swartwout....1 Ank 1/2 Wine.21 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td>Rouloff Swartwout....1 Tun Beere... 8 =</td>
<td></td>
<td></td>
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<tr>
<td>Decem: 2d.</td>
<td>the said Swartwout.......1 Ank: Wine...14 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>the said Swartwout.......1 Ank: Wine...14 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decem: 11.</td>
<td>Mr. Matt: Blanchan.....2 Ank: Wine...28 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Rouloff Swartwood..7 Fatts 1/2 Beere..28 =</td>
<td></td>
<td></td>
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<tr>
<td>15.</td>
<td>The said Swartwood.....1 Ank: Wine.....14 =</td>
<td></td>
<td></td>
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<tr>
<td>23.</td>
<td>The said Swartwood..1/2 Ank: Wine..... 7 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Mr Mat. Blanchan.......1 Ank: Wine.....14 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31.</td>
<td>Rouloff Swartwood....1 Ank: 1/2 Wine...21 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>January 8.</td>
<td>The said Swartwood....1 Ank: Wine.....14 =</td>
<td></td>
<td></td>
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<tr>
<td>20.</td>
<td>Matth: Blanchan.......1 Ank: Wine.....14 =</td>
<td></td>
<td></td>
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<tr>
<td>22.</td>
<td>The said Swartwood....1 Ank: Wine.....14 =</td>
<td></td>
<td></td>
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<tr>
<td>February 12.</td>
<td>Rowloff Swartwood......2 Ank: Wine and 1 Tun Beer....36 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Matt: Blanchan.......7 Ank: Wine....98 =</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Name</td>
<td>Description</td>
<td>Amount 1</td>
</tr>
<tr>
<td>----------</td>
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<td>----------</td>
</tr>
<tr>
<td>March 5</td>
<td>Rouloff Swartwood</td>
<td>1 Ankor Wine</td>
<td>1</td>
</tr>
<tr>
<td>18</td>
<td>Walraven de Mount</td>
<td>2 Ankor 1/2 Brandy</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transported from the other side</td>
<td>570</td>
</tr>
<tr>
<td>21</td>
<td>Ditto. John Poppen</td>
<td>1 Ankor Brandy</td>
<td>14</td>
</tr>
<tr>
<td>Ditto. Matth: Blanchan</td>
<td>7 Ankor Wine</td>
<td>98</td>
<td></td>
</tr>
</tbody>
</table>

In Toto: 682

No other public debts levied since the Commissioners were here last.

Fredrick Hussey was this day sworn Overseer for the Town of Marbleton and the Precincts thereof.

Lewys de Boys was also this day sworn Overseer for the Town of Hurley and the Precincts thereof.

Albert Heymens was also this day sworn the other Overseer of Hurley aforesaid.

Saturday, 9th April.

Upon Reading the Petitions of Tierck Claus de Wyt, and Mr. Wm Montania setting forth that his Honor the Governor hath given them a Grant for the Setting up of a Saw Mill for the public benefit, humbly requesting also that the Commissioners would be pleased to recommend their good Intentions to his Honour for the speedy Erecting the said Saw-Mill some five Miles North from the Town of Kingston; and likewise imploring the Grant of a certain piece of Land situate and lying a mile further (called Dead Men's Bones) upon a North Line Easterly containing about seventy Acres for the sustentation of themselves and their Cattle, being so remote from the Town of Kingston; The Commissioners have viewed the same, and referred the Debate thereof till Monday next.

Upon reading the Petition of John Osterhout, Jan Burhans, and Cornelius Vernoy Husbandmen of the Towne of Kingston, alluding that his Honor the Governor hath been pleased to promise and Grant to them a certaine Neck of Land five Miles distant from Kingston or thereabouts over the Kill near the Foot path Leading to Albany containing by Estimation fifty four Acres clear and Good Land. The Commissioners have this day viewed the same, and have referred the Consideration thereof till Monday next.

These five persons last mentioned have oblig'd themselves to Build their Houses all together on the other side of the Kill due North from the Land of Capt. Tho: Chambers, intending
the same for an In-Shipp within the precincts of Kingston.

Capt. Chambers desires also to Build a House for a Tenant within two Musquett Shott of the said Innshipp. And also another House for his Son in Law? All which are refered till Munday.

Munday, April 11th.

Ordered that the severall Petitions, viz of Tyerk Claus, Mr. Willm Montania, John Osterhout, Jan Osterhout, Jan Burhans, Cornelius Vernoy, Capt. Chambers and John Teyson be forthwith recommended to his Honour the Governour to confirme and allow the severall desires of the Peticioners, as hee in his Wisdome shall judge most fitt and convenient.

The Orders now Read, Corrected, and Amended, we doe Assent unto under our Handes. Desiring his Honour to Pardon our Imperfections and to accept of our Endeavours.

Memorandum that there appeared the last day of our sitting (in Obedience to our Summance) before us one Calcop an Indyan Sachem, with his young Son and another young Indyan who have sett their hands to the Agreement made between Richard Nicolls the late Governour, and the Sachems and people calld the Sopez Indyans, and doe own the same according to Right and Honesty. They were likewise admonishd to continue the same Custome yearely.

The next day Capt. Chambers his Company appeared in Armes; They were commanded to remoove the East Gate of Kingston, to the middle of the Curtaine, soe that the Towne is now opened according to his Honors Instructions directed to the Commiss- sioners the last Sessions.

The Company was musterd and exercis'd, and the Lawes relatinge to the military Affaires were read at the head of them in the Dutch Language. The Artillery was drawn into the Field, and Fyred when the President took Horse to depart for New Yorke.

[Endorsed:] Esopus.

Francis Lovelace Esq etc.

To Henry Pawling Captain

By vertue of the commission and authority unto mee given [ ] constitute [and appoint] you
Henry Pawling and you are hereby constituted and appointed to bee Captain of the Foot company listed [and] to bee listed in the Townes of Marbleton, and Hurly and precincts at Esopus, you are to take into your charge and care the said Company as Captain thereof, and duely to exercise both your inferior officers and Souldyers in Armes, and to use your best care skill and Endeavor to keepe them in good order and discipline, hereby requiring all inferior officers and souldyers under your Command [likewise to observe and follow such orders and directions] as you shall from time to time receive from mee or other your superior officers according to the discipline of warre. Given under my hand and seale this 18th day of Apr. in the 22th yeare of his Majesties Raigne. Annoque Domini 1670.

Christopher Berrisford Lieutenant
John Biggs Ensigne

[A Blanke for the Lieutenant and another for the Ensigne]

To bee Lieutenant or Ensigne of that Company listed or to bee listed in the Townes of etc whereof Henry Pawling is Captain.

[Whereas Mr Henry Pawling came over a souldyer into these Parts with my Predecessor Colonell Richard Nicolls in his [ ] to the which hee did belong being [ ]

These are to certify all whom it may concerne that the said Henry Pawling behaved himselfe well etc as becomes a Souldyer during the time of his being under my Command and being now a Time of Peace I doe hereby give him a discharge from [his] Military employment so that hee hath [ ] to follow his private affayres with[out a]ny further Lett or [interruption.] Given under my hand at Fort James in New Yorke the 18th day of Aprill 1670.]

Commissions sent to C. Tho. Chambers renewed
Hendrick Jochems Lieutenant
Mattyszsen, Ensigne

Apr 19. 1670

[Endorsed:] Commissions to bee entred.
Orders Established for the Paying and Receiving off the Inkeepers, or Tappers, Excize.

The farmer\(^1\) is to have and to receive, off all Tappers and Innkeepers in this Citty, and this Island Manhatans, as farre as the fresh Water, for all Wines Strong Licquors, Rum, sider, Metheglin\(^2\) and Beare Etz. for the Retailing and selling the same by the smal measure, Videllext.

- For one hogshead of French Wine: 40s-
- For one Ancor ditto: 8s-
- For one Ancor of Brandy, Spanish wine, Rum, Metheglin or Strong licquors: 14s-
- For one ancor of Sider: 4s-
- For One Tonne Beare of the Country Bruweing: 8s-
- And for one Tonne of forraigne Beare: 12s-

Iff it be more or lesser Gage, accordingly Vallued

The aforesaid Rates, are to be Paid in Wampum, eight for one penny;

All Persons that Live within this Citty or the Bounds thereof, that entertaine any Boarders in their howses, and retayle any sort or sortes of Licquors to them, shall pay unto the farmer, the one halfe of the Excize under the penalty of 100 G for each Can of wine, beere Liquors etc. so sold as aforesaid.

And for the Preventing of all fraudes, Itt is therefore Ordered that no Merchants or Brewers, shal suffer any Wines or beare to be Carried out, or in of their Howses or Sellers, but by the Sworne porters; under the penalty of 200 G for each default, Which Porters are Required and Ordered, not to Carry any Wine or Beare, for any Inn Keeperor Tapper, without a Licence from the farmer, and that betwixt Sunn Rising, and Sunn Setting.

Iff the Farmer do make Seizure of any Wine or Beare, whereof no due entry hath bene made, then the said Wines or Beare soo Seized on, are forfeited to him and Six times the Value more, With all the Charges of the Officer, or Elce as the Governor shall Judge fitting;

May. 5. 1670.

[Endorsed:] The orders and Condicions for farming the Tappers Excise. 1670.

[Endorsed in Dutch:] Conditions concerning the Farming of the Beer and wine excise.
Memorandum. That at the next Court of Sessions at Jamaica after the Assizes Anno. 1669. Mrs. Micah Spicer made her title appear to part of the land at Throckmortons or Spicers Neck by the Testimo[  ] of Mr. James [  ] and Mr. William Goulding; which was allowed of by the Court,

Matthias Nicolls

June 1670.

[Endorsed:] 1670 Mrs. Spicer about proving her title at the Sessions in June 1670. Queens County

[DECLARATION BY THOMAS TERRY CONCERNING A LICENSE TO BUY LAND AT MATINICOCK.]¹

Know all Men by these presents That whereas the Right honorable the Governor hath beeene pleased to graunt mee on the behalfe of my selfe and associates, a Licence to purchase a certaine parcell of Land at Matinicock of the Indyan Proprietors, I do hereby freely consent and declare that if the businesse aforesaid can bee attained to, the number of the associates shall bee foure more besides my selfe, That is to say Mr. Thomas Lovelace Mr. Matthias Nicolls, Mr. John Payne, and the heyres of Mr. John Alcocke [to bee] joyned with my selfe Allways provided That each person who hath equall share with the rest doe beare an equall proporcion of all Charges, [whe]ther of Purchase or otherwise: In testimony whereof I have hereunto [sett] my hand this iith day of July 1670.

Thomas Terrey

Recorded by mee the day and yeare abovewritten, in the Office of Records at New Yorke. Matthias: Nicolls. Secretary
Francis Lovelace Esquire etc.
To Silvester Salisbury Lieut.

By Vertue of the Commission and authority unto mee given by his R. Highness James D. of Y. and Albany etc. I do constitute and appoint you Silvester Salisbury, and you are hereby Constituted and appointed to bee Lieutenant of a Company of foote under my Command and Commander in Cheife of the Garrison at Albany, You are to take into your charge and Care the said Garrison under mee and duly to exercise both your Inferior Officers and souldyers in armes, and to use your best Care, skill and Endeavor, to keepe them in goo[ ] order and discipline, Hereby requiring all Inferior Officers and souldyers (under your Command) to obey you as their Lieut. And you are likewise to observe and follow such orde[ ] and directions as you shall from time to time receive from mee, or other your Superior Officers, according to the discipline of Warre, Given under my hand and seal[ ] at Fort James in New Yorke this 13th day of July 1670.

An Ensignes Commission to C.D. Lovelace
Same date.

[Cancelled endorsements:]
To Dudley Lovelace Ensigne
To Silvester Salisbury Lieut.
Commander in Cheife at Albany.

Francis Lovelace Esq. etc.
To Jeremias van Rensselaer Captain.

By vertue of the Commission and Authority unto mee given by his Royall Highnesse I doe constitute and appoint you Jeremias Van Rensselaer and you are hereby constituted and appointed to be Captain of a Troope of Horse, listed or to be listed within the limitts or precincts of Albany, Renzlaerswycke Schanechtade and parts adjacent, as a Troope of Volunteers, you are to take into your Charge and Care the said Troope as Captain Thereof and duely to exercise both the Inferior officers and souldyers in armes, and to use your best Care, skill and endeavor to keepe them in good order and discipline, Hereby requiring all inferior officers and souldyers under your Command to obey you as their Captain, and you are likewise to observe and follow such orders and directions, as you shall from time to time receive from mee or other your superior officers according to the discipline of warre; Given under my hand and seale at Fort James in N.Y. the 23d day of September in the 22th yeare of his Majesties Raigne Annoque Domini 1670.

The like for Lieut. and Cornet, onely mutandis mutatis2, etc.
And when it comes to constitute **and** appoint write to bee Lieut. or Cornet of The Troope of Horse whereof Jeremias van Renslaer is Captain listed or to bee listed etc.

[Endorsed:] Commission to bee entred.
The Lieut is Goosen Gerritsen.
The Cornet Jan Hendricksen Van Bail

22:106 **[MEMORANDUM OF MILITARY COMMISSIONS TO BE ISSUED FOR OFFICERS AT NEW YORK.]¹**

Commission alsoe to Capt. Martin Cregier for a Commission in this City.

Govert Loockermans Lieut.
Stephanus Van Cortlandt Ensign

22:107a **[COPY OF PORTIONS OF 22:7a,b,d, and e.]**

22:107b **[COPY OF PORTIONS OF 22:7e.]**


Francis Lovelace Esquire One of the Gentlemen of his Majesties Honorable Privy Chamber and Governour Generall under his Royall Highness James Duke of Yorke and Albany etc. Of all his Territoryes in America. To all to whome theise presents shall come sendeth Greeting.

Whereas upon mature Deliberation I have Conceived a good Opinion of the Integritye and Capacitye of Mr. Matthias Nicolls Secretarye to be one of the Councell in this the Government and Province of his Royall Highnesse the Duke of Yorke, I Have therefore thought fitt to Constitute and appoint, and by theise presents Do hereby Constitute and appoint him the said Matthias Nicolls to be one of the Councell, Giving and graunting unto him the said Matthias Nicolls All the Priviledges Perquisites and Immunityes belonging to the said Trust and Employment In the which he is to observe the Oath appointed to be taken by them of the Councell and the Lawes Establish't in this Government, Together with such Rules and Instructions as for the good and welfare thereof shall from tyme to tyme be given or proceed from me or my Order. Given under my hand and Sealed with the Seale of the Province at Fort James in New Yorke this 22th Day of November in the 22th yeare of his Majesties Raigne, Annoque Domini 1670.
[COMMISSION OF THOMAS DELAVALL AS ONE OF THE COUNCIL.]¹

Francis Lovelace Esquire. One of the Gentlemen of his Majesties Honorable Privy Chamber and Governor Ge[n]erall under his R[oyall] Highnesse James Duke of Yorke and Albany etc. Of all his Territoryes in America To all to whom these presents shall come sendeth greeting.

Whereas upon mature Deliberation I Have conceived a good opinion of the Integritye and Capacity of Thomas Delavall Esquire Mayor of this Citty, to be One of the Councell in this the Government and Province of his Royall Highnesse the Duke of Yorke, I Have therefore thought fitt to constitute and appoint and by these presents Doe hereby Constitute and appoint him the said Thomas Delavall to be one of the Councell, Giving and granting unto him the said Thomas Delavall A[ ]1 the Priviledges perquisites and Immunityes belonging unto the said Trust and Imploymett I[n] the which he is to observe the Oath appointed to be taken by them of the Councell and the Law[e]s Establish't in this Government, Together with such Rules and Instructions as are for the good and Welfare thereof shall from tymo to tymo be given or proceed from me or my order. Given under my hand and Sealed with the Seale of the Province at Fort James in New Yorke this 22th Day of November in the 22th yeare of his Majesties Raigne Annoque Domini 1670.

[Endorsed:] Go: Lovelaces Certificate for Capt. Delavalls and mine being of the Councell. November 22. 1670. Mr. Steenwyck had his.

[DOCUMENT RELATING TO THE SALE OF LAND AT OYSTER BAY TO SAMUEL FORMAN AND THOMAS TOWNSEND BY RAMARACK, SEAHOE, AND ANOTHER.]¹

Know all men [ ]y present Inst[ ] may [ ]y wayes [ ]t wee Ramarock Seahoe [ ]
[ ]f [ ] parttt [ ]uell Furman Thomas [ ]d of the [ ] parttt [ ]ing, differences dependi[ ]ne, us [ ] [ ]ur mad[ ] Choyse of our Lov[ ]ing fr[ ] Neighbor [ ] [ ]ry To-
[ ]send Fran[ ]es Weekes, Samu[ ] Andrews, and [ ] Consider of [ ] to putt a qu[ ] so [ ] [ ]houes [ ]
[ ] those in [ ] wee t[ ] [ ]s, to pay unto, and make [ ] paym[ ] [ ] your p[ ]es assenting to the Award [ ] shall be br[ ] [ ] th[ ] men, frely chosen by us; in w[ ] heere of o[ ] [ ]e and [ ] have Interchangable [ ] ha[ ]
[ ]eales [ ]er Bay, Thy 14th of February [ ]e yeare [ ] the [ ] of our Soverraine Lord Cha[ ]s the Second King of Gr[ ]ttaine France and Ir[ ]
[ ] but nott for [ ] in Breacking
Robert [ ] Ramarack [ seal ]
[ ] Seahoe + his m [ ]
[ ] Re [ ]
T [ ] Town [ ]
[Endorsed: ] [ ] 1670.

22:111 [CONSENT OF INHABITANTS OF FLUSHING THAT WILLIAM, LAWRENCE OBTAIN A PATENT TO LAND IN THEIR TOWN.] 1

[... ]am that com[ ] [ ] hee h[ ]es [ ] the place wher qr[ ] [ ]ad a faller and so [ ] into the [ ] coman lands I conce[ ] lettall ore noe benefett toe the inhabettantes bec[ ] es itt is most P[ ] apes and land uncapable of manuvering: therfor itt is the [ ] quest of William Lawrence thatt those that are willing that hee shoull have that [ ] name land would signify of it by fatsce[ ] ling ( ) names. Feb. 15. 1670.

Richard Cornell
Elias Doughty
Edward Farington
John Forbes
Thomas Stor [ ]ke [ ]
[ ]
[ ] mark
James [ ]

The mark T of Thomas Stiles
The mark [ ] of Willame Pegen

John Bowne
William Hobp 2
Robard Tery
Joseph Thorne

[Endorsed: ] [ ] a Patent to bee Recorded with Long Island pur-
chases etc. Entred.

22:112 [COUNCIL MINUTES CONCERNING DELAWARE MATTERS.] 1
At a Council etc. Fort James Feb: 24th 1670.

Present The Governor
Mr Mayo'r
Mr Steenwyck

The Secretary
Busines under Consideration:

Delaware to be respited 'till Capt. Carrs arrival, In mean time a Letter to be written and sent by Peter Rambo.

At a Council held in the Fort April 15th, 1671.

Present The Governor

Mr Mayor

Mr Steenwyck

The Secretary

Delaware Busines taken into Consideration; Capt. Carr being present:

About the Murder Committed by the Indians.

About selling strong Drink to the Indians.

About the Murderers, they are known, but for the present not thought Convenient to prosecute to the utmost.

Capt. Carr relate's of the desire of many familys to come and settle below New Castle at Apoquimeny and Bombeys Hooke; To be Considered of:

The most eminent amongst them are one Mr Jones, Mr Wharton, Mr. Whate.

A Letter is ordered to be written to treat with some of them about their Settlement.

At a Council held in the Fort May 18th 1671.

Present The Governor

Mr. Mayor

Mr. Steenwyck

The Secretary

Taken into Consideration:

Capt' Criegers Busines about the Whorekill.

The purchase of the Whorekill by the Dutch to be Recorded.

An Examination made at the Whorekill by Capt. Crieger, and the answer upon it, Together with three papers brought by Carr Concerning it. The other Matters from the Whorekill well approved of.

At a Council held at Fort James the 14th June 1671.

