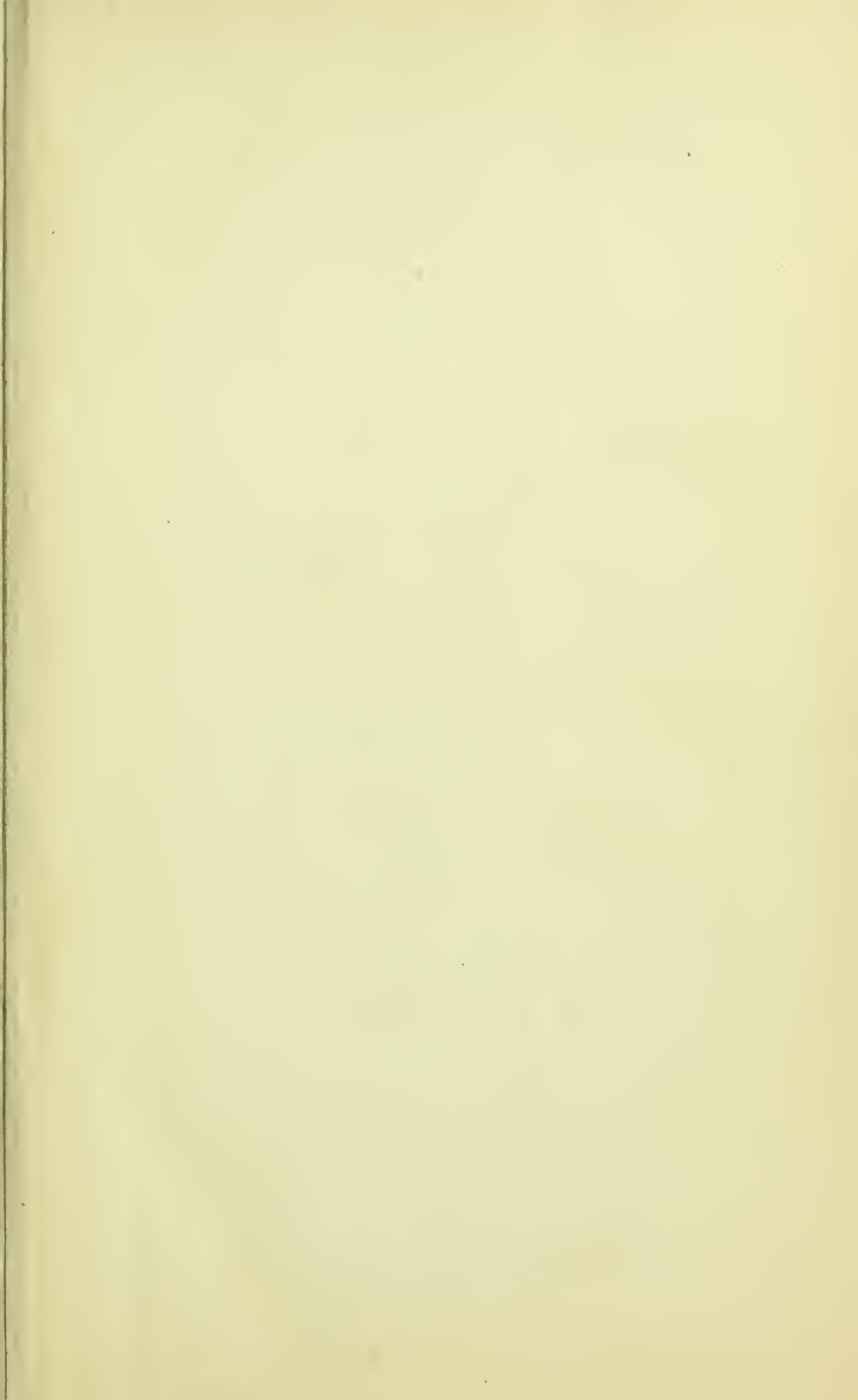




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HISTORY
OF THE
NEW NETHERLANDS,
PROVINCE OF NEW YORK,
AND
STATE OF NEW YORK,
TO THE ADOPTION OF THE FEDERAL CONSTITUTION.

IN TWO VOLUMES.

—
BY WILLIAM DUNLAP.
—

VOL. I.



NEW YORK:

PRINTED FOR THE AUTHOR
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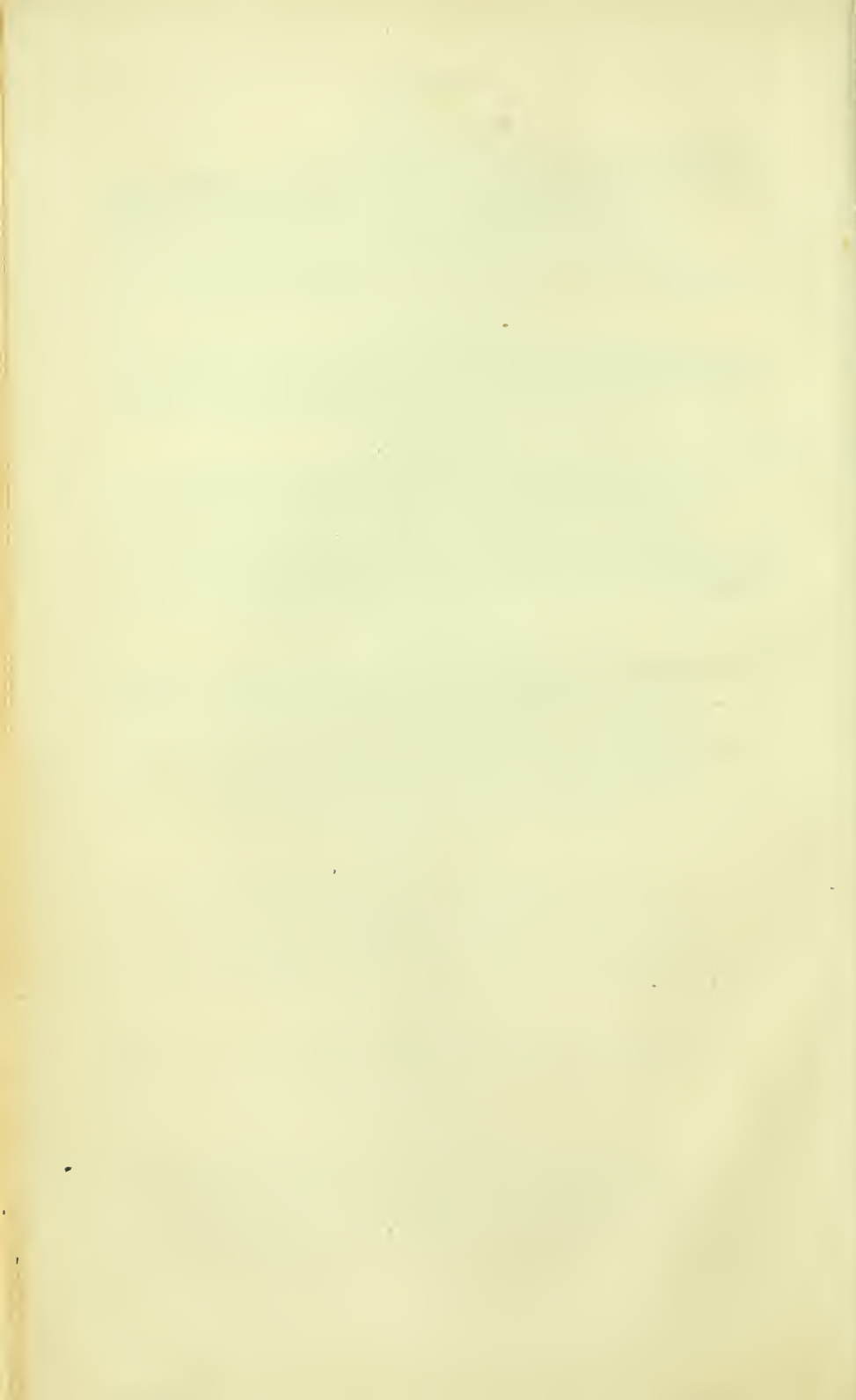
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HISTORY OF NEW YORK.