Present The Governor

Mr. Mayor

Mr. Steenwyck

The Secretary
The business under consideration are the matters at New Castle and the Whorekill.

About [ . . . ]

[Endorsed:] Rough minutes in Council.


Whereas at the first Sessions of this present Assembly held at St Marys the 27th day of March in the 39th year of the Dominion of Celcius etc. Anno Domini 1671 there continued until the 19th day of April then next following for divers reasons and considerations to the Right Honorable the Lord Proprietary of this Province the Upper and Lower house of the said Assembly appearing it was ordered and enacted by the said Lord Proprietary by and with the advice and consent of the Upper and Lower house of this said Assembly and by the authority of the same that no person nor persons whatsoever from after the end of this Assembly shall import or bring into this Province by sea or land any horses or geldings mares or coals from any forraigne parts whatsoever upon the penalty of forfeiting all such horses gelding mares coals soe by him or them imported or brought as aforesaid or the full value thereof halfe to the Lord Proprietary the other halfe to the informer or him or them that shall seize the same to be recovered in any Court of Record within this Province by bill plaint or information wherein no persons protection or warrant of Lawe to be allowed this Acte to continue for three yeares or to the end of the next General Assembly which shall first and for that his Excellency Charles Calvert Esquire Capt, General, and Governor of this Province and the said Lord Propriency was Gr[ . . . ] pleased to pro[rogue] the said Assembly until the tenth [ . . . ] Insten October and not to disolv[e] the same and for [ . . . ] doubts and scruples hath sinede the prorogation of the said Assembly are like to arise in this Province amongst divers of the [ . . . ] thereof touching the time when the said Acte should come and Begin to be in force and for that severall members and comp[any] of horse have bine since the Prorogation of the said Assembly imported and brought into this Province whereas at the making of this said Law it was then intended of the Upper and Lower House of the said Assembly that the said Act should Comenc and Begin to be in force at the day of the end of that Session (Viz) 19th day of April in the 39th year of his Lordships Dominion over this Province Anno Domini 1671 Therefore for the full explanation[n] as well as the said Acte as all other Lawes then made and enacted at the fore said Sessions of Assembly, it is hereby enacted [and] be it Enacted by the Right Honorable the Lord Propriesty by and with [the] advice and Consent of the Upper and Lower house this present General Assembly that all and Every of the foresaid Actes to commence from the time therein limited as also except any Actes made Last Sessions of
Assembley and by Acte of this Present Sessions of Assembly Repelled. And bee it further Enacted by the Authority aforesaid that all such horses gelding mares and Coaltis Allready and since that Acte [Imported or that shalbe here After Imported Into this Province Contrary to the Intent and Meaning of the said Act[ ] Shalbe forfeted as afore Said In whose Possession soever th[e] [ ] Shalbe found or seized it is hereby further Enacted and Orde[red] By the Authority aforesaid that Every Justice of the Peace in his Respective County as Allsoe Any Justice of the Peace of Any City Towne Borow or Corporation with there Limitts and Presinctes are hereby Impowered to Issue furth his orther warrant of seasure of all such horses mares gelding or Coaltes as shalbe soe Imported when there Unto Required by him or them that shall Informe any of the said Justices of the same hereby further Requireing the said Justices of the Peace Binde Such Inform[ers] In a Penyll Bonde of Duble the Value of the fore said horses mares gelding Coaltis to sue and Present the Same at the next County Court or of the City Towne Borow or Corpora­tion where such Seasure shalbe made And is Likewise Ordered and Enacted by the Authority aforesaid that the Commissioners of the Respective County Courtts of the Justicies of the City Towne or Borow Corporation within this Province are hereby Impower[ed] and Authorised to Judge and Determin of all offences against this Acte Comitted Not with standing any Limitacci[on] [in t]her Comission Exspressed and Delivered Bee it Allsoe [Enacted] [ ]hat the fore said halfe part shalbe to him or them that [shall ] and S[ea]ze of the Same Any thing in the foresaid [Lawe ]trary not witht[aj]nding And bee it further [enacted ]rdained By the Authority afore Said that the said Acte [made ] sessions of this Assembley with all the afore said Clau[ses] Explanacion and Amendment to be Continued In force for [the] terme of three yeares or to the end of the next Sessions or Assembly which shall first happen

Vara Copia: Will Osbourne

[Separated endorsement:] An act from Maryland about Importa­tion of horses Mar: 27th 1671

22:114 Conditions Whereupon his honnor the governor is Intended to farme out the Inkeepers or tappers Excys Within this Citty, and Island Manhatans as far as the Saw Kill).

The farming Shal begin on the 6th off this Instant month of May, and Expire on the 5th day of May 1672

the farmer Shal regulate himselfe according to the annexed order, and receive for Excys as therein is Exprest The farmer is bound to Put in good Security, and to Pay Every three Months to the Collector off his honnor the governor one quarter part off the Excise, and in Case he Should be failing off Paying the first quarter, Within 15 dayes, after the Expired time; then it Shal be at the Liberty off his honnor the Governor to Continue the Said farmer, or Not; the Said farme being Expired, and being farmed out againe, to a New farmer the Late farmer and the New, or their agents Shal Within one day after
the Said New farming (provided it be no Sabbath day) take an account off all the Wine Brandy Beare etc. which the Inn keepers or tappers then Shal have in Store, off which Wine beare etz the Late farmer Shal be bound to repay to the New farmer two third Parts of the Excize, as the present farm[er] Now is obliged to doe.

All persons that Shall bidd Monney for the Said farme, Shall be bound to Stand to their bidding the Space off 12 howers, and his honnor the Gouvernor Shall have the liberty to take one off the bidders for farmer whom he Pleases although other Persons had bidden More than he whome his honnor Shall Make Choize off New Yorke the 5 day off May 1671.

[Endorsed:] Condicions about Tappers Excize Anno 1671.

22:115 [BOND OF AEGIDIUS LUYCK TO FRANCIS LOVELACE.] Bee it knowne unto all Men by these Presents, That I Aegidius Luyke of the City of New Yorke Merchant doe owe and stand justly indebted unto the Right Honorable Coll: F[rancis] Lovelace in the full and Just Summe of th[ ] thousand three hundred and Seaventeen Gu[ ] fifteen Stuyvers and Eight Penycks in Beav[ ] to bee paid unto the said Coll: Francis Lovelace his Heyres Executors, Administrators, or Assignes in this City in the Month of August next ensueing the Date hereof, in good, whole, Merchantable, Albany, Winter Beavers at the price of Eight Guilders per Beaver; To the which Payment well and truly to bee made I binde mee, my Heyres, Executors, and Administrators firmly by these Presents. In witnesse whereof I have hereunto sett my Hand and Seale in New Yorke this nine­teenth day of May 1671.

Sigillat et Deliberat in Presentia

Matthias Nicolls [seale]

Isaack Bedloo

John Sharpe

Notarius Publicus

This is a true Copye

Matthias Nicolls Secr.

[Separated endorsement:] Copie of Mr. Aegidius Luycke's Bill. f.3317: 15: 8 Beavers
Bee it knowne unto all Men by these Presents That I 
Egidius Luyke of the City of New Yorke Merchant doe owe and am 
indebted unto the Right Honorable Coll: Francis Lovelace in the 
full and just Summe [ ] Six thousand three hundred and nineteen 
Guild[ ] Stivers Seawant, or the Equivalent Value thereof [ ] paid unto the said Coll: Francis Lovelace his [ ] Executors, Administrators, or Assignes in this City upon Demand 
in the same Specie it hath been paid in being for and in 
Consideracion of the one sixteenth part of the Shipp Good Fame 
of New Yorke; To which payment well and truly to bee made, I 
binde mee my Heyres, Executors, and Administrators firmly by 
these presents. In witnesse whereof I have hereunto sett my 
hand and Seale in New Yorke this 19th day of May 1671.

Sigillat et Deliberat in presentia.¹    Aegidius Luyke

Matthias Nicolls    [seale]

Issack Bedloo

John Sharpe

Notorius Publicus

This is a true Copie

Matthias Nicolls. Secr

[Separated endorsement:] Copie of Mr. Aegidius Luycke's
Bill f6319:15 Seawant

Whereas at the Generall Court of Assizes held in the yeare 
1667; there was a Reservacion of Fifteen Margen, or Thirty Acres 
of Land with Meadow proporcionable upon Throgmortons Neck to be 
laid out by the Governors Order, and not otherwise; In which 
there was a Saveing to the Right which Mrs Micah Spicer should 
make appeare thereunto; The which at the Court of Assizes held 
in the yeare 1669, Shee was Ordered to sett forth at the next 
Court of Sessions at Jamaica, and accordingly did the same to 
the Satisfaction of that Court; At the Instance and Request of 
the said Micah Spicer, and in prosecucion of the Orders of the 
Generall Courts of Assizes, I doe hereby Order and Declare that 
the Fifteen Margen or Thirty Acres of Land, with the Meadow 
Ground proporcionable, soe ordered to be reserved as aforesaid, 
dothing unto the said Micah Spicer her Heires and Assignes; and the Surveyor Generall is hereby Empowered and Required to 
lay out the said Land and Meadow Ground in some convenient Place 
upon the said Neck of Land commonly called Throgmortons Neck, 
for the use aforesaid; For the doieng whereof this shall bee 
his Warrant.

Given under my Hand and Seale at Fort James in New-Yorke 
this 19th day of June; 1671.    Fran Lovelace
I Michall Spicer of Gravesend Widdow doe hereby Assign, transport, and make over unto Mr Matthias Nicolls of New-Yorke his heires, and Assignes all my right, title, and Interest unto fifteen Margen, or thirty acres of Land with Meadow proporcionable upon Throgmortons Neck, to be lay'd out by the Governors Order by the Surveyor Generall in some [conveni]ent place there, for which I doe acknowledg[e] to have received satisfaccion: In wittnesse whereof I doe hereunto set my hand the 22th June Anno 1671.

Signed in presence of

Peter Smith

John Holerns

[Endorsed:] Mrs. Spicers Order about Throgmortons Neck.

Signed in presence of

Peter Smith

Michall Spicer

The marke of

John Holerns

[Endorsed:] Mrs. Spicers Order about Throgmortons Neck.

22:118

[DECISION ON LAND CLAIMED BY THE TOWN OF HEMPSTEAD AND BY THOMAS TERRY, JOHN PAINE AND ASSOCIATES.] 1

The honor'd Governor and Councill haveing recommended the Difference that hath happened between Hempsteed In whose behalf Capt. John Simmons and Richard Gilderslive did appear this 31st of July 1671 on the one part and Thomas Terry and John Paine in behalf of themselves and associates on the other part relating to a Tract of Land lying between Hempsteed plaines and the Sea towards the Northeast in readiness to save his Honor and Councill any further trouble in an amicable compliance wee doe agree with his honors good likeing as followeth

That said Terry Paine and Associates shall be fully and absolutely possess of a real right and property in and unto the one half of the land between the Edg of Hempsteed plaine SouthWestward or thereabouts and the utmost Extent of the tract of Land to the sea North Eastwards or thereabouts according to the true and full extent of the lands in all respects equally and indifferently to be divided to each part their Moiety that said Paine Terry and associates shall be accepted of as Townsmen with an equall priviledg in all respects. That whereas Carpentar are settled on one part of this land by the Towns permission the said Terry and Paine and associates are to allow of the quantity of 150 Acres to be taken out of their Moiety in reference thereto and not more that what is there otherwise granted allotted or settled on in that Tract of Land by other persons is to be deducted out of Hempsteed Moiety or part and those who have alreadly Emproved to the quantity seven shall Enjoy their Lotts and Improvements Hempsteed allowing Paine Terry, and ASSociates the like quantity of lands out of their moiety or parte That Hempsteed people on the one part Paine Terry and ASSociates on the other part shall bear an equall charge in the purchase of what is to be yet purchased if any and in the laying out and Legall setlement of the same and this to be a finall agreement and Determination about this Land whereof are said to be Matinecutt Lands The within written agreement being acknowledged before me by the parties concerned I doe very well approve thereof July the 14th 1671.

Fran Lovelace
Confirmation of the appointment by
the Mayor's Court of New York of
Cornelius Steenwyck and Capt. John
van Brugh, to be Weemasters or
guardians of widow's and orphans
estates.¹

Whereas Mr Cornelys Steenwyck and Captain Johes van Brugh
have been admitted by the Court of Mayor and Aldermen of this
city to be Wees-Masters or Guardians of Widdowes and Orphans
Estates for this present yeare; These Presents Certify and
Declare that the said Wees-Masters are Confirmed and Allowed of
by mee to Act and doe in their said Employment and Trust accord­
ing to the Rules and Customes heretofore in practice amongst
them before the surrender of this Place; In the Articles
whereof It is inserted, that is to say in the 11th Article,
vizt: (The Dutch here shall enjoy their own Customes, concerning
their Inheritances,) And for Whatsoever lawfull Act or things
the said Wees-Meesters or Guardians shall doe, comformable to
the Custome aforesaid; This shall be to them for and dureing
the Terme of their Charge a sufficient Warrant. Given under my
Hand and Seale at Forte James in New Yorke this 19th day of
July in the 23d yeare of his Majesties reigne Annoque Domini
1671

Fran Lovelace

PETITION BY RICHARD SMITH FOR THE RIGHT TO
APPEAL THE CONFISCATION BY HUNTINGTON OF HIS
PROPRIETORSHIP.]¹

To the right Honnorabl Franci[s]
Lovelace Esquire and Governor of
all his Roya[l]l Highnes
Territoryes in Amerrickah.

The peticition of Rich: Smythe

Humbly sheweth to your Honnor that wheras the Town off
Hunttington clameth² to the sole propriety of all the land between
Cowhabour and Neesaguank³ river (with all the benifitts therof)
by vertue of 2 verdits (lately) passed as⁴ they say. Your
Pettictioner humbly conceaves this to bee an over-rigorous
Construction and inconsistent with righteousness [and] the
established law, and therefore humbly requests your Honnor to gra[n]t him the Libe[r]ty of an appea[1]l to the Court of [Assizes] [ . . . ]

[Endorsed:] Mr Smith of Nesquake his peticon. September 6. 1671. To bee referr'd to the Councell.

[ACKNOWLEDGEMENT OF THE PAYMENT BY THEUNIS GYSBERTSZ BOGAERT OF A DEBT OWED BY HIS WIFE'S FIRST HUSBAND, HANS HANSEN.]

Whereas the late Hans Hanssen from Berghen in Norway stands indebted in the book of the West India Company at Amsterdam in Holland in the sum of Seven hundred and seventy eight Guilders; and whereas the widow of the aforesaid Hans Hanssen has remarried with Theunis Gysbert Bogard, which Theunis Gysberts Bogaert has offered to pay the aforesaid debt if he could discharge it by paying in sewant's value, two for one, although the aforesaid sum of fl. 778 ought to be paid in Beaver value; Yet it being considered that it is an old debt, not contracted by Theunis Gysbertz Bogard but by his predecessor, and that debts of this nature have been paid as well by the late Dutch government as in the time of my predecessor Colonel Richard Nicolls in sewant, two guilders for one, therefore the same is also consented and allowed to the said Theunis Gysbertz Bogard; whereupon the aforesaid sum of fl.778 in sewant's value, two for one, being in sewant fl.1556 is paid by the aforesaid Theunis Gysbertsz to Mr. Isaac Bedloo in his capacity as Commissioner. Therefore I hereby acknowledge to be satisfied for the aforesaid debt which the late Hans Hanssen from Berghen in Norway owed to the aforesaid West India Company. I consequently promise to indemnify and free the widow and heirs of the above mentioned Hans Hanssen from Berghen in Norway from all future demands of the aforesaid Company and others against them. In testimony this is signed in New York the 13 October Anno 1671.

[Endorsed:] Copy of acquittance for Hans Hansen - Pieter Monfoort.

[PETITION BY BROOKLYN RESIDENTS FOR TITLE TO AN UNFENCED MARSH.]

Petition

To the Right Honorable our Lord Governor with due reverence, we Your Honor's subjects of the Village of Breuckellen respectfully represent that a certain piece of land or woodland lies near or adjoining the aforesaid Village of Breuckellen whereunto appertains a certain swamp or marsh, and whereas for the past 15 or 16 years it has not been and is not occupied because the proprietor has gone to Holland or Patria, so that the aforesaid land or marsh tends therefore to the great prejudice and damage of the commonalty, inasmuch as many horses and cows have been lost in the aforesaid marsh, the same not being enclosed. And whereas divers inhabitants have petitioned and remonstrated to
our former Constables and overseers to prevent such damage and mischief, and whereas the said constables and overseers have not done or could not effect anything therein, our present Hon. Court, the Constables and Overseers have through great urgency resolved to apply to our said Governor that with his Honor's approbation the aforesaid land and marsh may be given and granted to some of our actual Inhabitants who ask to enclose the said marsh, so that they possess and may make use of it in right ownership. It is, therefore, our request to you, Right Honorable Governor, to grant it to our Commonalty so that we may be relieved from such damage. This doing etc. We remain Your Honors

Obedient Servants
By request of the constable and overseers

Done at Breuckellen
the 17th November 1671.

[Endorsed:] A Petition from Breuckelyn
This was recommended from the Governor and Councill to the Court of Sessions and from them to 2 or 3 Justices etc.

Gabry
P. Leenderts

[Datum: 1671-11-17]
hee went out and left her, and its thought hee went to her house thinking to find the doore open, but went over the fence and in the yard took these stockings and scared a boy there by offering to draw his sword. The widd: Webber also produces a smoothing Iro[n] which Melchior left with her, for a small matter he owed her but whose the Iron was Its not knowne.

Arent Isaacks shewes a knife which hee gave six stivers to Melchior for, and at the same time hee stole away from him a paire of pincers that cost 20 G which a sick Child saw him take and put in his breeches.

Melchior stands in his Justificacion about the pincers and saith hee bought them of Jack Luck and that they are now at Abells.

Jack Luck saith he did sell a pair of pincers for 10 g and halfe a pint of wine to him; and that hee had them of one Blackleach now at Delawa[re.] for the stockings Melchior saith hee tooke them up in the widd. Webbers yard, and that hee gott over the fence there, but hee was drunke and did not know what he did.

The smoothing Iron was knowne by Osburnes wife to bee her Landladys, who is gone away, but before shee went shee made great Complaint of the losse of it, and shee said shee did beleeve that New Eyes\(^2\) had it, who is the person accused.

The person is found Guilty of what hee is accused and for punishment, The Court Marshall doe adjudge that hee shall run the Gantlope once the length of the fort, where according to the Custome of that punishment the souldyers shall have switches delivered to them with which they shall strike him as hee passes through them stript to the wast, and at the fort gate the Marshall is to receive him and there to kick him out of the Garrison as a cashiered person where hee is no more to returne, and that if any pay bee due to him, it bee forfeited: This is to bee done this present day at the Parade before the Guard bee relieved.


22:124a [DIRECTIONS FOR THE TRIAL OF BENJAMIN JOHNSON, THOMAS FAULX AND ROGER ESSEX, AND FOR THE TRIAL OF WILLIAM INGLES.]\(^1\)

Directions for the holding of the [Speciall] Court of Oyer and Terminer, appointed by his ho[nor] the Governor for the Tryall of Benjamin Johnson, Thomas Faulx, and Roger Essex for Felony, as also of William Douglas for Misdemeanor and breach of his Obligacion: the 15th day of January. 1672.

[Upon] the meeting of the Court, The Clarke is to call [upon th]e Cryer to make Proclamacion, and say O Yes, O Yes, [O] Yes Then let him say aloud after the Clar[k]e [s]ilence is commanded
in the Court whilst his Majesties Co[mmission]ers of Oyer and Teriner, are sitting, upon paine of [i)mprisonment.

Then the Clarke is to read aloud, The Commission [o]f Oyer and Teriner. and after that to call over dis[tinctly] the names of the Commissioners, who as they are called ar[e to] stand up and make answer to their Names, [if] any [s]hall bee absent the Clarke is to Record the Default[t]

[Let] the three Prisoners Benjamen Johnson, Thomas Fa[u]lx, Roger Essex bee then call'd for to the Sheriffe, to bee [bro]ught to the barre

[The] which being done The Clarke is to bid the Cry[er] [ag]aine to make Proclamation and say as before 0 Yes, [   ]

Then let him say aloud after the Clarke.