CHAPTER I.

Dutch claims—Discovery of America and New Netherland—Verrazano—Canada—Indians of New Netherland—Gallatin—American Antiquities.

THE territory claimed by the Dutch, and by them called the New Netherlands, extended, in the first instance, from Cape Cod to Delaware Bay on the Atlantic,* including the islands of the sea coast: the river St. Lawrence seems to have bounded it on the north: on the south, some undefined line beyond Delaware Bay; and west, it was boundless. But for the purpose I have in view, at present, which is to lay before my readers all that I know respecting the inhabitants of this territory when our Dutch ancestors first visited it, I must bound the New Netherlands to the west by a line drawn from the upper part of Lake Erie to the Ohio River. I shall have hereafter to speak of other lines and boundaries, when we are called to consider the conflicting claims of the various nations of Europe. That such claims, and the heterogeneous and hostile colonies resulting from them, should ever have combined to form one great nation, such as we now see in the United States of America, is what must make the most unthinking seriously ponder on the future

In the year 1497, (five years after Columbus discovered, San Salvador,) Gabotti, or Cabot, saw the island of Newfoundland, which the Northmen had already discovered long before, and called Vinland.† Columbus, a Genoese,

* Vanderdonek, writing in the New Netherlands previous to 1653, gives the extent thus: "Beginning north of the equinoctial, 38 degrees and 53 minutes, extending north-easterly along the sea-coast to the 42nd degree."

† Humboldt, the great philosophical traveller, has given it as his opinion that the Northmen, or Scandinavians, were the first discoverers of America. Others have asserted that Columbus, in 1477, when he visited Iceland, obtained such knowledge respecting these early discoveries as resulted in his ever memorable voyage to the West Indies. The Royal Society of Northern Antiquaries at Copenhagen have already

in the service of Spain, gave to that kingdom a claim to *all* America, because he, in 1492, arrived at San Salvador; and Cabot, a Venetian, in the employment of Henry VII., of England, conferred a supposed right upon that monarch to half, or the northern portion of that new world, the whole of which Columbus and the Bishop of Rome had already given to Spain.

Those islands called the West Indies, were, probably, at some distant period, a part of our continent; and when Christopher Colon, or Columbus, fell in with them, in his search for the East Indies, he called the inhabitants Indians, supposing that he had arrived at the land of his desires. It was soon, however, believed that this discovery of Columbus was a new world; and as he was in the employment of Spain, this new world, with all its inhabitants, was claimed by that kingdom, and the claim was confirmed by the Bishop of Rome,* to whom all the earth and its inhabitants belonged. As the Genoese Columbus had given Spain a right to all the new world in 1492, so the Venetian Cabotti, or Cabot, gave the same kind of right to England in 1497; but England had no ecclesiastical confirmation of her claims, and relied solely on her power to enforce them. The Norwegian discovery was already forgotten. Cabot touched at Vinland in 1497, and called the country Newfoundland; he then sailed along

thrown much light on the visits of their ancestors to America, and little doubt remains that these early navigators touched our coast as far south as Massachusetts and Rhode Island; † but I shall, as far as possible, or eligible, confine myself to the New Netherlands, that is, Delaware, New Jersey, New York, and part of Connecticut; and the first navigator who gives us any account of the coast, or the inhabitants of any portion of this region, is Giovanni Verrazzano. (See Hackluyt.) In consequence of his voyages we may suppose that Henry IV., of France, granted to M. des Monts, all America, from the 40th to the 46th degree of latitude, and of course, the present state of New York; but James I., of England, likewise gave it away, as a part of Virginia, in consequence of Cabot's voyage. But before Columbus, if we believe the various claimants for the honour of discovering America, the Arabs of Spain, the Welsh, the Venetians, and the Danes, besides the Northmen above mentioned, had seen the new world; certain it is, nothing resulted from their discoveries. Various dates are given to the voyages: the Spanish Arabians, 1140; Madoc's, 1170; and Venice, when mistress of commerce and the sea, when prosperity caused pride, and pride guilt, may have seen America and called it Antilla before the map of 1436; and the story of the fisherman and the Zeni may be worthy of belief. From these shadowy tales I free my pages, and hope to bring forth realities enough and prove their truth.