[All] manner of persons, who have beene summoned, or have any th[ing he]re at this Speciall Court of Oyer and Terminer, and can give Evidence for our soveraigne Lord the King, against any [of] the Prisoners at the Barre, Draw neare and give your attendance

Whereupon the Clarke is to make Enquiry of the Sheriffe for the Returne of a Jury for the Tryall of the Prisone[r]s [a]t the Barre.

[Up]on Returne of the Jurors names, then proceede to emp[a]nnell the Jury, by calling over] their names, the which done, of the whole lyst returned, and the Clarke is to [record?]2 the Defaults of Non-Appearance, who are to bee fined

After that twelve of the Number shall bee pitch[t] Let them bee called over by the Clerke, The Cryer tall[e] them, One, two, etc. -- Good men and true;

Before the Jury is sworne Call for the Pri[soners] to bee sett to the Barr Then say to the Prisoners. These good men who [were] last called are to passe upon your lives and deaths, so if you or any of you have anything to object against t[hem why] they should not bee sworne, Challenge them as they come [to the] booke, and you shall bee heard, for that afterwards [it will] bee too late.

Upon any of the Prisoners Lawfull Exception against any [ ] another of those returned is to be put in his place, and [none of the perso]ns returned are to bee dismist, or depart the [court] [untill the] Jury bee compleated.

[Then] seare the Jury according as in the law bo[ok] is directed for life and Death; bidding the Jurors as [the] Oath is read to them to looke upon the Prisoners at th[e barre]

Then let the Clarke bid the Cryer to make [ ] 0 Yes, and say Allard Anthony Sheriffe of the [Citty] of New Yorke come in to Court and prosecute Benja[m]en Johnson, Thomas Paulx and Roger Essex on the be[half] of our Soveraigne Lord the King, about certaine The[fts and] Felonyes committed by them, for the which they stand here [ ] Upon his Appearance, hee is to put in the Prese[ntment] against all the three prisoners. which is to bee read. Then let Benjamin Johns[on] alone sett to the barre. Then call to the Jury and say Gentlemen of the J[ury] Looke upon the Prisoner you that are sworne.
Then say

Benjamen Johnson hold up thy hand, when hee hath held up his Right hand, Read the Endictment.

Benjamen Johnson etc.

Then Benjamen Johnson what sayest thou art thou Guilty of the Thefts and Felonyes whereof thou standest endicted, or not Guilty.

If hee pleads not Guilty Aske

By whom wilt thou bee tryde.

If hee say By God and the Countrie (The usuall words)

Then say: God send thee a good deliverance.

So proceed to tryall, By calling for the wittn[esses and]

Examinacions, wherein Note that the [ot]her two wit[nesses] are to be admitted in Evidence against the prisoner, be[fore] they are convicted, but not after.

The witnesses are to take the Oath in the Law set[f]or[th]

Then the Prisoner hath liberty to plead for [himself]

After all the President is to give a Charge to [the] Jury, who then are to retire by themselves and the Prisoner to bee returned to his place.

[Endorsed:] For [ ] the Court [1672] All manner of persons who have [beene] summoned, or have given their Attendance [at] this Speciall Court of Oyer and Terminer, are [now] dismist, the Court being dissolv'd. God save the King.

The Papers about the Tryall of Ben: Jonson Thom: Faulx, and Essex. 16 January 1672.1

Severalls from 166[ ] to 1672

22:124b [INDICTMENT OF THOMAS FAULX.]1

Tho: Faulx, Thou [standest here] endicted by the [name] of Thomas Faulx of this City [or of] Man2 Island adjacent, for that not having the feare of God before [thine] Eyes, but being instigated by the Devill, thou didst [upon] the 21st day of December last or thereabout toget[her with] Roger Essex wickedly and felonously in the night [time] goe on board the boate or Vessell of Captain John [Baker] where thou didst cutt the Rigging, Sayles and [other] Cordage belonging to the said boate, and from the[nce] in a Canoo which thou likewise stoles with thy Comerade carry and convey aw[ay the] same, and going from thence to the house of Ben[jamin] Johnson, an abettor and Receiver of thy stolne Go[ods] together with thy said partner Roger Essex at two [severall] places steale and carry away divers plancks or deale boards from off the shoare or warf[e]. Thou s[tandest]
also endicted for that upon or neare the 19th day [of] the said moneth thou didst together with Benjamen J[ohnson] and Rog[er] Essex in two Canooses goe up the River [to] the town[e] of West­chester from whence and parts adjacent thou didst together with thy Complices feloniously [take] and carry away five hoggs belonging to the Inhabitants, the one of which thou did[st] leave at Man Island and the other 4 at the house [of] Benjamin Johnson, And likewise that at or about the time of the generall Court of Assizes last, thou didst steale and take away [   ] a fish Carre lyeing in the Road twenty fishes commonly call[ed   ] fish. As also that thou didst not [   ] since steale a Canooe belonging to one John N[   ] alias Virginia Jack and cutt out her Marke and at another time didst steale two hundre[d] [   ] of firewood from mr. Jacob Kipps plantacion at Ki[pps Bay] together with severall other Cri[mes and] Misdemeanors wherewith thou standest accused, t[he which] is against the peace of our soveraigne Lord the King, [and the] Lawes of this Government in such Cases provided

[Endorsed:] Thomas Faulx his Indictment.

22:125 At a Speciall Court of Oyer and Terminer appointed by his Honor the Governor to sitt upon the Tryall of Benjamin Johnson, Thom: Faulx, and Roger Essex, now in Custody for diverse Thefts and Larcenyes, whereof they are accused.

Afternoone

After opening the Court, and empannelling the Jury Ben Johnsons Indictment was read, to which after a long [plause] hee ple[aded] not guilty. but upon Examinacion of the Matter and the Testimonyes of Thomas Fawlx and the Boy Essex, [hee] was prov'd guilty of being privy to the Sayle, and pl[anks]

The Fact about the Hoggs hee confesses.

The Blanckett hee a long time denyed, fathering it upo[n] Faulx; but being evidently prov'd against him, hee at la[st] confesseth it.

Something hee was taxt with, more then what was in [the] Indictment vizt. of a parcell of Lynnen stolne at Harlem, [which] hee hid (as they were wett) under his Bed, the which [a] Maid having formerly made known to Margery, s[he] upon her Oath declar'd all the Passage to the Court [upon] whose Testimony, and other apparent Circumstances h[ee was] found somewhat guilty therein. but not absolutely pr[oven]

The rest hee utterly denyes.

Soe the Charge being given to the Jury by the President [the] Prisoners are recommitted, and the Jury goe out upon [their] Verdict. the which is to bee brought in in the Afternoon[e] till which time the Court adjournes.
The Jury bring in their Verdict, and finde him guilty

The Sheriffe gives in an Inventory of his Goods and Chatt[els]

The Prisoner recommitted to the place from whence hee came.

Thomas Fawlx brought up, and the Indictment read, hee pleads guilty to all the Thefts hee is chargd with, but one, and that is the Canooe; of which hee seems very fairly to clear himselfe, though only by his own Alligacions.

Hee is recommitted to the Custody of the Sheriffe.

Roger Essex is call'd up, his Indictment read, to which hee pleads guilty.

hee is recommitted. and the Jury dismiss.

The People are ordered to withdraw, and the Court consult about the punishment of the Criminalls.

It's putt to the Vote what Punishment to bee inflected.

Capt. Lovelace for Ben: Johnsons punishment votes for whipping. 39 Lashes.

Mr. Fran: Rombout, votes for whipping 39 Lashes with a Halter about his Neck, as a punishment for all the Theft[s] but the hogg stealing, and for that Crime of the Hoggs to lose one of his Ears, according to the Order of the last Court of Assizes.

Mr. Darvall. the same and Banishment.

Mr. Depyster the same and Banishment.

Mr. Bedloo. the same and Banishment.

Mr. Van Ruyven and Mr Lovelace, and President the same.

Soe as tis agreed by the Court hee shall have 39 Lashes with a Halter about his Neck, one of his Ears cutt off and suffer Banishment (not to returne into the Government againe upon paine of Death.)

For the Punishment of Thom: Fawlx.

Capt. Lovelace votes a whipping of 5 Stripes.

Mr Rombout. 25 Lashes.

Mr Darvall the same, and soe to bee dischargd.

Mr DePyester the same.

Mr Bedloo. 30 Lashes and Banishment.

Capt. Manning 25 and Banishment.

Mr Van Ruyven 30 and Banishment.
Mr Oloff Stevens 20 and Banishment.

Mr Thom: Lovelace 30 and Banishment.

The President 25 and Banishment.

Soe that his full punishment shall bee to receive 25 Stripes and Banishment out of the Government and in case[he] hee shall hereafter happen to bee found in this Government hee shall loose one of his Ears.

For the punishment of Roger Essex.

Capt. Lovelace votes for 5 Lashes as afore.

Mr Rombout ------ 6

Mr Darvall ------ 10

Mr Depyester ------ 10

Mr Bedloo ------ 10

And all the rest of the Commissioners vote the same namely 10 Lashes. and upon thy committing any the least off[ence] of the like nature hereafter thou shalt bee more severely punisht [accor]ding to his Demeritt

The Court adjourne till To-Morrow Morning at 9 a Clock Aga[inst] which time the Sentences of Court are to bee dr[awn] up, and publickly read, after which is done the Co[urt] bee dissolv'd

Thursday Morning the 16th January. 1672.

The Court opened.

The Prisoners brought up.

Their Sentences read.

The Prisoners all fall down upon their Knees, and thank the Bench for their Clemency.

Soe the Court was dissolved.

The Commissioners according to the tenor of their Commission doe give Order to the Sheriffe that hee see the Sentences of the Court putt in Execution; only the time they referr it to his Honors pleasure.

[Endorsed:] The Court Proceedings

The Courts Proceedings against Ben: Johnsons and his Complices.
Benjamin Johnson, thou standest here indicted by the name of Benjamin Johnson of the City of New Yorke, for that having not the feare of God before thine Eyes, but being instigated by the Devill, thou didst upon the 21th day of December last, or thereabout, advise and abett Thomas Faulx and Roger Essex wickedly and feloniously to goe on board the Bo[at] of Capt. John Baker in the night time, riding in this [Harbour] then and there to cutt the Rigging, Sayles, and other Cordage [belonging] to the said Boat, who did carry them away in a Canoo [which] they likewise stole, and at two several places more did th[en] also by the way steal diverse Plancks, or Deal-Boards the which they did all carry to thine House, who wert not only an Abettor of the Theft but a Receiver of the stollen Goods, and didst likewise endeavour to conceale the same. Thou stand'ist likewise here endicted for that upon the 19th day of the said Month or some time thereabout, thou didst together with the said Thomas Faulx and Roger Essex thy Complices, in two Canoos goe up the River to the Towne of Westchester, from whence and parts adjacent thou didst together with thy said Complices feloniously and privily take and carry away five Hoggs belonging to the Inhabitants there, and four of them didst brin[g] to thy House; As also that some time heretofore thou didst feloniously take out of a Boat lyeing at Allertons Key the Smiths Valley within the precincts of this City, and carry aw[ay] a piece of Kersey, or wert a Contriver or Abettor of the [same] to the great Damage of the right Owner; And also th[ou] didst steal or wert an Abettor or Receiver of a piece of [ ] and a Trowell stoln from the House of Capt. Thomas De[lavall] at or near about the holding the Last General Court of Ass[izes] And also didst thyselfe in person or by one of thy Compli[ces] not long after the said time feloniously take out of the House of Mr John Rider a Blanckett, and carry the same away, and severall other Thiefs, Larcenyes, and Robberyes hast committed against the peace of our Soveraigne Lord the King, and against the Lawes of this Government in such Cases provided.

Benjamin Johnson what say'ist thou? Art thou guilty of the Felony laid to thy Charge, or not guilty?

[Endorsed:] Benjamin Johnson his Indictment
[Names of candidates for the jury]

James Staneley a Sworne
Jonathan Sellick. a
John Sellick a
William Browne a Sworne
Charels Hill. a
Daniel Lane. a
Paul Hall. default

[Richard Browne master of a Ketch]
Thomas Hall. a
Henry Brasier. a
[Thomas Davis Barns]

12 [Peter Winster]²
Thomas Major a Sworne
John Garland. a
Thomas Tailour. a
Timothy Gabry. a

[Simon Jansen Romien.]
[Nicholas De Meyer]
[Fredrick Philips.]
[Gerrit Van Tright]
[Guillaume D'Honeur.]
[John Barker]
[Roberte Beach]
[Isacke Arnolde]
[Thomas Bradley]

[Endorsed:] The Jurors names.
Copy.

Their Honors of the Court of Albany etc.

Jan Hendrickz respectfully represents that he together with the deceased Jan Reyersz (about 11 years ago) purchased a certain parcel of woodland from the Indians, situate about the Klaverack between the land of Mr. Abraham and Gerert Visbeeck, which also adjoined some land belonging to Jan van Hoesem, extending to Prauwe Kil, for which the Petitioner alone has paid, which otherwise the aforesaid Reyerse must have done. And whereas the said Reyersz was justly indebted to the Petitioner in the sum of Six Hundred Guilders in Beavers, whereof Laurens the cowherd has true and living knowledge and has made oath before the Hon. Court.

The said Reyersz further owes the Petitioner the sum of One Hundred and Sixty Guilders in both Grain and Beavers.

On which, (it is indeed true,) he has received from the hands of the Curators amounting to the sum of fl. 300 Sewant but he must lose the balance.

Therefore it is the Petitioner's humble request, that your Honors would please grant him the aforesaid parcel of land, to possess the same in full ownership, and to do in all things therewith as he may do always with his own property.

[Was signed:] Your W[orshipful] servant

(Marked by) Jan Hendricksen.

Done at Albany
18 April Ao. 1672.

[ACCOUNT OF THOMAS LAMBERTS, BROOKLYN CONSTABLE]

[An acc't taken of] Tho: Lamberts [const. of Breucklyn taken this 27th] day of June 1672 of his yeares Rate [being for the last yeare]

February 15 A warrant for 3 horses 2 dayes 27
1 more used

ditto 18 A warrant T.L. 2 horses 2 days 18

December 9 A Warrant J.M. 2 horses 9 dayes 81
<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 17</td>
<td>More 1 horse 3 and 1 = 4 dayes</td>
</tr>
<tr>
<td></td>
<td>A warrant C.V.R. a waggon and 2 horses</td>
</tr>
<tr>
<td></td>
<td>1 day and 1 horse 2 days</td>
</tr>
<tr>
<td>No. 7</td>
<td>A warrant C.V.R. 2 horses 2 days</td>
</tr>
<tr>
<td>December 11</td>
<td>A warrant J.M. 1 horse 8 days</td>
</tr>
<tr>
<td></td>
<td>and one 1 day</td>
</tr>
<tr>
<td>August 2</td>
<td>A Warrant D.L. a waggon [1 day]</td>
</tr>
<tr>
<td>December 28</td>
<td>A Warrant M.N. for P. Smith 6 days</td>
</tr>
<tr>
<td></td>
<td>sett downe but 2 dayes to be allow'd</td>
</tr>
<tr>
<td></td>
<td>the weather being so bad hee could not co[me] back</td>
</tr>
<tr>
<td>March 9</td>
<td>A warrant M.N. 4 horses 2 dayes</td>
</tr>
<tr>
<td>71 ditto 20</td>
<td>A warrant M.N. 2 horses 2 dayes</td>
</tr>
<tr>
<td>71 September 22</td>
<td>A Lettre M.N. T. Joanes 4 days</td>
</tr>
<tr>
<td>April 30</td>
<td>A warrant M.N. against the Gov. going to Flat lands Ma[y] Jeuffro2</td>
</tr>
<tr>
<td></td>
<td>Potter [horse 2 days Jone and waggon 1 day which is sett downe in another place] and 2 horses [ ] men 1 day</td>
</tr>
<tr>
<td>April 22</td>
<td>A warrant M.N. 1 horse 2 days</td>
</tr>
<tr>
<td>May 4</td>
<td>A warrant M.N. 4 horses 7 days</td>
</tr>
<tr>
<td>May 10</td>
<td>A warrant J.M. 1 horse 2 days</td>
</tr>
<tr>
<td>M[ay 22]</td>
<td>A lettre M.N. 1 horse 3 days</td>
</tr>
<tr>
<td>1672</td>
<td>A warrant M.N. 4 horses 4 days</td>
</tr>
<tr>
<td>June 11</td>
<td>2 horses Jons 4 [days]</td>
</tr>
<tr>
<td></td>
<td>1 from Jeuffro Potter</td>
</tr>
<tr>
<td></td>
<td>4 days in another reckoning</td>
</tr>
<tr>
<td>January 27</td>
<td>A warrant M.N. 2 wagons</td>
</tr>
<tr>
<td></td>
<td>2 days 1 horse 2 days</td>
</tr>
<tr>
<td>January 28</td>
<td>Jeuffro Potter A warrant</td>
</tr>
<tr>
<td></td>
<td>M.N. in generall</td>
</tr>
<tr>
<td>Ditto</td>
<td>A warrant M.N. Joris Jacobs</td>
</tr>
<tr>
<td></td>
<td>A warrant John Howell for</td>
</tr>
<tr>
<td></td>
<td>himselfe and Jo: Coop</td>
</tr>
</tbody>
</table>
June 14
for the Go: bro\(^3\) by order
without warrant horse 2 days \(4.10\)

September 2\([8]\)
[A warrant] M.N. a waggon 1 day \(12\)

January 27
[More] 1 horse 2 days \(9\).
[Dirk Storme] for cattles
fodder coming from Lattins \(10\).
For Albert Cornelisse
C. Young. \(30\)
Some other Justices \(25\)
Mr R Jackson Con. \(10\)
Hempst
More for him \(4\)
Anthony Waters \(8\)
Joshua Hubbard 8 and 4 \(12\)
John Jennings \(25\)

Mr Coe
12G Particulars are short \(23\)

Andries Juriaens warrant
J.M. 1 horse 4 days \(G\ 18\)

[The] Ferryman's bill \(10\)
Ferryemia\[ly]\ \(1.18\)
Mr Cole Oyster Bay \(8\)
[ ] some cattle \(50\ 10\)
Peter Smith \(30\)
Justices ferryage \(1.12\)
The account is but \(43.6\)

To the bills are out
and above \(6.4\)

Memo. the high Sheriff gave a
bill at his hand to allow out
of the Rate \(G\ 91\)

Out of which Mr Nevills\(^4\) widd is to have 50G the bill was
to Lambert Jans Doorlande the last Court which is not paid
yet
Memo. these [ ] take [ ] Joris Jacobs at 4[ ] and charged in particular, it being charged in his generall 76 accounts.

The Constable salary 35
Deliverey the accounts to the H. Sh. 20

22:129 [SETTLEMENT OF A DEBT OF PIETER MONFOORT BY HIS SON-IN-LAW WILLEM GERRITSZ]1

Whereas the late Pieter Monfoort stands indebted in the books of the West India Company at Amsterdam in Holland in the sum of Three Hundred and Eighty six Guilders 4 stivers, and whereas his son-in-law Willem Gerritsz has offered to pay the aforesaid debt in cattle, computed at seawant's value, two for one, as it appears was heretofore allowed by the late government (so he says) to his mother in law, Pieter Monfoort's widow; Which being taken into consideration, and that many other debts of that character have been so received by the former Dutch government as well as by my predecessor, Colonel Nicolls, I have therefore consented that Willem Gerritsz aforesaid shall pay in cattle at seawant's value f772.8 instead of f386.4. And whereas it is shown to me that the said sum has been paid to Mr. Jacob Bedlo in his capacity as my Commissioner, I do therefore hereby acknowledge that the aforesaid debt has been discharged, therefore promising hereby to indemnify and free the heirs of the aforesaid Monfoort from all future claims of the abovementioned Company and all others in the premises. In testimony this is signed in N: York, June 1672.