* Alexander VI. The material parts of his bull granting the New World to Ferdinand and Isabella, the sovereigns of Spain, will be found in Vattel's law of Nations. Book I Ch. 18. Note.

† Collection respecting American antiquities, published by the Royal Society of Antiquaries of the North:

986.—Eric, the red, formed a settlement in Greenland, he emigrating from Iceland.

1000.—The son of Eric, in a voyage of discovery, saw various lands and named them; he finally built huts on a part of the coast, and having discovered grapes, named the land Vinland.

the coast, sometimes landing, but generally kept some leagues out at sea, as far perhaps as the capes of Chesapeake Bay and having occasionally visited the shore during this voyage, he brought back to his employer a cock and hen-turkey, and three Newfoundland savages.

King Henry VII., of England, seems not to have believed that the Pope, or Bishop of Rome, had a legal or divine right to bestow the whole of the new world upon the King of Spain; he therefore sent out Cabot again, with instructions to plant his standard on the walls of all "the cities and castles," (which the inhabitants of this newly discovered world had built for their own convenience or pleasure, without consulting his majesty,) and to take possession of all the countries "unappropriated by *christian sovereigns*."

Thus we see that if the people of these countries should have happened to be governed by a monarch not a christian, or to have been so silly as to govern themselves, then they and their country were to be taken possession of "in the name of Henry" King of England; and the Venetian Cabot was instructed "to maintain with the inhabitants a traffic exclusive of all competitors, and exempted from all customs, under the condition of paying a fifth of the free profit of every voyage to the crown." The Venetian brought back two turkeys. But England claimed, in consequence of his voyage, the whole of North America not already taken possession of by Spain. The Spaniards had really found cities and castles, on which to plant the standard of their king; and as the Bishop of Rome had given to them all they could find, they took all, and murdered such of the previous possessors as resisted the will of the Pope: those who submitted and became christians, were *only* made slaves.

But the English had not been sufficiently allured by the products of America, which Cabot brought to them as a return for

1004.—In 1002 his brother Thorward went to Vinland, and prosecuting discoveries, went east and north: saw Esquimaux—attacked them—murdered many, and was himself killed.

1006.—Other adventurers found a country more southerly, where the winter was without snow: spent a winter there—saw and had intercourse with the inhabitants, called Skrellings, as were those I call Esquimaux.

1012.—Another voyage to Vinland is given.

1015.—An adventurer and trader settled there, and an American born son. The records of these discoveries are supported by nautical and geographical facts, etc. The intercourse between Greenland and Vinland long kept up.

1112.—Bishop Eric went to Vinland.

1266.—Voyages of discovery prosecuted.

1347.—A voyage from Greenland to Markland.

Result, that in the tenth and eleventh centuries the Northmen discovered America—*Royal Society of Northern Antiquaries on the ante-Columbian History of America*.

the cost of fitting out his voyage of discovery and conquest; he had seen neither cities, castles, nor gold. Nearly a century elapsed before Englishmen were tempted to take possession of the land of turkeys, although the *undoubted* property of their sovereign. In the meantime an adjoining nation, (who, although *neighbours*, were not loved quite as well as themselves, by the inhabitants of the British Isle,) the French, employed another Italian to make discoveries west of the Atlantic, and secure the 1523 *future* happiness of the inhabitants of all countries in the New World, by converting them to christianity, and the *present* enjoyment of the benevolent discoverers, by taking possession of their property, their territory, and themselves. Francis the first commissioned Giovanni Verrazzano to make conquests and converts for him and the Pope. But Verrazzano did not even bring back a turkey.

Francis, however, was not discouraged; and in 1524 ther a second or third voyage, Verrazzano arrived on the coast of America, to the south of New-York, in this year; and as he proceeded northwardly, hoping (as all the explorers of those times did,) to find a northwest passage to the East Indies, he was delighted with the beauty of the country, and the friendly reception he met with from its inhabitants. As he approached our superb bay and islands, from the south, the scenery increased in loveliness, and the natives in demonstrations of admiration and hospitality. The Indians flocked to the shores with the fruits of their forests and fields—they invited and assisted the strangers to land—they received them with joy and reverence. In return for the admiration, courtesy and hospitality of the savages, the civilized servants of the most christian king kidnapped a boy, bore him off from home and parents, and endeavoured to force a young woman from her friends, relatives, and country, by brutal violence; but her struggles and their cowardice prevented the accomplishment of the rape.

Still pursuing a northwardly course, Verrazzano arrived at the highlands near Sandy Hook, and delighted with his discovery, entered Amboy bay. In the words of the Italian voyager as translated,* “He here came upon a beautiful spot situated among hills, through which a vast river rolled its waters towards the ocean. There was water enough at the mouth for a ship of any burthen; but he resolved to try the passage first in his boat.” “He was met by the natives, who far from giving any sign of fear, advanced towards him with joyful gestures, and shouts of

* See North American Review; Hackluyt's voyages; and transactions of the New York Historical Society.

admiration." Such demonstrations of welcome appear to have met him wherever he approached the shores of New Netherland. "Before he had penetrated beyond half a league into the beautiful lake," ("Bellissimo lago,") and while the inhabitants of each shore were hastening "to catch a sight of the strangers," a violent wind forced him to return to his ship, and he put to sea again, and pursued his way northward and eastward. Thus Verrazzano was driven by stress of weather from the great bay between Staten Island and Sandy Hook (or the shore of New Jersey,) before he had explored New York harbour, or the mouths of the Hudson or Raritan. He passed the island subsequently visited by Adrian Block, the Dutch navigator, and which still bears his name. But Verrazzano called it *Louisa*, that being the name of king Francis's mother. Fifteen leagues more brought him to the harbour of Newport; his description of which has been applied to New York harbour, erroneously by Belknap and Miller. As from the shores of New Jersey, and from Long and Staten Islands, so here, the navigator was visited by the hospitable and admiring natives; and as the description of these people given by the Italian, may be supposed in some measure, to correspond with that which suited the inhabitants of our coast, when first permanently colonized, I will give it nearly in his words.* Among those who visited the ship, were two kings, a title very lavishly bestowed by Europeans of that time, on the chiefs or sachems of the country. One seemed to be about 40, the other 24 years of age: the elder was arrayed in a robe of deer skins, skilfully wrought with rich embroidery; his head was bare, with the hair carefully tied behind; his neck was adorned with a large chain, set off with various coloured stones. "The younger chief was dressed somewhat after the manner of the first." The complexion of the people is described as being clear. From which we may suppose, that they had not adopted the custom of daubing themselves with earth and grease, but were purified by the waters of the Atlantic ocean. Their features appeared regular to the Italian, and their colour not much darker than his own. "Their eyes black and lively." "Their hair long, and dressed with no ordinary degree of care." Their whole appearance bearing resemblance to the busts or statues of the ancients. This will remind the reader of the exclamation of Benjamin West, when he was first shown the statue of the Apollo Belvidere, "how like a young Mohawk warrior!"

The females were not permitted to approach the strangers;

* The costumes which are given by *De Bry*, and may be seen in the National Library, at Washington, are those of the natives of Virginia, the Carolinas, and Mexico. Copper was found by Verrazzano to be common among the savages he saw.

but their features and forms, as far as they could be discerned, were no less admirable in the eyes of the mariners. "Like the men, they were in part naked, and in part attired in highly ornamented skins; their hair was studiously decked with ornamental braids, which were left free to fall upon the breast." This description corresponds with Guido's picture of "Venus adorned by the Graces." It may be remarked of the paintings by the old masters, and statues by the Grecian sculptors, that the hair of the females is either braided, or, if flowing, loose and dishevelled, it has the crisped appearance, or wavings, which is given by previous confinement in braids.