22:130 [LIST OF RESIDENTS OF NEW YORK WHO SUBSCRIBED TO THE REPAIR OF FORT JAMES.]1

New Yorke 4 July 1672

The following Persons have subscribed towards the reparation of James Fort Vizt:

$2 Captain Thomas de Lavall seawants vallue.. f800.
S Mr Cornelis Steenwyck in Wyn at Long maryes or Fredrick Gysberts............... 300.
S Mr Olof Stevensen Seawants Vallue............. 200.
S Mr Richard Morris Seawants Vallue............. 500.
B Mr Gabriel Minvielle 6 Beavers................. 150.
S Mr Wm. Darval£ 5; or.......................... 180.
S Mr Jeronimo Ebbingh Wampum Vallue........... 60.
B Mr Matthys de Haert 2 Beavers................. 50.
Mr. Jacob Leiseler in goods .......................... 50.
Mr. francis Rombouts Wampum Valuue .................. 50.
Mr. Jacques Cousseau in goods .......................... 60.
Mr. Daniel Hondecoutre 1 1/2 Bever or ............. 36.
Mr. William Beeckman in Beere ...................... 50.
Mr. Gelyn Verplanck Seawants Valuue ............. 30.
Mr. Fredrick Philips .................................. 200.
Mr. John Rider Seawants Valuue ...................... 100.
Mr. John Sharp in goods ............................. 50.
Luycas Andries Sloopman one beaver ............. 25.
Mr. Johannes de Peister in goods .................. 80.
Claes Lock I Beaver .................................. 25.
William Merrit ....................................... 50.
Hartman Wessels ...................................... 10.
Jan Joosten one beaver ............................... 25.
Gulliam De Honeur 6 guilders in beavers ........ 18.
Isaacq Van Tright one beaver or ................. 25.
Jan Harberdingh ...................................... 50.
Reynier Willems Baaker 200 lbs bread .......... 80.
Dirck Smith one beaver ................................ 25.
Cornelis Jansen Clopper ............................ 25.
Lourens Vander Spiegel in broot ........................ 30.
Coenraet ten Eyck in Wampum Valuue ........... 60.
Jan Vinge in Beere .................................. 30.
Thomas Karre ......................................... 20.
James Matthewes ...................................... 25.
Abel Hardenbroeck 6 guilders in beavers .......... 18.

Transportere op d'ander syde

f
<table>
<thead>
<tr>
<th>Name</th>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornelis Van Borsum</td>
<td>2 Beavers Vallue</td>
<td>50.</td>
</tr>
<tr>
<td>Jonas Bartelsen</td>
<td>one beaver</td>
<td>25.</td>
</tr>
<tr>
<td>Dirck Van Clyf</td>
<td>one Beaver</td>
<td>25.</td>
</tr>
<tr>
<td>Doctor Henry Taylor</td>
<td></td>
<td>100.</td>
</tr>
<tr>
<td>Jno Garland</td>
<td>one barrel of beefe</td>
<td>80.</td>
</tr>
<tr>
<td>Jacques Croisson</td>
<td>2 dayes Worke</td>
<td>8.</td>
</tr>
<tr>
<td>Anthony de Milt</td>
<td>in bread</td>
<td>20.</td>
</tr>
<tr>
<td>Gerrit Vullevever</td>
<td>1/2 Bever</td>
<td>10.</td>
</tr>
<tr>
<td>Nicholas d’Baaker</td>
<td></td>
<td>12.</td>
</tr>
<tr>
<td>Evert duyckingh</td>
<td>the value of</td>
<td>15.</td>
</tr>
<tr>
<td>Jurian Blanck</td>
<td>in goods</td>
<td>20.</td>
</tr>
<tr>
<td>Jan Keteltas</td>
<td>the value of 1/2 Bever</td>
<td>10.</td>
</tr>
<tr>
<td>Jan Roelofsen bootman</td>
<td>the Vallue of</td>
<td>12.</td>
</tr>
<tr>
<td>Wander Wessels hatter</td>
<td></td>
<td>8.</td>
</tr>
<tr>
<td>Boele Roelofs</td>
<td></td>
<td>18.</td>
</tr>
<tr>
<td>Elias provoost smith</td>
<td></td>
<td>15.</td>
</tr>
<tr>
<td>Poulus Turck</td>
<td>een broeck te maaken</td>
<td>6.</td>
</tr>
<tr>
<td>Barnadus Hassing</td>
<td>the Vallue of</td>
<td>12.</td>
</tr>
<tr>
<td>Peter Nys</td>
<td></td>
<td>30.</td>
</tr>
<tr>
<td>Thomas Lourens</td>
<td>one beaver</td>
<td>25.</td>
</tr>
<tr>
<td>Symon Romeyn</td>
<td>in Corne</td>
<td>40.</td>
</tr>
<tr>
<td>Jan Scholten</td>
<td>1/2 Bever</td>
<td>10.</td>
</tr>
<tr>
<td>Balthazar Bayard</td>
<td>vallue</td>
<td>20.</td>
</tr>
<tr>
<td>Albert bosch</td>
<td>in Labour out of his shop</td>
<td>12.</td>
</tr>
<tr>
<td>Roelof Jansen</td>
<td>Halfe a Mutton Vallue</td>
<td>12.</td>
</tr>
<tr>
<td>Luyca Van Thienhoven</td>
<td></td>
<td>9.</td>
</tr>
<tr>
<td>David Provoost</td>
<td></td>
<td>6.</td>
</tr>
<tr>
<td>Hendrick Droogstraet</td>
<td>2 raccoons Vallue</td>
<td>5.</td>
</tr>
<tr>
<td>Daniel Setton</td>
<td></td>
<td>40.</td>
</tr>
<tr>
<td>Gerrit Hendrickx Slaughter</td>
<td>1/2 a mutton Vallue</td>
<td>12.</td>
</tr>
<tr>
<td>Name</td>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Jan Van Brestede</td>
<td></td>
<td>25.</td>
</tr>
<tr>
<td>Andries Jochems</td>
<td></td>
<td>10.</td>
</tr>
<tr>
<td>Gerrit Roos one day</td>
<td>Carpenters Labour</td>
<td>7.</td>
</tr>
<tr>
<td>Jan Bosh tayler</td>
<td></td>
<td>5.</td>
</tr>
<tr>
<td>Issaacq Van Vleecq</td>
<td>50 lb flower Vallue</td>
<td>18.</td>
</tr>
<tr>
<td>Poulus Rickart one beaver or.</td>
<td></td>
<td>25.</td>
</tr>
<tr>
<td>Jacob Vande Water</td>
<td>one beaver</td>
<td>25.</td>
</tr>
<tr>
<td>Thomas Taylor</td>
<td></td>
<td>20.</td>
</tr>
<tr>
<td>John Nelson in goods by Mr</td>
<td>derval</td>
<td>20.</td>
</tr>
<tr>
<td>Carried over</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter de Riemer</td>
<td>one beaver</td>
<td>25.</td>
</tr>
<tr>
<td>Nicolaes de Laplayne</td>
<td></td>
<td>12.</td>
</tr>
<tr>
<td>Roger Purchaze</td>
<td></td>
<td>25.</td>
</tr>
<tr>
<td>Jan Hendrix Van bommel in</td>
<td>goods</td>
<td>10.</td>
</tr>
<tr>
<td>Andries Claes Carpenter</td>
<td></td>
<td>8.</td>
</tr>
<tr>
<td>Cornelis Pluvier</td>
<td>50 lb. dry bread</td>
<td>20.</td>
</tr>
<tr>
<td>Jan Adams one schipple</td>
<td>Wheat</td>
<td>6.</td>
</tr>
<tr>
<td>Symon barents in goods</td>
<td></td>
<td>12.</td>
</tr>
<tr>
<td>Herry Brazier</td>
<td></td>
<td>20.</td>
</tr>
<tr>
<td>Willem Waldron</td>
<td>2 barrels or</td>
<td>10.</td>
</tr>
<tr>
<td>Jan Dircksen Meyer</td>
<td>one beaver</td>
<td>25.</td>
</tr>
<tr>
<td>Pieter Jacobs Marius</td>
<td></td>
<td>50.</td>
</tr>
<tr>
<td>fredrick Arents Torner in</td>
<td>bevers f4-or..</td>
<td>12.</td>
</tr>
<tr>
<td>William White</td>
<td></td>
<td>10.</td>
</tr>
<tr>
<td>Pieter Simkans</td>
<td>the makeing of a Coat Vallue</td>
<td>12.</td>
</tr>
<tr>
<td>Harmen Smeman</td>
<td>4 tunn of Lime</td>
<td>8.</td>
</tr>
<tr>
<td>Willem Van Vredenburgh</td>
<td>the making of a paire britch</td>
<td>6.</td>
</tr>
<tr>
<td>Jacob Teunissen Kaay</td>
<td>by an assignment</td>
<td>50.</td>
</tr>
</tbody>
</table>
NICOLLS-LOVELACE PAPERS

S Thomas Berryman........................ 30.
B Stephen Van Cortlandt one beaver..... 25.
S William Errewin........................ 25.
S Hendrick Jans backer as per bill of
  pamer8........................ 30.
S Adolf Pieters........................... 20.
S Benjamin Provoost Cooper 2 barrells... 10.
S Jan van Gelder.......................... 12.
W John Cooly in Worke out his Shop f60 or. 30.
S Peter Stoutenburgh in goods............. 15.
B Jacob Mens 1/2 beaver.................. 10.
S fredrick Gysberts 5 cans of Wyn........ 25.
S Jacob Abrams shoemaker.................. 16.
S Timoteus Gabrie in handen van Swert
  olpherts9................. 25.
S Jacob Kipp 2 tonne Bier.................. 60.
S Thomas Gibbs the vallue of............. 80.
S Nicolaes Dupuie 2 bussheles Indian Corne. 8.
B Augustyn Blyenbergh one beaver or...... 25.

Carried over............................. f

Brought over............................. f

S Abram Verplanck 4 schippels Pye.......... 16.
W Isaacq Kip one day Labour................ 4.
B Henry Courstrie 2 halfe beavers......... 20.
S Abram Jans 3 shipples peaze............. 12.
W Abram Mol one day Carpenters worke...... 7.
S fredrick Hendricx de hoogh in goods..... 6.
S Claes bordingh.......................... 50.
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>12 July</td>
<td>asser Levy the value of one beaver</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Thomas karr</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>egbert meyndertsen</td>
<td>6</td>
</tr>
<tr>
<td>26 July</td>
<td>david wessels</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>marten meyer de Smit</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>cornelis Jansz de visscher</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>carsten Liersen</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>jan poppen</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>jan cornelisz</td>
<td></td>
</tr>
<tr>
<td></td>
<td>wessel wessels ten broeck</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Jacob Leunen</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>[Cornelis barentsz coordwener]</td>
<td>23.14</td>
</tr>
<tr>
<td></td>
<td>[barssen Slecht]</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>[adam onchelback]</td>
<td>8.12</td>
</tr>
<tr>
<td></td>
<td>Thomas Lewis</td>
<td>f2[-]</td>
</tr>
<tr>
<td></td>
<td>Capt.] John berry</td>
<td>f150</td>
</tr>
<tr>
<td></td>
<td>philip Johns een bever</td>
<td>f 25</td>
</tr>
<tr>
<td></td>
<td>Jacob] Swart by pieter nys.</td>
<td>f 8</td>
</tr>
<tr>
<td></td>
<td>2 Schepel ervten</td>
<td></td>
</tr>
</tbody>
</table>

## The Widow and Heirs of the late Govert Loockermans Debet.

<table>
<thead>
<tr>
<th>Date</th>
<th>To Whom</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1668 April</td>
<td>Harmen Smeeman</td>
<td>fl. 61:__</td>
</tr>
<tr>
<td>1669 May</td>
<td>110 lbs of chalk</td>
<td>110:__</td>
</tr>
<tr>
<td>1670 Jan 4</td>
<td>Grandmother's inheritance</td>
<td>44:12</td>
</tr>
<tr>
<td>1671 Jany 10</td>
<td>10 hens</td>
<td>10:__</td>
</tr>
<tr>
<td></td>
<td>3 lbs of raisins.</td>
<td>6:__</td>
</tr>
<tr>
<td></td>
<td>7 dozen tobacco pipes</td>
<td>8: 8</td>
</tr>
<tr>
<td>March 30</td>
<td>Willem Jansz Looserigh for</td>
<td></td>
</tr>
<tr>
<td></td>
<td>tobacco received from him</td>
<td>28:__</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td>fl. 268:__</td>
</tr>
</tbody>
</table>

N. Jorck, 2 July 1672

B. Bayard

## Entered.

## [ACCOUNT OF DEBTS OF GOVERT LOOCKERMANS]  
**N. York the 1/11 March 1667**

**Father Govert Loockermans**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1665 30 May</td>
<td>Errors excepted by me.</td>
<td>f 15:__</td>
</tr>
<tr>
<td></td>
<td>That which Gerrit de Ramaecker earned from my father</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Paid to the blacksmith for making the ladders on the pleasure-carriage</td>
<td>f 2:10</td>
</tr>
<tr>
<td>1666 10 Jan.</td>
<td>Loaned to father in sewant</td>
<td>f 2:__</td>
</tr>
<tr>
<td></td>
<td>To Gerrit de Ramaecker for making the ladders on the pleasure-carriage</td>
<td>f 4:__</td>
</tr>
<tr>
<td>25 April</td>
<td>For the sharing of the calves and foals for which I must have in silver one piece of eight and in sewant</td>
<td>f 14:__</td>
</tr>
</tbody>
</table>

---

1. Extracted text from the NICOLLS-LOVELACE PAPERS.
NEW YORK HISTORICAL MANUSCRIPTS

Loaned when we went out of the bay:

10 sch. wheat .............. $60
4 sch. Indian corn .......... 16
One wheelbarrow .......... 12
One shingle horse .......... 30
3 spint\(^2\) white salt ......
1 1/2 lbs. candles ........... $118

March 1667
Total $155:10

Your Honor's obedient and dutiful son

B. Bayard\(^3\)

22:132

[AGREEMENT BETWEEN THE INHABITANTS OF SCHENECTADY AND A REPRESENTATIVE OF THE FOUR MOHAWK CASTLES FOR THE SALE BY THE INDIANS OF LANDS ON BOTH SIDES OF THE RIVER EXTENDING WEST THREE DUTCH MILES TO THE KINAQUARIONES BATTLEFIELD.]\(^1\)

Transl:

On This day the 3th of July Anno 1672 did appeare before Mee John Gerritsen Van Marken publiq Nota. admitted by The Worshipfull Court of albany and The Inhabitants of Schanhechtade Together With a sartain Indian Called dohory-wachqua and Crage, being The Representative of the foure Mohoakx Castells. Who declared and promised to hold firme And Stable and will Cause to be held in full force and Vertue all and What soever hee shall act or do in The sale of the lands Lying Neare The Towne of Schanhecht. Within Thre dutch Myles in Compasse on boath sides of the River Westwards Which endes at Kinaquariones, Where The Last Battell Wass betwean The Mohoakx and The North Indiance. Provided That Jaackes Cornelissen shall have the first flatts or playnes except the Inhabitants of Schanhechtade Will Restore Unto said Jaackes Cornelissen Two Rundlets of brandy, and one hundred hand of Wampum Which being payd unto said Jaques The Said first Playne is to Remaine to The Towne Whereupon Sander Leendes Gelen being a former Magistrate, and John Van Eps and Sweer Teunissen being the present Magistrates of the said Towne, did acknowledge and declare That Thy Weare Agreed With the said Indian uppon the purchaze of the Land for the summe or Quantety of six hundred hands of Good Whyete Wampum six Koates of duffels Thirty barres of Lead and Nine bagges of powder Which They do promis to pay unto the said Indians in two Termes, viz The first, as soon as The Sachemes or any person by Them authorized shall Comme out of the Country And
Produce full Powers from Theyre Inhabitants, according to Theyre usall Manner And have Thereuppon delivered unto the said Indian As A present for The old Man in The Mohoakx country, a Rundlet of brandy; To the end all Misunder­standing and Complaints May be Washt of and Removed; To The trew performance of The premises The said parties have hereunto Set theire handes, and Wass Interpreted by Cornelis Vielen in The absence of Jacques Cornelissen; In Schanhechtade The date Above Written Signed,

With the Markes of followeth

The Marke of Ḟdohoriwachqua

The Marke of ḞCrage

Sander Leenders Gelen
John Van Eps
Sweer Teunissen
Attested by mee

J.G.V. Marken, Notar: pub:

This day The 13th day of July is payd unto The indians Above Mentioned in parts of the purchase foure hundred hands of Wampum 30 barres of Lead 3 bagges of powder; More for a present 3 Ankers good beere one Koatt of duffels, togetther With The Above Mentioned Rundlet of brandy

Ao 1672 the 13th day of July

Did The underwritten Indians appeare before us and do declare that Thy did Confirm all and Whatsoever The Above Written Indians by Name Tohoriowagghque and Crage, in the Annexed Instrument have acted, and doo by These presents promise With The Last payment to give all further assurances of The said Land and That Thy, and theyre heires Shall desist from all further Claymes and pretences Whatsoever In Witnes Whereof Thy have hereunto set Theyre hands; In Schanhechtade at the house of gerrit bancker and in The presence of Severall particular Indians The day and yeare Above Written

Signed With the following mar[k]

The Marke of ḞCanachquo

The Marke of Ḟof Ocquarry

The Marke of ḞTohoriowachque

Attested by mee

(Signed) J.G.V. Marken Notar. Publiq.

Compared and found to agree with the prinsiple by Mee

Ludovicus Cobes Secret:
Instructions for the Commissioners
appointed to have Inspection for
the Regulation of the Fortification of James For[te].

1 When You are all mett together at the Place appointed in
your Commission, You are first to pitch on a Charye-man, who
shall preside as President of the Commissioners, whose Name
shall bee affixed to all Letters you shall have Occasion to
write, Warrants, or any other Writeing that shall bee requisite.

2 You are likewise to chuse some young Man to bee your Clerke
to Record fairly what shall bee transacted by you.

3 You are likewise to call for all the Subscriptions of the
Voluntary Contributions; that have been presented either from
all the Townes in Generall, or any particular Person, which
Subscriptions Mr. Mayor shall deliver to your Custody.

4 You are to take an Account of all the Workmen that are
employ'd, together with the value of their Wages, which shall
bee delivered to you by my Brother Dudley Lovelace, as likewise
the Defaulters, which weekly or oftner shall bee represented to
you, and to keep a Booke of them, that noe idle Person bee
obtruded on you.

[5] You are to appoint a Treasurer who shall keep all the
Goods that are contributed, and to issue out Payment when
Occasion shall serve, to whom a moderate Allowance may bee made
for his Care and Trouble.

You are to examine all Bills of Mechanicks, as Smyths,
Wheel-Wrights, Carpenters, Carr-men, Boatmen, etc.; and to
Examine them on Oath; which Oath I hereby give you full Authority
to Administer; To the end noe Fraud be committed in their
Dealings.

And L[astly][, Yo]u are to take into your Consideracion
[all things that may be]st tend to the carrying on of the
Worke, though [not partic]ularly [s]p[eci]fyed [in your] Instruc-
tions, and to represent it (in case of [Difficulty]) to mee,
that soo a finall Determinacion may bee made to the Advancement
of the End designed.

Given under my Hand at Forte James in New Yorke the 11th
day of July in the 24th yeare of his Majesties Reigne, Annoque
Domini 1672.

Francis Lovelace

[separated endorsement:] The Commissioners Instructions
about the Fortificacions. July 11. 1672.
22:135a  [LIST COMPILED BY CONSTABLE JOSEPH PALMER OF WESTCHESTER OF CLOTHING STOLEN BY CAPT. WILLIAM LAWRENCE'S NEGRO.]