The natives seen by Verrazzano more to the south, wore head dresses of feathers. Many of the tribes to the south-west at this time decorate their heads with crowns of feathers, which are singularly graceful and eminently beautiful, imposing and becoming, combined with their robes, decorations and arms. The embroidered and decorated robes prepared from the skins of the buffalo and mountain goat, which are brought from the yet free tribes of the west and south, correspond to the description of the dresses seen by Verrazzano, on the yet uncontaminated natives, both male and female, thronging the shores of New Jersey. Nor is the similarity of that careful attention which they paid to the long and flowing, or braided hair, less remarkable, as we see it in the paintings recently made by artists, who have visited the south western Indians.

Such, and so gentle, kind and hospitable were the natives of the seagirt islands we now inhabit, and the neighbouring banks of our continental shores, when first visited by Europeans in the sixteenth century. The description of the same people in the seventeenth century is somewhat different. Between the two periods the martial Iroquois may have extended their conquests from the inland seas to the banks of the Hudson and the shores of the Atlantic, and left the barbarous traits of deteriorating war upon the inhabitants. Even at the time of Verrazzano's visit, he found in his progress north and east, that the natives and their soil were more repulsive. Unfortunately, the description left by the navigator is not sufficiently minute or accurate, to leave no doubt with his readers that the bay he visited was a part of New Netherland.

We gain little knowledge from the slight view Verrazzano gives us, of that which ought to be the object of history, men, manners, customs and opinions; but the little he saw and has described, must impress us with the conviction that the inhabitants of the coast, whether of New Jersey, New York or elsewhere, in our neighbourhood, were an amiable people, and had made some progress in the arts, which tend to ameliorate the savage. The natives of our shores were not hostile to visitors; they had some knowledge

of agriculture ; were strangers to the debasing practices of war ; and to the preparations for defence against those whom war, or the thirst for dominion, had rendered barbarous ; but when Champlain penetrated into New York from the St. Lawrence, he found a people of warriors, fierce and cruel ; somewhat advanced in policy, arts, and agriculture, but placing their delight in conquest and the extension of power. Such were the Iroquois. These warlike savages, known to the English by the appellation of the five nations, had, long before they encountered Champlain on the lake which bears his name, or on Lake George, and saw in him the forerunner of those who were destined to destroy them—*i. e.* Europeans—long before they knew the power or the art of the white man—formed a confederacy of five independent nations, and instituted a congress and federal government, which enabled them to attain a degree of perfection in policy and the arts, both of civilized life and warlike achievements, that had rendered them terrible to all the nations around them.

After the transient glance which Verrazzano gives us of that part of the American coast he visited, we must look for our next information from Champlain and his countrymen, who penetrated the northern boundaries of what the Dutch subsequently claimed. Champlain met the Iroquois about the time that the Half-moon entered Hudson's river. It therefore becomes my duty to examine by what steps the French adventurers advanced from the Atlantic and the Gulf of St. Lawrence, to the beautiful lake now dividing the state of New York from her sister state of Vermont : a lovely sheet of water, which, after being the scene of hostile strife between Indians with Indians, and Europeans with Europeans, for centuries, is now the peaceful and pleasurable pathway from the United States of America to the English provinces of Canada.

I cannot forbear to remark (before noticing the discovery and colonization of the Canadas,) upon the difference, not to say contrast, between the conduct and success of the colonizers of New York and New Jersey, Pennsylvania, Delaware, and New England, on the one hand, and that of the French and Spaniards, on the other, in South America, Mexico, Florida, Louisiana, Acadia, and Canada. Virginia forms, in some degree, an exception to the prosperous commencements of the Dutch and English (or protestant) colonies. The whole subject is full of instruction to the contemplative and philosophic mind.

We see the Dutch and the Swedes peaceably pursuing their commercial transactions, and purchasing soil from the natives on the Delaware, the Hudson,* and the Connecticut rivers ; and generally with prudence cultivating the friendship of the savages, and guarding carefully against the effects of their passions ; or their apprehensions of the designs and power of the

strangers. We see the Puritan exiles from their beloved home, pursuing a course of conscientious conduct towards the aborigines, and when, in the natural course of events assailed by the natives (too late seeing that they must melt away in the presence of European power and civilization,) ready to repel force by force, and invariably holding their onward way to the establishment of a government, suited to their pre-conceived wishes and designs. We see the quakers in New Jersey laying the foundation of a republic; and Penn creating an empire without strife, and proclaiming liberty, peace and good will, to the red man and the white.

But if we look to South America, Mexico, and Florida; or north to Acadia or Canada; we see only a succession of injustice, failures and disasters. Strife and bloodshed between Europeans—oppression, cruelty, and a war of extirpation against the natives in the south, and in the north a succession of abortive attempts at colonization, that seem one to be a copy from the other. The protestant and papistical mode of colonization stand in obvious contrast to each other.

The vicinity of Canada to ourselves, and the frequent wars upon our frontiers, both before and after the French had gained a firm footing in that great country, make it necessary for the historian of New York to dwell upon the progress of adventure and colonization under the French government, in connexion with the settlement and growth of *this* province and state, as well as of *those* of New Jersey and New England.

DISCOVERY OF CANADA.

1508 Claims have been made to the discovery of Newfoundland, as early as the beginning of the eleventh century, and the voyages of the northmen to America appear now to be credited. In the year 1508 and perhaps before, the French sent their fishing vessels to the Banks of Newfoundland. We have seen that Verrazzano in the employ of Francis of France, was on our coast in 1523. It is said that he was lost in a third voyage, when taking out a colony from France to the new world.

1534 In 1534, Jaques Cartier, under the patronage of Philip Chabot, admiral of France, coasted Newfoundland, and to the south entered the "Bay of the Spaniards," which he called "*Baye des Chateaux.*" He had passed the Gulf of St. Lawrence without noticing it. Already the Spaniards had given a name to the great country Cartier had passed by, and the appellation bestowed upon it by them, has been adopted by the civilized world. The Spanish discoverers, disgusted with the appearance of the land forming the entrance of the gulf into

which the river St. Lawrence pours the waters of the inland seas of North America, exclaimed, as Charlevoix has it, "Acanaada," "Nothing there." or "Good for nothing;" from which comes Canada. Thus "good for nothing" is the established appellation of a vast country, destined to become a great, independent, and flourishing empire.

Jacques Cartier returned home after a fruitless voyage; and having received a more ample commission from the government, and the benediction of a bishop "dressed in his pontifical habits," sailed on a second voyage, (1535) and found his way into the great Canadian Gulf on St. Lawrence's day; to which circumstance we owe the name, so sonorous, and now so familiar, which is attached to the bay and the river that for so many miles forms the boundary of the state of New York. This was seventy-four years before Hudson entered our harbour, or Champlain the country of the Iroquois. The navigator sailed up the stream which he had called, for the first time, "St. Lawrence," as far as the island of Hochelaga, now *Montreal*. He named the place Mount Royal, after visiting the mountain or hill, which towers over the populous city and beautiful island, so famous in American history. Cartier passed the winter in this place, and at the Island of Orleans. The French were received with hospitality by the Indians, and the sailors communicated their vices and diseases to them in return. The commander suffered severely by the scurvy, and many of his followers died. Having lost most of his crew, he returned to France, after enticing away, and carrying into a miserable captivity the chief who had received him as a friend and benefactor. This was a common return made by Europeans for the kindness of the natives of the American islands and continent.

In 1540 Francis the first commissioned M. de Roberval as his viceroy over Canada, Newfoundland, and all their dependencies, and the next year he sailed with Cartier as his pilot to take possession of his dominions. All Roberval accomplished was to build a fort at Cape Breton, which he victualled and garrisoned. This done, the viceroy placed Cartier in the fort as commander, and returned home. The natives and owners of the soil, not being paid for the land occupied by the colonists, or even consulted in the disposition made by the French, gave after a time such indications of their displeasure, that Cartier, and the whole population embarked in a vessel left behind by Roberval, and were gladly leaving the country when they were met by the viceroy, with a reinforcement from France, and much to their chagrin were forced to return to the scene of their sufferings. After re-establishing the fort, the colony, and Cartier as commandant, the king's lieutenant sailed to the St. Lawrence. Shortly after

the viceroy, the commandant, and such of the colony as survived, got back to France as they could, gladly abandoning the country.