This is the account of what lining which [ ] or found by search of the lining which was stol[ ] laran ses negor Flushin and rescued by the negores [ ] cap tin moris; thomas farintun one Shurt [ ] paire of trusares; one holon2 shurt one nec[ ] hann one neckcloth; John [ ] hick on [ ] garison on shurt 1 hanckar; mary martin [ ] aporn 1 paire of hol lon slefes 1 hanckar 1 whis[ ] miles ockly 1 shift; 1 holon had 1 dresin on chil[ ] edward waters 2 holon aporines 10 dresins; 2 [ ] chanes; this by good marckes and tocanes they hav[ ] and becas of thare nesesity I did delever to the [ ] which thay stand ingaued of the lining that the above sayd nagor hath s[ ] nutoun lambord woodard 2 Shurtes 1 hanckar [ ] richard one shift 1 dresin 1 cap; Thomas stane[ ] 2 Shurtes; holon; 1 holon shift.

more a sartin parsill of lining that doth belong [ ] which I have yet in my hand. all thes abovewritten parseles of linin[ ] with a grat deal more that is wanting; the above sa[ ] nagor hath oned that he did Steall angine to the [ ]

a sartin pearsil of lining be longing to femace[ ] he wolld not one Thar is more accounts of John Forgisone which [ ] adrift

for which

[Endorsed:] The particulars stolen by C Laurence his Negroe.

22:135b  [LETTER FROM CONSTABLE JOSEPH PALMER AT WESTCHESTER CONCERNING CAPT. WILLIAM LAWRENCE'S NEGRO ARRESTED FOR THEFT.]

September the 29the day 1672

Sur thes fue lines may let you understand that I ha[ve] sent a nagore belonging to captin william larence of [ ] that was tacken in theft and hath stolen a grat deal o[ ] and his master doth absolutly deni to mack ani satesf[ ] to any that he hath stolen from or bare ani charg that a[ ] about him. therefore we thought it mosst fit [ ] send him to your costed; tell[ ]r may be f[ ] ordr tacker about the mattor. thare will be sum [ ] howe the mater is on Wenseday next haveing no more at [ ] but rest youres to command.

Joseph palme[ ]
Constabell of we[ ]

[Addressed:] This for Shrefe2 of New Yorck.
The Constable of Westchester about C.W. Laurences Negroes Thefts.

22:135c [PRESENTMENT CONCERNING THE NEGRO ACCUSED OF THEFT.]¹

The Const. of Westches[ ] our soveraigne Lord the King [ ] a Negroe belonging to Capt. Willi[ ] havinge run away from his Master [ ] and take away from several persons [ ] Goods as linnen of severall sorts [ ] of which have beene found out since [ ] by the said Negroe, the [ ] hee stands Committed, all which is a [ ] of our soveraigne Lord the King and [ ] of this Government in such Cases.

[Endorsed:] The Presentment about the Negroe for stealing. 1672.


Memorand.

The Law in 1664 at the Assizes.

No Purchase of Land from Indyans without leave from, and the Governor to ratifie and give a graunt and to be enter'd on record in the Office, and from that time Valid as a good title not before.

All persons whatever to review their rights or Patents under his Royall Highnesse before the next Court of Assizes.

All purchases of implanted land to be surveyed, and a Platt made at their charge, and Enter'd in the Office of Records, and if not Planted, seated or inhabitted in three years to forfeite the title and interest therein.

Assizes 1666.

Justices 20 lb. Salary taken off.

All Graunts or Patents whatsoever to be brought in and renewed and where none to be supplyed.

Order of Assizes concerning Patents or Grau[nts] of Land, obeyed by all towns in Long Island Except Southampton, Southold and Oysterbay, t[hey] are Order'd to bring their reasons to the Gover[nor] and in the meanes time all their Deeds of Purchase, Graunts or Patents invalid as by Law.

The Law for Towne preambulacions to be duly attended.

Dividing of Towne lotts thereby multiplying poor freemen and Votes to be rectified by the Sessions.
Assizes in 1669.

Bounds of Every Parish to be preambulated according to Law.

English weights and measures ordered according to Law, New Yorke, Long Island, and places adjacent by the first of January, Albany and all up the river by the first of Aprill, in Penalty to forfeite all goods sold or bought.

Assizes 1670.

Breed of Horses according to New Yorke regulation.

Assizes 1672.

Weights and Measures to be English by the 25th March, on Penalty of the Lawes for Default.

Preambulacion of towne bounds reinforced according to Law.

All to pay to the Ministers Established.

A Boston shilling to goe for one shilling, and good pieces of Eight of Mexico, Sevill or Pillar peice at six shillings.

[Endorsed:] Memorandums for the Sessions at Gravesend.


To the Right Honorable Frances Lovelace Esquire Governor

Jno Paine in persuance of the Mattehusets desires offers to your honor and Counsell's Consideration.

That wee conceive to deny your Neighbors the kings true Subjects ther priviledge of Free Passage upp his Majesties Rivor for the Settlement of Plantations within the Limits of ther owne Pattent Rights, In order to the furder increas of his Majesties good Subjects, the defense of those alredye Settleed (together with yor Selves also) from the Intrusions of a Forrain Nation cannot consist with that Justis, Reason, and Naturall Love which wee doubt not, you may be said not only to have butt to Owe to all his Majesties good Subjects, more Specially to those whose Reallitye and Redines to assist you hath been well experienced in the Reduceinge this verrie Cittie, his Highnes the Duke is now Master off. Furder considering each others true Freindship and Loveing Aide In these times of Commocion of the Nations may be as Requisite and more wellcom then before. One thing more wee offer, that when your honor and Counsell consulted the mattachusetts Proposals, and thout it Reasonable to Grant yor keind assistance for our discoverie, it was then Granted for our incoregderment that our Charges and Travils in that behalf should not bee Frustrate In case wee proveed Succesfull in a discoverie within the mattachusetts Line to the East of Hudsons Rivor, which is Don. Now the mattachusetts true intents herein Is the improvement of
ther owne Rights Only; the increas off Plantations, and his majesties Subjects and ther defense against the invacions or intrusions of a Forrain Nation and no unkeind or Pollitick devise to Expand ther Line Or Possessions upon anie part of his Highnes the Dukes Just Rights.

Wee therfore desire you will Pleas, (as our assurance of your like affection and keind Corrispondance,) to be Posititve in determininge in the affirmative that wee have our Free Passage And to Ceas all missapprehentions, If you shall think Fitt to grant or desires with that Restriction that wee Settle no Plantation on the westward Side of Hudsons Rivor until the dissisive Pattent Lines between his highnes the Duke and the Mattachusets Bee Fairelye Runn wee shall thereto manifest our Faire Complyance and Keind acceptance and Remaine Your Honors Humle Servants.

[Endorsed:] Mr John Paines addresse to the Governor touching the Massachusetts etc. 1672.

22:138 (LETTER FROM JOHN PAINE TO GOVERNOR LOVELACE RECOUNTING HIS DIFFICULTIES DUE TO CONFLICTING CLAIMS TO PRUDENCE ISLAND BY NEW YORK AND RHODE ISLAND.)

Sir

By my Last from Rode Iseland I gave your honor an Account of what passed relateing to Prudence wherin I met not with anye thinges unexpected I desire (If you think fit) that you turne it not upon mee but Justyfyfe your act as I apprehend you may fayrely doe since the Iseland is not named [in Ro]de Iseland Patten and comprehended in many others [of which Connecticut and by the Antient Patten of Lord Starlins which the Duke makesClaime to so that though Rode Iseland Patten be before N. York, not before the Lord Starlins which the Duke also hath, besides ther Patten Right was nevor demanded at the Iseland or of mee or any Possessor of the Iseland In any place or at ani time though they Elegaly Constrained us to pay toward I know not what Publiq Charges, when I said Justyfy your Act If you thought fitt, I desire not If you think it may ani wise reflect upon your honor as granting what may not be within your compas to maintaine that it should appere to them what is granted or don for I both have and can keep it from ther vew, but then be pleased to Send mee a Line Under your hand to Suspend the putting it in force untill Spring next Since the time when or first Cort shoold abeen held for this present yer was Relapsed before the Patten was granted and I would not be constrained to begin In October and no time being fixt your [Hono]r may appoynt that to be the time (Viz) Spring next and [if t]hey doe know that it is not to bare force til then it wil much amase2 them for they will conlude by that you will have ful satisfaction from England about it and though I hold it to mean an action And too base a Pollicie to be an advisior or abetter underhand to Indea3 them that are inclined to Subvert ther Govermen yet I heard it was whispered amongst them ther Last Election and Som of the wiseones that they thout it would be ther best and Safest way to put ther Patten under the Duke and they are devided in many parties and If you Sh[ould writ]e to them that I may Shew or give them If need require
[LETTER TO GOVERNOR LOVELACE FROM JOHN PAINE INCLUDING A TRANSCRIPT OF HIS TRIAL AT NEWPORT.]

Jno Paines answers not Guilty and referrs to the Court and Jury and Pleades,

[Gen]t of the Jury you know your Place and duty; You attend to the Law and [Evi]dence; You are the Subjects Previledge, his Majeste desires not the [Extr]eamity of law or evidence to be improved against (but all just favor [to]) his Loyall Subject. I am Indicted for taking out a Patten, that I never did, nor is it in my power to doe, nor have I been the person to act Such a thing, nor is ther any Evidence that I have Received Such a thing as a Patten Or Commission but heresay to Somthing relateing to Somme wrighting or Commission but how Limmeted to the time, or other Condicions no man Saw nor red Such a thing, but in Some part, as one Ses, Good Sweet, whom I would he were here to cleer and Explaine himself. and no one Evidences, what this wrighting was from the authority of New York, that it had the Seal, or ani Confirmacion of that Goverment they besides, are Single Evidences; But were thes Evidences full and clear, as they are not, that I had (upon demand of authority); by virtue of a Patten from his Majestie, makeing the first demand of mee, Received or accepted of a Patten, to Subject to the Kings authority this distinct Place and Iseland, no man Evidence, that I have Subjected it, nor have I don any act, nor is ther ani evidence that I have, nor is ther ani evidence that I have in any measure or way Contemned authority: Nor was thee Clame of this Jurisdiction Ever made to mee till now, notwithstanding I constantly and all ways refused to pay Rates, demanding by what authority It did appere that I was obligeed thereto. and for Mr. Bostons Saying I desired him Exicution might not proceed, I did only desire it might proceed then Uppon Som Estate might apper of mine In the Towne, to Save chargees of officers going over If that hee would take it And to your Law, which I nevor heard er now, touching any inhabitants Subjecting his Landes, I nevor was acquainted with Yor Law, nor was an inhabitant, or Freeman or so looked uppon that I know, nor evor had warninge or notis Since I was (for about 15 yeers) concearnd in the Iseland
of an apperance, or Towne, or Collonyes Concerne In this Jurisdiction, and an Iseland so remote as that Is, I may Refer itt to all Reasonable men how I can be reputed a breakeor of the Law, or Contemneor of an authority which as often as I have been at this Iseland did nevor desire mee to Submit to this [a]uthority by ther Patten derived to them from the Kinge, nor [ne]vor sent officer to Proclaim their authority on the Iseland, or de[cla]re mee to be under them, or warne mee off the Iseland to [app]ere at anitme or in ani place or Publiqu meeting to be Informed thereof, and let it not bee offensive If I remind [you Gent that] as I have nevor heard of ani Law to condemne [a man that is] but passive, and no wise active, for haveing a [wrighting and] Commission in his hand If it were taken for g[ood what Evi]denes have Sayd; That on the Contrary ther [is Law to] Cleer mee. for in the next Artickle In the [Patten to] that of the boundaries as I humblely doe conceiv[e] his M[ajeste] of If hee had foreseen Some differences likely to arrise b[e]tween this and his other Colonyes doth graciously of his Paternall care prevent this Colonyes assum[ing] ther Power In away of Violence or to the Oppression of his Subjects by his Express Will and Pleasure Signifying to this Colony That that Shall bee ther way of Proceed In mattors of a Publiq Concearne that hath relation to any of his other Collonyes that they appeal to himself for a Redress This Is a matter of a Publique Concearne not my private difference I desire and shall Indeavor a Complyance.

Jno Paine

In Court delivereid the 29 of October 1672. a true Coppie a[s] attests Jno Samford Reco[rd]

This was putt in to Court after dinnor. and in the Place of the other Paper by mee Collected where ther is the mark^fe* in the Marjent.

Honored Sir

I have wrott half a Letter more must reffer you to the next oppertunity which I expect wil be Capt. bedlo In a few days by home I hope to give you better satissfaction of your more particulor bisnes I humbley Kiss your hand

and Subscribe Sr. your Faithfull Servt. Jno [Pa]in[e]

Prudence Iseland No. the 4th 1672

Right Honorable

[I] coold not in duty Omit this my first Oppertunitye to acquaint [y]our honor with the Courts proceeds against mee at Newport. In the Last you had account of ther binding me over to the Court and a Copie of my charge and my bond the next is mi Indictment,

I Indict Jno Paine of Boston Marchant for that the said Jno Paine hath procured a Patten from the Goverment of New York for Prudence Iseland being a part of this Collony which act of his is against the honor Crowne and dignity of his Majestie and absolutely against his Majestie gracios Grant in his Letters
Patten to this Collony and also a high Contempt of the authoritye of this Collony. Edwd Richman Generall Solicetor

Dated at a Court of tryalls held at Newport October 23:72.

Attested by Jno. Samford Recorder. Liberty of Paines except against the Jury. [Pl. Answer that the Gent. of the Jury are Stranjers I except against none of them.]

Recorder the said Mr. Jno. Paine being bound to the Court apperres and the Indictment and charge to him being red and asked Gilty or not Gilty Pleadeth not Gilty: the Deputy Governor and Mr. Attorneys, Speech, and pleas against Jno Paine and his answers as he hath to the best of his understanding Collected. Mr. Paine wee Looke at you as a quiet and Ingenuos person and believe you have don this as being Ignorant here the Law, Recorder the Generall Court of Commissioners held for the Collony at Warwick November 2d 1658. To prevent Inovacion in the Government and libertyes of the Collony from forraigne Power, it is ordered That If ani person in this Collony doe putt his or ani part thereof that are within this Collonyes boundes under the Goverment of ani other jurisdiction, or doe indeavor actually to bring in any forraighne Power to Governe in any part or parts of this Collonies precincts, the Penalty for either of these offences aforesaid shall be that the offendor shall forfit all his Landes and Estate to the Collonye. The jury have not your case and If that you acknowledge yower Ignorance and Subject you sha have what favor may be. Paine I doe acknowledge my ignorance. I nevor knew any of the Lawes of this Collony neither have I been Concerned with them or with the Patten of this Collony mr. Boston one of the honorable bench answeard that about 3 yeers Since giving him a Vissit I desired that a Rate which the Towne of Portsmouth had lay'd uppon mee, might be forborne and I Answered his worship had forgat the passage, I gave him a vissit and after Other discorse desired that ther might be a little suspendinge of the officers being Sent to the Iseland to take it ther and to Save my great damage that woold thereby accrew I woold order Som notis to be given them or shoold have Some Estate of mine in Rhode iseland which they might Laye hould of if they would take it. Mr. Boston owned theses were the words as nere as he coold remembor or to this same purpose. it was replyed In Court that ther was Rates Several times payed by mee I answered I had nevor paid ani but alwayes refuseed and had [d]ema[nded] by what authoritye I was Obliged to pay any; but nevor was Inf[ormed] and did then In Court call Jno Smith and Wm. Allin wh[o] had [lived] uppon Prudence (longer then from ther first demandes of Rate[s]) as my Tenants to testyfy that I nevor payd to ther Knowledg[e] any Rate but being Informed of the demandes, did order them a[ll] wayes, (and forwarne them) to pay anything Except they took it by [Au]thority, for I knew no Reason of ther demand, nor that I was Conce[rrned] with the Collony anywise. the Boundaries of the Colloni are he[re] uppon caused to be red which when I heard I did redlyy ackn[ow]ledge that Patten as it did by its Generall boundaries comp[rehend] (Except Fishers Iseland) all Iselands Inclusively within such limetts So it included this. Mr. Attorny Generall Pleadeth to the Patten to the Law of the Collony before Recited, to my breach thereof and contempt therby and the Penalty: I Pleadeth Ignorance of the Laws of this Collonye of the Patten, and of being Concerned In Either. Deputy Governor If you have your Answer in wrighting you may give it in. I Answer If it may Pleas the Court I have Collected what I apprehend Sutable to help my memorie, and save time, but it is a Ruff draft blotted and
Governor You herein owne not your Subjection to this Jurisdiction I am a Private Person, and passive, it is not my duty to determine the Right of Jurisdiction for any difference of that nature apprehended as advancing it to a Publick Concern the difference between this Colony and the Colony of New York, not mine or in my said Power to resolve or issue, I can but be passive and doe desire ther [should be] a Composition. Deputy Governor Recorder Read the oath or engagement [as said in the] Law of this Colony: Paines demanded if he will take it Answers [I a]cknowledge my Loyalty to his Majeste and to his Lawes freely and can freely take this engagement here prescribed with this caution that it prejudiceth not me or my Concerns in any other of his Majestes Colonies, though I am no inhabitant or free man here. No Proviso is admitted. So furder addes. I haveing heard that Several Colonies demand's Prudence Iseland under the General name of an Island by their Patten boundaries and it haveing been Demanded first by virtue of his Royall highnes the Duke of Yorkes Patten which was in part red to mee and the Patten shewed mee to red in which Patten his Majeste hath Gracious confirmed the Lord Starlins Patten and rights also which are the most ancient of thes Colonies and takes in all Islands in General also, to the westward of Capecod, not named. I doe not see how I can Reasonably or Safely act furder but rest passive. Deputy Governor have you been Commanded or Obliged before now, to act by that or any other Power, or to that purpose. A. then I have disobayed and I would not willingly bee disobedient to any authority derived from his Majeste Deputy Governor you have great favor, and freedom to plead I acknowledge any favor of the honred Court. the Court adjournes for an howre til after dinner.

The Court is Sett, Paine, apperres, offers what he hath drawne up for the Jury; that red it is deliverd the Jury: the Jury delivers ther verdict Guilty: the Court demands have you anything furder to propose. Paine. I desire the honored Courts Charitable thoughts of mee I think it not so good Satisfaction to the Court or so just or honorable for mee since the jury hath passed and I may make no furder Plea to my Indictment that I add to what I have Sayd until the Court hath passed ther sentence but that with all Submissivenes I owne authority and Shall Indeavor what lyeth in me to doe or propose. Deputy Governor the Court shews you all the favor and previledge is Suitable etc. and you may take your Liberty uppon your Promise to apper on the forth or fifth day wee Suppose you to valew your word doe you promise apperance. I doe promise to appere and I valew my word more then a bond On the fifth day the Court Setts. Paine called apperers, the Sentence is Red. The Court doe Pass...
their Judgement that in This case mr. Jno Paine hath
transgressed the Law of this Collony and doe Sentence him
accordingly Only Doe suspend the Excution until the Generall
Court of Tryalls in May next at Newport.

Jno Samford Recorder

The Court Expreseth their favorable dealing and make no
furder demands of Paine. Paine Answers I acknowledge the Courts
Respects and favor and that they have delt wisely in giveing
this Opportunity for a Composure of this [difference which I
shall] Indeavor hartyly, this Answer was well Received and
Paine took leave of the Court.

[Addressed:] To the Right honorable Frances Lovelace
Governor in Generall of his R: Highneses
Teritoris In America

Per Mr. Jno Browne
Q.DC

[Endorsed:] Mr. Paines lettre and narracion [at] large
[to the] Governor about his Tryall at Rhode
Island, in October or November 1672.

22:140 [CALENDAR OF CASES ENTERED FOR TRIAL AT THE COURT
OF ASSIZES IN NEW YORK FROM 1665 TO 1672.]1

Actions and Appeales Entred for
Tryall att the Assizes to bee
held in New Yorke beginning the
28th day of September 1665.

\[
\begin{align*}
1 \{ & \text{John Richbell plt} \} \\
\text{The Inhabitants of the} & \{ \text{defts} \} \\
\text{Towne of Huntington} & \\
2 \{ & \text{Richard Ponton Plt} \} \\
& \{ \text{John} \ Archer Deft \} \\
& \text{An Appeale from Sessions} \\
3 \{ & \text{[Natha]niell Brittaine plt} \} \\
& \{ \text{Albert Albertsen deft} \} \\
& \text{An Appeale from the Mayors Court.} \\
4 \{ & \text{Timothy Gabry Plt} \} \\
& \{ \text{Jan Jansen Verryn Deft} \} \\
& \text{An Appeale from Sessions} \\
5 \{ & \text{George Baxter Plt} \} \\
& \{ \text{John Tilton Deft} \} \\
& \text{An Appeale from Sessions}
\end{align*}
\]
Appeals, Actions, Presentments etc Entred for hearing and Tryall at the Generall Court of Assizes to bee held in New Yorke beginning Sept the 27th 1666.
NICOLLS-LOVELACE PAPERS

2 \{ Thomas Hall \text{ Plt } \} \quad \text{An Appeale from the Mayors Court}
\{ Samuel Edsall \text{ Deft } \}

3 \{ William Teller \text{ Plt } \} \quad \text{An Appeale from Albany}
\{ Cornelius Bogardus \text{ Deft } \}

\{ The Inhabitants of the \text{ Towne of Huntington } \text{ plt } \} \quad \text{An Appeale from Sessions}
\{ Capt Robert Seely \text{ deft } \}

5 \{ Reyneer Vander Cooley \text{ plt } \} \quad \text{An Appeale from the Mayors Court}
\{ Balthazar de Haart \text{ deft } \}

6 \{ Thomas Wandall \text{ Plt } \} \quad \text{An Appeale from the Mayors Court}
\{ Johannes Van Brugh \text{ deft } \}

7 \{ John Garland \text{ plt } \} \quad \text{An Appeale from the Mayors Court}
\{ Thomas Fleete \text{ deft } \}

8 \{ Hugh Oneale \text{ plt } \} \quad \text{By speciall Warrant}
\{ John Ramsden \text{ deft } \}

\{ The Inhabitants of \text{ Gravesend } \text{ Plts } \} \quad \text{By speciall Warrant}
\{ The Inhabitants of \text{ Flattbusch } \text{ defts } \}

\{ Augustine Hermans \text{ plt } \} \quad \text{By speciall Warrant}
\{ The Inhabitants of \text{ Westchester } \text{ defts } \}

\{ Francis Doughty \text{ Plt } \} \quad \text{By speciall Warrant}
\{ Mr John Hicks \text{ defts } \}
\{ Mr Will: Laurence etc \text{ defts } \}
A Bill in Equity

The Constable and Overseers of Seatalcott, present Roger Barton and Robert Bloomer for misdemeanor.

The Constable and Overseers of the same place present Richard Woodhull upon the like Account.

The Constable and Overseers of Flushing present William Laurence for resisting the Constable in the Execution of his office.

Persons bound over by Recognizance from the Mayors Court:

Peter Van Couwenhoven.
Adriaen van Laer.
Matthias Bastiaensen.
Ariaen Ariaensen
Harmitie Juriaensen.

Walter Salter bound over by Mr Richard Cornhill by the Governors Order

Petitions presented to the Court.

The Petition of Jan Jansen verryn against Timothy Gabry.

The Petition of Philip Udall against Walter Salter

The Petition of the Inhabitants of Bedford about a Highway.

The Petition of John Solmon for a Caveat against John Conclings taking Letters of Administracion.

The Petition and Complaint of the Indyans of Matinicock against Hempstead

The Petition and Complaint of the Indyans about Souhton against the Inhabitants the[re.]
### Appeals, Actions etc. Entred for Hearing and Tryall at the Generall Court of Assizes to bee held in New Yorke beginning upon the last Wednesday in October 1667.

<table>
<thead>
<tr>
<th>Case</th>
<th>Parties</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Augustine Hermans (Plt)</td>
<td>The Inhabitants of Westchester (defts)</td>
</tr>
<tr>
<td></td>
<td>Francis Hall of Stafford on the behalfe of Thomas Revell (Plt)</td>
<td>An Appeale from the last Assizes</td>
</tr>
<tr>
<td>2</td>
<td>John Richbell (def)</td>
<td>An Appeale by speciall Warrant</td>
</tr>
<tr>
<td>3</td>
<td>Balthazar de Haart (Plt)</td>
<td>George Dennis (deft)</td>
</tr>
<tr>
<td></td>
<td>John Cooper (Plt)</td>
<td>John Ogden (Deft)</td>
</tr>
<tr>
<td>5</td>
<td>Robert Seely (Plt)</td>
<td>Richard Smith (Deft)</td>
</tr>
<tr>
<td></td>
<td>The Inhabitants of Southton (Plts)</td>
<td>The Inhabitants of South-Hold (defts)</td>
</tr>
</tbody>
</table>

### Appeals, Actions etc. to bee heard and try'd at the Generall Court of Assizes to bee held in New Yorke beginning upon the first Wednesday in October Anno Domini 1668.

<table>
<thead>
<tr>
<th>Case</th>
<th>Parties</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>John Ogden (Plt)</td>
<td>John Cooper (Deft)</td>
</tr>
<tr>
<td></td>
<td>An Appeale from the last Court of Assizes</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Thomas Revell (Plt)</td>
<td>John Richbell (Deft)</td>
</tr>
<tr>
<td></td>
<td>To bee heard by speciall order of the last Court of Assizes</td>
<td></td>
</tr>
</tbody>
</table>
NEW YORK HISTORICAL MANUSCRIPTS

Action of Defamacion

3 \{ William Argent \text{ Plt} \quad \text{John Ashman} \text{ Deft} \} \text{An Appeale from the Mayors Court}

Action of the Case

4 \{ John Holden \text{ Plt} \quad \text{Richard Smith} \text{ Deft} \} \text{By speciall warrant Aug: 15 1668}

Action of Debt

5 \{ William Graves \text{ Plt} \quad \text{William Newnan} \text{ Deft} \} \text{An Attachment by Speciall Warrant Sept: 5th 1668}

Action of Debt and Account

6 \{ Gabriel Thompson \text{ as attorney for Plts} \quad \text{Cornelys van den Brough} \quad \text{Gerrit Jansen} \quad \text{Staffast deft} \} \text{By speciall warrant September 10th 1668.}

Criminals and Misdemeanors to bee prosecuted by way of Indictment, Plaint or Presentment

David du Four prosecutes by way of Indictment John Copestaffe now a Prisoner in the Custody of the Sheriffe of this City, standing accused for the death of Anthony Du Four sonne of the said David.

Mr John Rider prosecutes by way of Plaint Fittye Jans formerly his servant, now a prisoner in the Custody of the Sheriffe of this City, standing accused for stealing and conveying away a certaine parcell of Goods and money out of his House.

The said Mr Rider also prosecutes Marke Dale for abetting the said Fittye Jans in her evill designe, and also for receiving the said Goods and Money.

Charles Sturmy and Deborah Scott presented for an Unlawfull Marriage bound over to Answer at this Court by Mr John Mulford Justice of the Peace.

The Inhabitants of the Towne of Oyster=Bay to bee presented, for deniall and Justifying themselves, in not taking out their Patent According to the Order of the Governor and the Court of Assizes.

The like for the Townes of Southtonn and South=Hold for their Voluntary Neglect in not taking out their Patents.
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Withdrawn by Peticon and Consent. Benjamen Palmer and his wife Mary, Plts. John Archer, deft. The deft is bound over being accused for a Rape: March 2d 1668.</td>
</tr>
<tr>
<td>3</td>
<td>Graunted at Easthampton and confirmed in N.Y. Apr. the 19, 1669 by speciall warrant. The Towne of Hempsteed, plt. C. Underhill for the Indyans at Matinicock, defts.</td>
</tr>
</tbody>
</table>
Upon the suite and Request of Captain Underhill and Mr Laurence withdrowne

William Paterson plt)
Captain John Baker deft)
upon an accusacion that the deft hath committed Burglary


Gerret Croesen plt)
Adam Brower deft)
In an action of Battery

Graunted by the Governor to bee tryed at the Assizes Sept. 6 1669

withdrawne

John Richbell plt)
Thomas Pell deft)
By special warrant of the 13. Sept. 1669.

withdrawne

William Paterson plt)
Jan van Cleave deft)
By speciall warrant of the 16 Sept. 1669

withdrawne

Abraham Staetts plt)
John Allen deft)
An Appeale from a speciall Court Sept 20th.

This appeal was withdrawne this 23th day of Sept by Major Abrah Staets.
withdrawne 11 Mettye Wessells plt } By speciall warrant Sept 7th
withdrawne 12 Warnaer Wessells plt } Appeale: October 12.
Thomas Lewis deft 

The Inhabitants of Gravesend plts }

The Inhabitants at the Turks defts }
Francis Browne plantacion alias }

The Inhabitants plts }

The Inhabitants defts }

The Inhabitants of Boswyck Title of Land Oct. 22

The Inhabitants of New Towne Title of land Oct. 18.

Complaint by petition to bee tryde by way of action.

The Complaint of Hendrick Barentsen Smith against John Lorrison, about his transportacion of a Mare, belonging to the said Smith

Henry Soper²

John Underhill Junior

Presentment

Mary Pryor

Appeales, Actions, Presentments etc entred for Hearing and Tryall at the Generall Court of Assizes to bee held in New Yorke beginning on the first Wednesday of October 1670.

By speciall warrant after Appeale 

Richard Smith of Nesaquake Plt }

The Inhabitants of Huntington Defts }

Richard Smith of Nesaquake plt }

The Inhabitants of Huntington Defts }

By speciall warrant 

John Cooley Plt }

Thomas Wandall Deft }
Bound by the Sessions of Jamaica to appeare

James Ryley and Nathaniell Stevenson of Westchester, bound over by the last Court of Sessions at Jamaica, upon suspicion of Hogg stealing

John Laurence of the same place is bound over to prosecute them.

Bound over by the sessions of Gravesend

Lewis Jansen of Flattbush, bound over by the Court of Sessions at Gravesend, for committing Adultery with Pittye Jans, and shee the like for being with Child by him.
The Constable and Overseers to prosecute

The Deft Bound over by the Sessions at Gravesend.

Bartholemew Applegate
William Wilkins

bound over to the Assizes by the last Court of Sessions at Gravesend, upon suspicion of Adultery.

The Plt. to prosecute.

By Complaint withdrawne Oct. 4.

Andrew Messenger
Richard Lattin and Joane his wife

George Wood bound over to appeare at the Assizes for Breach of the Peace, by Justice Betts,

Josias Firmam bound over to prosecute.

Pieter Boecklien summoned by warrant to appeare to answer the Complaint of the Constable and Overseers of Breucklyn for committing the Crime of Adultery with his wives sister.

They are to appeare on Thursday the 7th of this instant moneth.
<table>
<thead>
<tr>
<th>Appeals, Actions, Presentments etc, entred for Hearing and Tryall at the Generall Court of Assizes to bee held in New Yorke, beginning on the first Wednesday of October 1671.</th>
</tr>
</thead>
<tbody>
<tr>
<td>By speciall warrant</td>
</tr>
<tr>
<td>Josias Hunt of Westchester Plt</td>
</tr>
<tr>
<td>Katharine Harrison Widd Deft</td>
</tr>
<tr>
<td>By speciall warrant</td>
</tr>
<tr>
<td>George Wood of Newtowe Plt</td>
</tr>
<tr>
<td>James Chichester of Huntington Def</td>
</tr>
<tr>
<td>bound over by the Court of Sessions at Jamaica</td>
</tr>
<tr>
<td>John Hubbs Plt</td>
</tr>
<tr>
<td>William Argent Deft</td>
</tr>
</tbody>
</table>

This Case being an action of Defamacon tryed at the Court of Sessions at Jamaica in June last, by a Jury, who found great suspicion of the Guilt of both partyes The bench bound them both over to the Court of Assizes to answer the fact there, they being both bound in the bond of 20 lb. apiece.

<table>
<thead>
<tr>
<th>By speciall warrant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 15, 1671.</td>
</tr>
<tr>
<td>Elyas Doughty Plt</td>
</tr>
<tr>
<td>Nathaniell Tomkins Defts</td>
</tr>
<tr>
<td>Ebenezer Jones</td>
</tr>
<tr>
<td>By speciall warrant</td>
</tr>
<tr>
<td>Sept 15, 1671.</td>
</tr>
<tr>
<td>James Mills Plt</td>
</tr>
<tr>
<td>Charles Glover Deft</td>
</tr>
<tr>
<td>By speciall warrant</td>
</tr>
<tr>
<td>Sept. 15, 1671.</td>
</tr>
<tr>
<td>Mr Thomas Lovelace Plt</td>
</tr>
<tr>
<td>Ruscoe Senior Defts</td>
</tr>
<tr>
<td>Samuell Ruscoe Junior</td>
</tr>
<tr>
<td>John Bayly</td>
</tr>
<tr>
<td>By speciall warrant</td>
</tr>
<tr>
<td>Sept 22th, 1671.</td>
</tr>
<tr>
<td>John Pell Plt</td>
</tr>
<tr>
<td>Jeremiah Cannon alias Dorman</td>
</tr>
<tr>
<td>James Mott</td>
</tr>
<tr>
<td>Roger Pedley</td>
</tr>
<tr>
<td>James [ ] Mr Richbells man3</td>
</tr>
</tbody>
</table>
NEW YORK HISTORICAL MANUSCRIPTS

By speciall warrant Sept 23th 1671
A presentment

Capt James Hubbard
Thomas Whitlock senior
Thomas Applegate junior

bound over by the Court of Sessions at Jamaica

Rutt Albertsen was bound in an obligacion of 40 lb from the Court of Sessions held in June last at Jamaica, to make answer Upon suspicion of felony about some beads and other things found in and about his house.

Rutt Alberts
Peter Johnson

A Complaint by speciall warrant Sept. 27

Anne Gerrits
Mr John Hicks

Sept. 23.

George Wood came to withdraw his action, they being agreed in time

Mr Elyas Doughty hath also withdrawne his action against Nathaniel Tomkins and Ebenezer Jones this day

By speciall warrant Sept 27
to try title

The Inhabitants of Hempsteed
Matinicock Indyans.

Peter Jegoe
Cornelys Joris

By appeale from the high Court at Delaware

Jeuffrou Pappegay alias
Armigart Prince
Andrew Carre and Margaret
Persille his wife, by
Captain John Carr their Attorney

By appeale from the high Court at Delaware

Jeuffrou Pappegay alias
Armigart Prince
Andrew Carre and Margaret
Persille his wife, by
Captain John Carr their Attorney
By special warrant of Attachment

Doctor Henry Taylour
The Administrators of the Estate of Nicholas Davis

By special warrant

John Archer
William Betts, Geo:
Tippet and Inhabitants of the 3 farms near Fordham

By special warrant

Capt Dudley Lovelace
Assignee of Peter Tasker
Mr John Pell

withdrawn Sept 30th

Mr Egidius Luycke
Minno Johannes and Jan Roeloffs Sybrinck

By special warrant

William Palmer and Mary his wife
Richard Ellet alias Ellyot

withdrawn Sept. 30th

Monsieur Gabriel Minvielle
Titus Serix devRiez

By special warrant

Richard Smith of Nesaquake and the Inhabitants of Huntington

This matter was referred by the Governor and Council to this bench to make Enquiry into the Grounds of Mr Smith for a New Tryall.
Presentment  

Thomas Hunt junior bound over by the Court of Sessions at Jamaica about Hogg stealing.

John Heddy
George Tippet
William Smith and
Jan Hendrick

Gerrit Trevis bound over by the Court of Sessions at Jamaica upon suspicion of felony.

Daniel Sutton bound over by the Governors order to appeare at the Assizes upon complaint from Boston concerning his unlawfull marriage.

Adam Onclebanck bound over by order to appeare at the Assizes for scandalous words against the Government.

Nicholas Du Puy summoned to appeare about the same.

Defamacion  

Mrs Anne Broadhead  plt
Zachariah Crispe  deft

Complaint  

Bound over by the Court at Esopus to appeare at this Court.

Thomas Pettit  plt
Sarah Perry alias Pettit  deft
his wife

To answer to an accusacon brought in against her

Examinacion to bee made about the two horses which Ralph Warner had order to take up.

Laurence Mott bound over by the Court of Sessions of Jamaica in December last.

Captain William Laurence's Negroe in prison for stealing of linnen etc.

Three of C. Morris his Negroe in prison.
Mrs Dentons petition brought in about the Latter End of the Court Gravesend Petition about their bounds with N. Utrecht.

A Confirmation of an Order made at the East End of Long Island, about Whaling.

Whereas there was an order made at a Towne Meeting in South Hampton, upon the Second Day of May last, relating to the Regulation of the Whale Fishing, and Employment of the Indyans therein, wherein particularly it is mentioned, That whosoever shall Hire an Indyan to go a Whaling, shall not give him for his Hire, above one Trucking Cloath Coat, for each whale, hee and his Company shall Kill, or halfe the Blubber, without the Whale Bone, under a Penalty therein express; upon Consideracion had thereupon, I have thought good to Allow of the said Order, And do hereby Confireme the same, untill some inconvenience therein shall bee made appeare; And do also Order that the like Rule bee followed at East Hampton, and other Places, if they shall finde it practicable amongst them. Given under my hand in New Yorke, the 28th day of November, 1672.

Fran Lovelace

[Endorsed:] John Coopers Papers. 1676
NEW YORK HISTORICAL MANUSCRIPTS

COPY OF A LETTER FROM KING CHARLES II TO CAPT. JOHN BERRY, DEPUTY GOVERNOR OF NEW JERSEY, AND HIS COUNCIL ENJOINING THEM TO ENFORCE OBEDIENCE TO THE LAWS AND GOVERNMENT ESTABLISHED BY THE PROPRIETORS.

Charles R.

Trusty and welbeloved, wee greete you well, having beene informed, that some turbulent and disaffected persons, living and inhabiting within the Province of Cesarea or New Jersey, The propriety whereof wee have granted to our right Trusty well beloved Councillors John Lord Berkley of Stratton and sir George Carteret Knight and Baronet, doe refuse to submitt and bee obedient to the authority derived from us to the said Lord Berkley and sir George Carterett as absolute Proprietors of the same, to the great prejudice of the said Lords Proprietors, the disturbance of the Inhabitants, and hindrances of the whole Plantacion there designed, Wee doe therefore hereby require you in our Name, strictly to charge and command all persons whatso­ever inhabiting within the said Province, forthwith to yield Obedience to the Lawes and Government there settled and established by the said Lords Proprietors having the sole power under us, to settle and dispose of the said Countrey, upon such Termes and Condicions, as they shall thinke fitt, And wee shall expect a ready Complyance, with this our Will and pleasure from all persons whatsoever dwelling or remaining within the foresaid Province, upon paine of incurring our high displeasure, and being proceeded against with due severity according to Law, whereof you are to give publick notice to all persons that are or may bee concerned and so wee bid you farewell, Given at our Court at Whitehall the 9th day of December 1672. In the 24th yeare of our Raigne

By his Majesties Command.

Henry Covertrey.

To our trusty and well beloved Capt. John Berry Dep: Go: of New Cesarea, or New Jersey in America, and to his Councell there.

Copia vera, compared with the Original.

22:144b [MEMORANDUM OF A PAYMENT TO JOHN RIDER BY BALTHAZAR BAYARD OF A DEBT OWED TO CAPT. JOHN RANDALL BY ISAAC MELYN.]

These are to Certify all Whome itt may Concerne that I: underwritten have satisfyed unto Mr. John Rider for the account of Mr. Isacq Melyn the summe of Fyve pounds sterling Itt being for a debt due to Capt. Edward Randall from the said Isacq Melyn; In witnesse Whereof I have hereunto set my hand and seal in New Yorke the 30th of December anno 1672;

I say five pounds or two hundred gilders in Wampum Valuue

Test.: Ephraim Herman B. Bayard [seal] J. Teller

[Endorsed:] Mr. Isake Melyne his Conseine.
[Endorsed:] Mr. John Rider his note to me for five pound starling which wass Paide him for my Accompt.


First.

At the meeting of the Constable and Overseers and Inhabitants of the Village of Breuckelen it is Resolved to present a petition to the Right Honorable the Governor in regard to the land formerly belonging to Mr. Carel Gabree.

Secondly.

Having received the answer of the Right Honorable Governor and his Honorable Council, the aforesaid Inhabitants met at my request, and having understood the contents of said answer, Resolved to apply to the Hon. Sessions of purchase the fee of said land and adjoining marsh and Swamp for a certain sum, and thereto authorized in person Dirck Storm and Jan Cornelisse Buys and Dirck Janssen.

Thirdly.

Said persons having come back, made a verbal release to the meeting of the aforesaid Inhabitants, and thereupon the meeting again unanimously Resolved to purchase the aforesaid Land and marsh for the sum of Three hundred guilders if his Honor would therefor please to [ ] to us; and thereunto were authorized by the Inhabitants, the Constable and Dirck Janssen, Overseer.

Fourthly.

In course of time, the said Inhabitants were again assembled at my request, except Capt. Hainelle, and the previous report from the Hon. Session being submitted as before, these following persons resolved to leave—namely, Jan Cornelisse Buys, and Jan Cornelisse Daemen and Hendrick Claesse and Wynant Pietersse and
Symon Claessen and Johannes Marcusse and Susanna Dubbels; and there had previously gone away, Albert Cornelissen and Joris Jacopse and Fredrick Lubbertse; and the additional persons or inhabitants, by name, Dirck Jansse and Lambert Jansse Dorlant and Raaff Warnar and Jeronimus de Rapalie and Dirck Storm resolved to await respectfully the pleasure of the Honorable Governor and his Council, as we are and shall be obliged thankfully to pay for the aforesaid land, according as our Right Honorable Governor shall in equity order us to do. And we remain after respectful Greeting Your Honors Dutiful Servants

Breucklen
the 5th January Anno 1672

By name
Raelph Warnar
Lambert Jansse Dorlant
Dirck Jansse
Jeronimus De Rapalie
Dirck Storm

In witness of the truth signed by me

Breucklyn paper

22:146

We the undersigned persons, namely Dirck Storm and Lambert Jansse Dorlant and Ralph Warnar, and Jeronimus de Rapalie and Dirck Jansse Woertman offer and promise, as we hereby promise each to pay his part of the purchase of the land bought from the Right Honorable Governor, and that on or before the third of February Anno 1672 and for security hereof each pledges for his part his person and property now present or hereafter to be acquired. This is signed in token of the truth without fraud or deceit by the above mentioned persons with their own hands. Done Breuckelen the five and twentieth day of January, Anno 1672.

Dirck Storm

Lambert Janss Dorrlant
Jeronimus Rapale

This is the mark of Raeff Warnar
made with his own hand
Dierck Janssen

[Endorsed:] Dirck Storm about the land at Breuckelen for the Town.
[WARRANT TO PETER SMITH, UNDER SHERIFF OF LONG ISLAND, TO ARREST DANIEL LANE AND ANYONE CONCEALING HIM.]¹

Whereas I have receiv'd Informacion from the Constable of Seatalcott alias Brook-Haven that Daniel Lane late of the same place hath since his Escape out of Prison in this City, notwithstanding the several Hue and Cryes sent after him, and particularly left in that Towne for his apprehension, been seen and Concealed in that Place both at his House (which by my Speciall Warrant hath layn under Arrest since his Flight) and also in other places adjacent as is presumed; These are to require you forthwith to repaire to the said Towne of Brook-Haven, and with the Assistance of the Constable and the other Officers there, that you make strict Search and Enquiry after the said Lane, and if Occasion bee that you take to your Assistance for the apprehension of the Delinquent (if hee can bee heard of or found within the Government) such Number of the Trayned Bands as shall bee thought requisite, the whom you have hereby Power to rayse; And upon Examinacion of any Persons, either in the Towne of Brook-Haven or elsewhere, who shall bee adjudged privy to the Concealment of the said Lane, That you cause them to bee secured; and carried before the next Justice of the peace, who is to take Security of them for their Appearance at the next Generall Court of Assizes, there to answer for their Misdemeanor herein. And that you use any other lawfull wayes and meanes for the detecting and securing of the Offendor, and bringing those who shall Ayd, Abett, or Conceale him to condigne Punishment; Of all which you are to render mee an Account; And for whatsoever you shall Act or doe in persecution hereof, this shall bee your sufficient Warrant. Given under my hand and seale at Fort James in N: Yorke this 21th day of June. 1673.

Fran: Lovelace

To Mr. Peter Smith of Long Island Under-Sheriffe.

[CERTIFICATE BY COLONIAL SECRETARY MATTHIAS NICOLLS THAT REPRESENTATIVES OF BROOKLYN HAVE PAID FOR TITLE TO THE LAND CONFISCATED FROM CHARLES GABRY.]¹

Whereas I was employed and entrusted by the Governor with mr. Cornelys Vuyven, to treat and agree with some of [the] Inhabitants of Breucklyn, who had made Request for a Lott of Land and Meadow [within] the precincts of the [said] Towne here[tore] belonging unto Charles Gabry of Holland, but was confiscated in the Last Warre, and lay neglected and unfenct to their great prejudice, for and concerning the which I made an agreement with the said persons the which was approved of by the Governor: These presents testify, That I have received full satisfaction for and concerning the premises, of Captain Mich[ell] H[eynell]e and Mr. Ralph Warner on the behalfe of themselves and Company, [w]hereupon I have delivered them all the writings left in my hands thereunto relating, and will endeavor to procure for them such further Confirmacion as shall

[Endorsed:] [For] Heynelle and Mr Ralph Warne[r]

22:149 [LETTER OF JOHN PAINE TO SECRETARY NICOLLS AFFIRMING HIS FRIENDSHIP.]¹

Dere Capt Nichals

Just what I say I mean, though I Seldom meet with the Time to tell you that besides honoring of you and loveing you from a duty incumbant, I am necessitated thereto from Somme Sympathie, or secret command of nature, it is a mean case for a man to tel it without an Expression [ ] though [ ] (were it lawful to E[ ]plain) be [the] cause.² I have no more to Pleas myself or displeas yow with at present, but that this with all faithful servis to yourself. Sweet Lady. and (those that Remember forgotten Paine) may Kis your Hand.

Newport July. 12. 73 Jno. Paine

Derik Smith have ten wethers³ the best that I cold get with Redy mony Eight for the Governors table two for yowers. J.

[Addressed:] To his honored Freind Capt. Nichals Esq. Secretary at N York

[Endorsed:] [ ] 12th 1673 Mr. [seal] John Paine

22:150 [ACCOUNT OF THE TOWN OF BROOKLYN WITH THE HIGH SHERIFF FOR 1672.]¹

In the jurisdiction of Breuckellen it was found, after correction, that the high sheriff Capt. Manningh is to be credited in the year 1672 the sum of ................................ f91:17

Accordingly Geridt Crosse must be paid. ............... f36:6

As well as Mons. Nevius for. .......................... f50

And Albert Cornelisse for. ............................ f 9:--

Errors excepted by me the undersigned

Dirck Storm, Secretary in Breuckellen
Anno 1673 the first of August appeareth before me Ludovicus Cobus Secretary of Albany etc in the presence of the Commissioners of Albany, Gerret Van Slechtenhorst endel Adrian Gerretse, Captain Thomas De Lavall which declareth to transport in Lawfull possession, to the proper use of Mr Daniell Hondecoure Marchant of this place Certaine his house and Lott, being and Situated here in Albany wherein Mr Pretty lives, next to the housing of Gerrett Janse Stavast by virtue of a patent or ground brief of the same, and such all free, without any incombrance upon the said house and Land, onely the privilege of the Government excepted, without the said Captain De Lavall hath to pretend any thing in the same acknowledging to be paid and Satisfieth both the first and the Last penny, giving therefore plenam actionem Cessam and full power to the said Mr. Hondecoure, his heires and posterity or to them which here after, his Rights and action Should receive, to doe with the said house and Lott, as with their owne patrimoniall goods and Effects, promising to free the same from all incombrances and pretences, as is Just, and further never to doe any thing against this, or order to be done in Law or without the Same, in no manner, under Limetation of all Laws and Statutes. Albany the Date as above, was signed Tho: de Lavall, Gerrett van Slechtenhorst, Adrian Gerretts, under signed my present Lodovicus Cobus Secretary.

After Comparing this with the Originall in the records, found to agree by me Johannis Provoost Secretary of Wm Stadt².

[Mortgage concerning Capt. De Laval Translated]

[A BLANK PIECE OF PAPER, APPARENTLY USED AS A COVER FOR ANOTHER DOCUMENT.]

[DOCUMENT APPARENTLY RELATED TO A DISPUTE BETWEEN WILLIAM HALLETT AND HENDRICK JANSZ OVER LAND AT MASPETH FALLS IN NEWTOWN.]

[CANCELLED CONFIRMATION OF A PATENT TO MATTHIAS BLANCHAN, FOR A PARCEL OF LAND IN ESOPUS.]

Whereas Matthias Blanchan stands possess[ed] by vertue of an old Patent or Ground brief of a certaine parcell of Land in the Esopus, within the limitts of the Towne of Hurley heretofore Conteyning about sixeeene acres and two hundred forty eight Rod, and hath since by the Commissioners appointed by mee beene
augmented to the Quantity of about Eighteen Margen or thirty-six Acres, lying and being in the said Towne of Hurley betwixt the lands of Louis du Bois and Cornelys Swartwouts, stretching on both sides upon a north west and by North Line, in breadth two and fifty Rod and in bignesse as before is exprest. Now for a Confirmacion unto him the said Matthias Blanchan in his possession and Enjoyment of the premises, Know ye etc

A Quitt Rent to his Royal Highness of one Bushell of wheate Dated the 7th day of [June] 1673

This is cancelld There being a new one


22:153b [MEMORANDUM CONCERNING A REVISION IN THE ABOVE CONFIRMATION.]

Another sent in the place with the addicion. / In length to stretch to a little Round hill - beyond the little Creeke - or Engl. Kill. /

22:154 [DEED FROM GERRIT VISBEECK TO JAN HENDRICKSZ VAN SOLSBERGEN AND GERRIT VAN SLICHTENHORST FOR A PARCEL OF LAND CALLED PREEUWEN HOEK AT CLAVERACK.]

True Copy.

This day the 17 July 1673 before me Ludovicus Cobes, Secretary of Albany etc. in the presence of Mr. Adriaen Gerrittsz and Andries Teller, Hon. Commissioners of said Court appeared Gerrit Visbeck who declared in true, right and free ownership that he hereby cedes, transports and conveys to and for the behoof of Jan Hendricxz from Solsbergen and Mr. Gerrit van Slechtenhorst a certain parcel of land situate on the East bank, extending along the River into the woods from the second Claever up to the Pleene Killetie2 alias in the Indian language called Preeuwen Hook, pursuant to the authority of the patent thereof from the Right Honorable Governor Richard Nicols: and that free and unburdened without any incumbrance being thereon or arising therefrom, save only the Lord's right; without he the grantor having any future claim in the least thereon, acknowledging to be fully satisfied and paid therefor, the first penny with the last; therefore giving the above named Jan Hendricxz, and Mr. Slechtenhorst, their heirs and descendants, or whomsoever may hereafter obtain their right and action plenem actionem celsam3 and full power to do with and dispose of the said parcel of land as they could do with their patrimonial estate and effects, promising to defend and guarantee the same against every person from all challenge, future claim and
difficult, and further nevermore to do, or suffer to be done
in law or out of law in any wise contrary hereunto; under bond
as by law provided. Albany dates as above

Was signed Gerret Visbeeck

Adrian Gerritsz

Collated by me

Andries Teller

Ludovicus Cobes, Secretary.

22:155 [INVOICE FOR THE SHIPMENT OF CLOTH FROM BARBADOS
TO JOHN SHAKERLY AT NEW YORK.]1

Invoice of one piece Bro: ozen briggs2 and fower pieces of Blue
linen Being part of one Small Bayle, Loaden on Board the Sarah
and Katharin of New haven Daniell Hull Commander bound for New
York Being for the acco. of Mr. John Shakerly (in part of the
produce of a parcell of oyle and pype Staves per the adventure
Will Bexby Commander) and is to Said Shakerly (as per Bill of
Loading Consigned Barbados the 14th August 1673.)

In a Small Bail no. 1 ^2 1 piece bro: ozen and 4 pieces of
Blue Linen qel.3 and Cost viz

One piece Bro: ozen briggs qel. 75 0 is 97 yard 2/3 £ 4:5:5
at 10 ds4 per yard

4 pieces blue Linin qel. viz 25 yrd 1/4

25 - 1/2

25 - 1/4

28 - 3/4

104 yards 3/4

at llds per yard £ 4:16:00
0:1:09 9:03:2
0:09:2

£ 2748 [s]6 Sugar £ 2:12:4

For wrapper5
For my Commission at 5 per cent.
£ 9:12:4 is in Sugar at 7 per cent.

Charles Pope

on the other Side is the Invoice for the Ball7
of what you Sent me per Randall

Invoice of one piece Bro: ozen briggs and 2 pieces of Blue
Linin Being in a Small Bayle No. 1 ^2 Loaden on Board the Sarah
and Katharin of New haven Daniel Hull Commander bound for New
Yorke being for the accompt and Risque of Mr. John Shakerly of
New Yorke and is in full for the produce of Severall goods with
J. Reid per Capt. Randall, and is to Said Shakerly Consigned.
Barbados the 14th Aug: 1673.
in a Small Bayle 2 pieces Blue Linin and 1 piece Bro: ozen briggs [ ] viz

one piece Bro: ozen briggs [ ] 52 9 is 68 yard 1/4 at 10 ds 1/2 per yard £2:19:8 1/2

2 pieces Blue Linin [ ] 24 yards 1/4 55 yards 1/4 at 31 11 ds per yard £2:10:7 1/2 5:10:4 5:8

To my Commission at 5 per cent.

Charles Pope

[22:156]

[Copy of a letter from King Charles II to Governor Philip Carteret of New Jersey enjoining him to enforce the laws and government established by the Proprietor, Sir George Carteret,]¹

Charles R.

Trusty and wellbeloved, Wee greete you well, Whereas our right Trusty, and well beloved Councellor Sir George Carteret Knight and Baronet, by Grant derived under us, is seized of the Province of New Cesaria or New Jersey in America, and of the Jurisdiction thereof, as Proprietor of the same; In the plantacion of which said Province, The said Sir George Carteret hath beene at great Charge and Expence: And Whereas of late great Troubles and disorders have hapned there by some ill affected persons. Wee being willing and desirous to encourage the inhabiting and planting of the said Province, and to preserve the Peace and welfare of all our Loving Subjects residing there, Wee doe therefore hereby require you in our name to use your utmost Endeavors to prevent all troubles and disorders here for the future, and strictly to charge and command all persons whatsoever, inhabiting within the said Province forthwith to yield obedience to the Lawes, and Government, which are or shall bee there establisht by the said Sir George Carterett, who hath the sole power under us, to settle and dispose of the said Countrey, upon such Termes and Condicions as hee shall thinke fitt; And wee shall expect a ready Complyance with this our Will and pleasure from all persons whatsoever dwelling or remaining within the same, upon paine of incurring our high displeasure, and being proceeded against with due Severity, according to Law, Whereof you are to give publick notice to all persons that are or may bee concerned, And so wee bid you farewell: Given at our Court at Windsor the 13th day of June 1674, In the 26th yeare of our Raigne.

[Endorsed:] By his Majesties Command
Arlington

[Addressed:] Sir George Carteretts Lettre
To our trusty and well beloved Philip Carteret Esquire Governor of New Jersey in America, and to the Councell there.

Copia vera compared with the Original.

James Bollen Secr.

[Endorsed:] Copyes of The Kings Lettres for New Jersey.
ENDNOTES

22:1.  
1. Book (of General Entries) from 1664 to 1665, page 76. Other references in this paragraph and in the final endorsement are to pages in the same volume; G. Nicols is Governor Richard Nicolls. Published versions of the book appear in GE1 and BGE.

2. Amsterdam.

3. Admiral Michiel Adriaensz de Ruyter of the Dutch navy.

22:2a.  
1. Only a small fragment remains of this Dutch document. Related document ERA 1:353.

22:2b  
1. The document is missing, and the original from which it was copied is not among the Van Rensselaer Manor papers at the New York State Library. NYSHAR 2:138 erroneously states that a fragment of this document exists, having confused 22:2a with 22:2b.

22:3.  
1. Matthias Nicolls.

1. Another copy of this document is in the custody of the Ulster County Clerk, and was published in NYCD 13:399-402. The note signed by Dudley Lovelace shows that the present copy was taken to the Esopus by the Commissioners; see also the memorandum on page 147.


22:5.  
1. Another copy in GE 1:135-6 and BGF.

2. The date is given in GE 1 as 1st Dec. 1664.

22:7a. 1. The first leaf of this document is lacking; the missing portion has been supplied from Col. Laws 1:88-89, 73-82, which is based upon a copy at Easthampton. Other missing or illegible portions of the text have been supplied from the copy in 22:107a. The Duke's Laws are published in Col. Laws 1:6-71 and NYHS Coll. for 1809: 305-401.


4. Doc. 22:8 does not have the word any.


2. Appears only in the copy 22:96.

22:7e 1. Portions from other copies are transcribed in Col. Laws 1:82-87, 94-97, and in NYHS Coll. for 1809:420-24. Other partial copies are in 22:107a, 107b, 142a, 142b. Doc. 22:107b includes only the revisions for 1670 and is annotated, 1670. The last Clause to be referred to the Councell; it is endorsed, To the constable of Flushing.

2. In 22:142a, but crossed out in 22:7e.

3. Doc. 142a has Government in place of Colony.
22:10


2. Pachter. Dutch for farmer, but in this case referring to the excise farmer, an official who licensed tapsters, brewers and distillers, and who collected the excise tax from these persons. The office was purchased annually at auction.

22:11


2. French: The purchase and the receipt of the house which I have bought at Braban. Braban refers to a tract of land known as the Brabanders thicket. This endorsement is in a second hand, presumably that of Mattheu Blanchan.

22:12


22:13

1. The meaning is uncertain.

2. The patent is published in Riker's History of Harlem 226-27, and in Seymann's Colonial Charters 340-43.

3. The patent is published on page 2 of William S. Pelletreau's "Shelter Island" in History of Suffolk County, N.Y.

4. The patent for Pelham Manor is published in Seymann 372-74. Ockway or Onckway is Fairfield, Conn.

5. The patent for Flushing is published in Seymann 520-22.

22:14

1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

22:15a

1. Rutger Jacobsen on 2 Sept. 1661 declared the sale of one of these lots to Bancker, published in ERA 1:382. A house and lot were sold by Jan Coster van Aecken to Bancker 8/18 Apr. 1667 but seems not to be the same (ERA 1:407). The endorsement shows that 22:15a and 15b were to be one document.

22:15b

1. See 22:15a, of which this forms a part.
22:16 1. Material in brackets supplied from NYSHAR 2:186-87. The original of this document is in the hand of Matthias Nicolls.

2. The conclusion of this sentence is crossed out. It read: and John de Loviele residing in London one of the Creditors.

3. Changed to \textit{had} by a later hand.

4. \textit{b}= beavers. This first number is obscured and may have had two digits.

22:17 1. From the entry in E.B. O'Callaghan's Calendar. When the State Historian published portions of volume 22 in 1896, this document was already missing, and 22:16 had been moved to become 22:17. For related documents see 22:16, 18-20, and Ct. Min. N. Amst. 6:94.

22:18 1. The original document is in the hand of Matthias Nicolls.

22:20 1. The entries for April 20 through 25 are duplicated by 22:19, which has been used to supply missing material, indicated by brackets. Material in brackets after April 25 is from NYSHAR 2:188-90.


5. \textit{Winckel}: a Dutch word meaning \textit{market}.

6. Document 22:19 is endorsed: \textit{Confiscated houses at New Yorke 1667}. Both copies, however, include both Albany and New York material.

22:21 1. Frequent instances of differences between soldiers and townspeople are recorded in BGE, NYCD 13, and Kingston Papers.

22:22 1. The marginal notes are in a second hand, which also placed check marks before items 1-7, 12-15 and 17, and crossed out items 14-15.

2. Richard Cage.

3. Swoon

4. No signatures are given.

2. This is close to illegible: NYSHAR 2:193-196 has deny, NYCD 13:408-09 denying. The most sensible word would be defying, which was perhaps intended but misspelled.

22:24  1. Originally 24 or 25, but renumbered as 30 in 1919. A considerable portion has been torn away. See Appendix for a transcription of the signatures in 22:24.


2. Or simple.

22:26  1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library. This document relates particularly to 22:22.

2. David Crawford.

22:27  1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

22:28  1. Originally 28, renumbered as 24 in 1919. The document seems to be incomplete since there is no heading and the first surviving page is numbered 3.

2. Lieutenant.


2. Evert Prys.

3. The material in brackets was crossed out in the original by the person who added the final sentence in #4, as well as the marginal notes.

4. George Porter and Samuel Oliver.

22:30  1. Renumbered as 29 in 1919. For related document see KP 330-331.

22:31  1. Based upon the Dutch original in 22:24. However, the signatures were not copied accurately by the translator and at least four were left out of 22:31. See the Appendix for a transcription of the original signatures.
2. This phrase appears in the Dutch original but was omitted by the translator in 22:31.

22:32
1. For related documents see BGE, NYCD 13 and KP.
2. From Dutch schelm: knave.
3. From Dutch staart: tail.

22:33
1. This and other copies vary from the version of the Nicolls patent in Patent Book 4:56. For related documents see Orders 206, 239, 241 published in NYCD 13: 416-17 and in BGE, also see ECM 74-75 and Seymann's Colonial Charters 494-508.
2. Other copies have Pennoyer.
3. Clerical error for build.
4. herbage.
5. Apparently a clerical error for endowing.
6. The actual date of the Nicolls Patent is 13 Aug. 1668.

22:34
1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library. For related document see 22:19.
2. 27 April 1664.

22:35
1. Arthur Kill or Perth Amboy.
2. Both were left blank in the original.

22:36
1. Related documents appear in 22: 37-45, ECM 33, and BGE.

22:37
1. The document is a draft copy in the hand of Matthias Nicolls.

22:38
1. A second deposition given by Mary Miller on the next day appears in 22:39b.

22:39b
1. Another deposition given by Mary Miller on the previous day appears in 22:38.

22:40
1. A first draft in Matthias Nicolls' hand; doc. 22:41 is a revised copy. Bracketed material in 22:36-45 is from a transcript by Henry Harmon Noble in the New York State Library.


3. This and other material in brackets supplied from 22:44.
4. In 22:44 only, where it is followed with a note: John Miller and Mary his wife Richard Shaw and Remember his wife and John Jennings, To make warrant for them.


22:45c 1. Initialled and annotated by Matthias Nicolls.
2. Wampum. The numbers express the value in Dutch guilders and stuivers.


22:49 1. Rough draft in Matthias Nicolls' hand.

22:51 1. Related documents in BGE.

22:52 1. Related documents in BGE.
1. Related documents in BGE.

2. Related documents in 22:59, 60, 62 and BGE.
3. In Monmouth County, New Jersey.
4. Raritan.

1. Related documents in 22:57-61 and BGE.

1. In Matthias Nicolls' hand. For related documents see in the notes above for 22:55 (Bugby) and 22:56 (Canada and Frizzell).

1. For related documents see in the notes above for 22:55 (Bugby) and 22:56 (Canada and Frizzell).
2. Anthony Glenn.
3. Perhaps from Dutch badstoof, a bathhouse.

1. In Matthias Nicolls' hand. Related documents in 22:56-60 and BGE.

1. In Matthias Nicolls' hand. Related documents in 22:55, 59, 60 and BGE.

1. Related documents in 22:64-75 and BGE.

1. In Matthias Nicolls' hand. Transcribed also in NYSHAR 2:242-43, except for a few lines erroneously transferred to 244.

1. Transcribed in NYSHAR 2:243-45, but containing also a few lines erroneously transferred from 22:64.
2. The last two sentences were added by a second hand.

1. This line and the endorsement are in Matthias Nicolls' hand.
2. Prior to his election as president, Whitfield was identified as "One of the Councell."

1. These are the actual ballots, written on separate scraps of paper. Ralph Whitfield was elected over Matthias Nicolls and Nicolaes de Mayer.
1. In Matthias Nicolls' hand.

2. A phrase crossed out here read: morning next, being the 5th day thereof of this instant moneth.

1. A rough, durable cloth.

1. Rough notes in Matthias Nicolls' hand. The first paragraph is duplicated by 22:72.

1. In Matthias Nicolls' hand. The fine of 400 guilders replaces the following, which is crossed out in the original after the word shall: bee led from the prison to the place of Execucion with a Rope about his Neck there to bee tyed to the Gallowes during the time of the Execucion of Angle Hendricksen and pay 300 G. seawan. Lucas is perhaps the freedman Lucas Pieters who owned a house and lot north of the city along the wagon road, and who is identified in Stokes' Iconography as a physician (barber-surgeon).

1. For causing the death of Anthony du Four, John Coperstaffe was convicted of manslaughter on 10 Oct. 1668: minutes of the Court of Assizes, 179-83 at the New York State Archives. (typed abstract at New York Historical Society of which the New York State Library has a microfilm copy). See also Orders 236 (published in BGE).

1. British Guiana.

2. Unrefined cane sugar.

1. Probably referring to Anna Schaets. In a letter of 11 Sept. 1663, Dom. J.T. Polhemus informed the Classis of Amsterdam that Anna had had a child out of wedlock and that "her conduct for some years past has not been above reproach." -- Eccl. Rec. 1:534.

1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

22:82 1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

22:83 1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

22:84 1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

22:85 1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

2. In Dutch, Mr. stands for meester, usually indicating a physician, but here may refer to Teller's having once been a wachtmeester (sergeant) at the fort.

3. She was the wife of the Rev. Gideon Schaets and the mother of "the Domine's daughter" in 22:78.

22:86 1. Revised from an unpublished translation by E.B. O'Callaghan at the New York State Library.

2. Excise farmer.


2. Literally, "Do you mean to go up from here?"

3. Meaning that it is after curfew.

4. Literally, between his arm and his body.


This phrase is in Dutch in the original.

Title supplied from O'Callaghan's Calendar. The document was missing when NYSHAR 2 was edited in 1896.

Seawant.


One phrase which appears only in this copy has been noted in 22:7d.

Revised from an unpublished translation by E.B. O'Callaghan in the New York State Library.

In Dutch: lack.

Very difficult to read. NYSHAR 2:259-60 has Fitshyugh.

A variant form of the instructions on pages 120-22 is in Orders 530 (published in BGE). Related documents in 22:4, 100, and numerous documents in KP and BGE; selections from GE and Orders in NYCD 13. Two communities mentioned throughout 22:99 should be identified: the nearer dorp (Dutch dorp: village) is Hurley, the farther dorp is Marbletown.


Their response is in KP 435-36.

See KP 441.

See KP 288, 348-49.

See KP 677-78.

See KP 475 and the endnote on 750.

See KP 449.

Related documents in 22: 11, 12, 153.

See KP 435.

See KP 436.

See Orders 239 in BGE concerning Schuyler's patent.

14. Apparently Jan Jansz van Amersfoort, who was frequently charged with abusing his wife Catherina Mattys.

15. The signatures are in the clerk's hand.


17. Latin: Wednesday the 30th day of March in the 22d year of the reign of Charles second, by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, etc.

18. A Dutch translation of this paragraph is in the New York State Library manuscript collections (# 6817).

19. Dutch voorlezer, a lay reader in the Reformed Church.

20. Actually 53. The headings in brackets on pages 140 and 141 were added by the editor.

21. Name not entered in original.

22. Left blank in original.

23. In seventeenth century usage, son-in-law had the meaning of stepson. Chambers had no children; his second wife, Laurentia Kellenaer, widow of Dom. Laurentius van Gaasbeck, had a son Abraham whom Chambers designated as heir to the manor of Fox Hall, provided that he take the name Chambers. Abraham consented, calling himself Abraham Gaasbeck Chambers.

22:100

1. Rough notes in Matthias Nicolls' hand.

2. Cancelled in original, apparently because the names of Berrisford and Biggs were added.

3. This entry was cancelled.

4. Apparently the ensign Mattys Mattysen mentioned in the Kingston Court minutes of 16 Jan. 1671/72 (KP 475).

22:101


2. A liquor made from fermented honey.

22:102

2. Queens County added later (the county was formed in 1683). Mrs. Spicer's name appears with various spellings (Michah, Michael, etc.): this is the Biblical name Michal (the daughter of Saul).

22:103
1. Related documents in 22:118, ECM 93, 100, 131, Hempstead Town Records 1:143-45, and numerous items in BGE concerning Matinicock.

22:104

22:105

2. "With the necessary changes in points of detail" - Black's Law Dictionary.

22:106
1. In Matthias Nicolls' hand. Dated in pencil by a later hand: 12 July 1670.

22:108
1. Through an apparent oversight Nicolls had never been commissioned as a member of the Council, hence this commission of such late date. See also 22:109, which bears the endorsement for both commissions.

22:109
1. See also 22:108.

22:110
1. All that is left of the document are several disconnected fragments. No copy was found in the published Oyster Bay Town Records. The Indian grantors are Captain Ramerock (also called Ramerock Drummer), Sehor (the spelling varies) who appears frequently to sell land, and a third whose name is obliterated. The grantees are (apparently) Samuel Forman and Thomas Townsend. The witnesses are Henry Townsend, Francis Weekes, Samuel Andrews, and Robert (surname obliterated). All the legible names are of persons who also appear in other Oyster Bay records. The signatures are gone except for a few stray letters.

22:111
1. About three and a half inches are missing from the top of the document. Many of the signatures at the bottom are poorly written; many are also extremely faded.

2. Perhaps William Noble.

2. The remaining page or pages are not present in the original.


2. Cecilius Calvert, the second Lord Baltimore, became the first Proprietor of Maryland, the charter of which was dated 30 June 1632.


1. The misspelling is perhaps a copyist's error.

1. Latin: Sealed and delivered in the presence of.


1. For a list of related documents see above, note 1 for 22:103.

1. From the transcription in NYSHAR 2:316-17; the original document is missing. Related documents in ECM 99. The Dutch Weesmeester is an official who registers and administers orphans' estates, but not those of widows. This may be an instance of taking a title familiar to the Dutch and applying it to an English office.

1. From the transcription in ECM 434; the original document is missing. Another transcription appears in NYSHAR 2:317. Related documents in ECM 99, 400-446, and throughout BGE and the published records of the towns of Huntington and Smithtown.

2. NYSHAR has stands.

3. NYSHAR has Ocwharbone & Neesquamk.

4. NYSHAR has soe.

5. Paltsits in ECM states, "Remainder mutilated and lost," and "Apparently only the salutation and signature are lost."

2. Apparently a clerical error for guilder's.


22:123 1. In Matthias Nicolls' hand.

2. Or possibly Nine Eyes, but certainly not "Winelyr" as suggested in NYSHAR 2:318.

22:124a 1. In Matthias Nicolls' hand. Material in brackets supplied from the transcription in ECM 763-66. Related documents in 22:124b-127 and ECM 163-64. Documents 22:124a and b have previously been treated as one; at one point 124b was inserted between the first and third leaves of 124a.

2. This is an educated guess by Paltsits, and is not based upon any evidence. The same may be true of other material which appears in brackets in ECM.

22:124b 1. In Matthias Nicolls' hand. Material in brackets supplied from the transcription in ECM 768-69, but Paltsits may have been guessing. See the notes above to 22:124a.

2. "Hog Island, granted by Governor Nicolls to Captain John Manning in February, 1668, and hence often called in early times Manning's Island, but now the well known Blackwell's Island, in East River. Faulx was a servant of Captain Manning." - V.H. Paltsits, ECM 768.


22:126 1. Material in brackets supplied from ECM 767-68.

22:127a 1. Names marked with a were accepted. Those in brackets were crossed out in the original.

2. This name is blotted. Paltsits (ECM 766-67) guessed that it might by Peter Winne, but Peter Winster seems to better represent what can be deciphered. External evidence supports this reading since Winster appears in the records of the Reformed Church in New York, 1664-68, while Winne was living near Albany.
22:127b 1. Revised from an unpublished translation by E.B. O'Callaghan in the New York State Library. Related document in 22:154. See also ERA and ARS for frequent references to this land, the boundaries of which were long in dispute. Jan Hendricksz is sometimes called Jan Roothaer (redhair).

2. Abraham Staets.


2. Probably Dutch Juffrouw, Mrs.

3. The Governor's brother.

4. Very unclear after the Ne.


2. Abbreviations: S, seawan; B, beaver; W, work.


4. Dutch: carried to the other side (continued on the next page of the document).

5. Dutch: carried over.

6. Woolewever.

7. To make a pair of trousers.

8. The meaning is uncertain. Mr. Palmer?


10. Appears in ECM with an editorial question mark.

11. Appears in ECM with editorial brackets and question mark.

12. Appears in ECM with an editorial question mark.


2. Dutch measure: one fourth of a schepel. Three spints equal 97% of an English bushel.

3. Balthazar Bayard was Loockerman's son-in-law.

22:132 1. The Dutch original has not been located among the Albany County Clerk's records.

22:133 1. This document disappeared prior to the publishing of NYSHAR 2 in 1896. Pawl is perhaps Paulus Heymans, or the elder Paulus Vanderbeeck of Gowanus.


22:135a 1. Previously unpublished fragment. Transcription must be considered tentative since the quality of the writer's penmanship is no greater than that of his spelling.

2. Holland shirt, a shirt with detachable sleeves. Note the later reference to "hollon slefes."


2. Sheriff.


island as part of the Duke of York's purchase from the Earl of Stirling, Gov. Lovelace granted it to Paine in 1672 as Sophy Manor, free from quit rents and taxation, Paine to be governor for life. Paine was arrested and imprisoned by Rhode Island on 6 Sept., indicted and convicted 23 Oct. of attempting to bring in a foreign jurisdiction. By mutual tacit consent Prudence Island relapsed into dependence upon the Town of Portsmouth, R.I. Records of the Colony of Rhode Island and Providence Plantations (J.R. Bartlett, ed., Providence, 1857) 2:140, 225-35, shows that Paine and others petitioned the King's Commissioners (Richard Nicolls, etc.) for redress of wrongs, 1666-68, and the General Court of Connecticut to assume jurisdiction over their land, 1667-68.

22:138
1. Original now missing. The transcript in ECM 726-28 has been used for this edition. Material in brackets apparently represents guesswork by V.H. Paltsits. By mistake the second part of 22:139 was renumbered 22:138 in 1919, but has been printed in this edition in its proper place.
2. Another transcription in NYSHAR 2: 341-42 has amuse.
3. Paltsits thinks endear was intended; NYSHAR has Judge.

22:139
1. Material in brackets from ECM 728-35, some of which is apparently guesswork. See the reference to this document in the first note for 22:138.
2. This sentence appears in the margin and is inserted here as the most appropriate place.

22:140
1. In Matthias Nicolls' hand. Transcribed also in NYSHAR 2:351-63, but with several cases omitted. The manuscript minutes of the Court of Assizes partially burned in 1911, are in the New York State Archives: a typed abstract prepared under the supervision of A.J.F. van Laer before the fire is in the New-York Historical Society, with a microfilm copy at the New York State Library.
2. Name inserted by Nicolls after the original writing of the document. Here and also beside Soper's name in case #5, Nicolls has placed xxx, indicating perhaps that case #5 should have been listed here instead.
3. Space left in original for the last name, but given neither here nor in the minutes of the Court of Assizes.
1. Related documents in ECM 68, 70, 459-77, and throughout BGE.


2. If this document were actually written and signed by Bollen, then he must have had the same writing master as Matthias Nicolls: the resemblance is uncanny.

1. Revised from an unpublished translation by E.B. O'Callaghan in the New York State Library. For a list of related documents see the note to 22:121.

1. Revised from an unpublished translation by E.B. O'Callaghan in the New York State Library. For a list of related documents see the note to 22:121.

1. Another copy in G.E. 4 was destroyed in 1911. Related documents in ECM 179, 181, 182.

1. In Matthias Nicolls' hand. Material in brackets from ECM 627-28. For a list of related documents see the note to 22:121.

1. For related documents see the note to 22:137.

2. Payne's handwriting here is very difficult: the illegible portion appears to read Jus (or In) rer. though rrof. The sense of the rest of the document would lead one to expect this sentence to be to the effect that the least he could do would be to express his feelings with an appropriate gift, but circumstances prevent it.

3. Castrated yearling sheep.

1. Translated for the New York State Library by Charles T. Gehring.

1. Dutch: and.

2. Willemstadt, the name given to Albany during the second Dutch occupation, 1673-74. This document is therefore from the period represented by vol. 23.
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22:152b 1. Signed by Matthias Nicolls, the rest in another hand.


22:153b 1. In Matthias Nicolls' hand. The phrase and in bignesse as before in exprest appearing in 22:153a and LP 1:51 was replaced in LP 1:52 by and in length to a little Hill on the other side of a small Creeke called the English Kill.


2. The copy in the Albany County Clerk's Office has Steene Killetie (Stone Brook). O'Callaghan translates the phrase in 22:154 as Smooth Brook, but without confidence.

3. Latin: complete high action.


2. A broad (or brown?) Osnabrück cloth, named for the town in Germany (Lower Saxony) where it was produced.

3. The French ell of 47.245 inches.

4. Pence.


6. 2748 shillings, for which £9:12:4 does indeed represent 7%.


22:156 1. In the same hand as 22:144a. This document was presumably acquired during the first administration of Edmond Andros: vol. 24 would seem a more appropriate location. The endorsement suggests that 22:144a was copied at the same time. For related documents see the note to 22:144a.
Published Works


BGE Books of General Entries, 1664-1673, ed. by Peter R. Christoph. To be published by Genealogical Publishing Co.


JVR Correspondence of Jeremias van Rensselaer, 1651-1674, tr. and ed. by A.J.F. van Laer. Albany, 1932.


NYGBS Coll. New York Genealogical and Biographical Society Collections.


NYSHAR2 Second Annual Report of the New York State Historian, 1896 (published 1897).

Orphanmasters The minutes of the Orphanmasters of New Amsterdam, 1655-1663, tr. and ed. by Berthold Fernow. New York, 1902-1907.

Manuscript Series at the New York State Archives

GE General Entries (the originals of vols. 1 and 4 were burned in 1911, but portions published before the fire are being reprinted in BGE).

LP Indorsed Land Papers.

Orders Orders, Warrants and Letters, vol. 2 (to be included in BGE).
APPENDIX

Signatures from Document 22:24

Among the documents concerning the Esopus mutiny that were sent to Governor Nicolls were an attestation in Dutch signed by numerous persons (22:24) and a translation thereof (22:24). The translator did not copy the signatures accurately from 22:24 and left out at least four. Part of 22:24 has been torn away so that several signatures are now either missing or incomplete, but it seemed of value to include in this volume a transcription of the surviving signatures. The often repeated phrase, "This is the mark of," is of course a translation of the Dutch "Dit is het merck van."

[at least six names missing]

This is the mark [ ]
Arian + Geresen

[ ] mark of
[ ] weesvael
[ ] nelissen
[ ] dricksz:
[ ] hendery[ ]

This is the mark of hendrick martsen
albert gerretsen
Aert martsen doorn
This is the X mark of paulus paulusz
claesen claessen
freek Pietersen
This is the Y mark of Coerens baerentsz
This is the mark of dierck hendricksz

This is the mark of Toemes van marcken
Jan Jansen
Albert Jansen van Stenwyk
Jan Barentsen
Jan Adriansen
Arien Huybertsen
hanrick Hyndricksen
This is the mark of Cornelis Pienhout
Cornelis Hoogenboom
Jan broesen
Jan Jacobs burhans
this is the mark of Hendrick aertsen
Wallerand dumont
Jan Lotsman
this is the mark Franzooes La Ch[ ]
tomys herm[ ]
bernnt Hol[ ]
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