During the reign of Henry the second of France, the
1555 enmity existing at home between the papists and protes-
tants, was signalized by tragedies acted on the theatre of
1562 the new world. In 1562, Jean de Ribaut planted a colony
of French protestants in Florida. He returned to France
—the colonists put their commander to death—and part of them
found their way back after sufferings that made even religious
persecution at home preferable to remaining. Several other at-
tempts succeeded no better; and one whole colony of protestants
from France, were attacked by the papistical Spaniards, and all
who were not put to the sword were hanged. The Spanish
commander left the bodies suspended, affixing to a tree a placard
with the words, “these men were not treated thus because they
were French, but because they were heretics and enemies of God.”
The French government under the religious dominion of Rome,
seemed to justify this act by not noticing it; but an individual con-
sidering it an affront put upon his nation, undertook to wipe off the
stain. The Chevalier de Gourgues at his own expense fitted out
an expedition to Florida, where the Spaniards had established
themselves in the fort built by the French: he landed, attacked
the Spaniards, and having carried the place sword in hand,
hanged up the prisoners, and affixed to the place of execution
“I do not this to Spaniards, but to traitors, robbers, and murder-
ers.”

To return to the North. Henry the fourth of France
1598 commissioned the Marquis de la Roche as his viceroy over
Canada, and another attempt was made to colonize that
country, with the same success. Forty men were left on
the *Isle de Sable*, who died of starvation, except twelve, who after
seven years suffering, were taken off and carried home.

To La Roche succeeded Chauvin, and Pontgravé.
1603 The last brought with him from France a man who has
left his name indelibly attached to part of the state of New
to York. He it was that first penetrated from the St. Law-
1609 rence, through the Sorel, to Lake Champlain. That beau-
tiful lake, with its neighbour, which has lost its appellation
of “Sacrament,” and retained the English name of Lake George,
were considered by the French as parts of Canada; as was all
that country now belonging to New York and Pennsylvania, north-
ward and westward of a line drawn from the south of Lake
Champlain to the east of Pittsburg. And Colden, in his History
of the five nations, says as late as 1748, that the Iroquois were
inhabitants of Canada, though dependent on the government of
New York; and we all know that their country lay to the south of

St. Lawrence, of the Lakes Ontario and Erie, and even of Champlain and George.

It was in 1603 that M. Pontgravé sailed from France, and M. Champlain accompanying him on the voyage, they ascended the St. Lawrence together as high as Montreal; but the voyage seems to have been without effect. The next year, M. de Monts, although a calvinist, was commissioned by the king to colonize Canada, with permission to exercise his religion, he engaging to settle the country, and establish the Roman Catholic faith among the natives. Several merchants of Rochelle joined in this adventure, as if anticipating the necessity of a place of refuge in America. The armament, of four ships, was under the command of Messrs. de Monts and Pontgravé, who were accompanied by Champlain and Biencourt; the latter of whom became the lieutenant of De Monts; who, leaving a colony at Port Royal, returned to France, where, probably in consequence of his religion, he was deprived of his commission. Biencourt sailed to France for succour for his colonists, and just returned in time to prevent their abandoning Port Royal.

Champlain, meantime, had chosen Quebec for his place of residence with some followers, and in 1608 constructed a few huts on that commanding spot, now so celebrated. The trees were cut down and land prepared for cultivation. Leaving things in this state, he returned to France, and joining with De Monts and Pontgravé, they arrived again in the St. Lawrence in 1609, about the time that Henry Hudson explored the river which bears his name. The object of Pontgravé was to trade at *Tadoussac*, a place nearer the ocean, while Champlain carried succours to his colony at Quebec, who were thriving and on friendly terms with the Algonkins their neighbours. These people supplied the wants of the colonists, and in return were desirous of their assistance against the Iroquois, the five confederated nations, who by their union and prowess were the conquerors of a great extent of country, and the terror of the surrounding nations. Champlain wishing to ingratiate himself with the Algonkins, and desirous of exploring the country south and west, in an evil hour for France agreed to accompany them on a hostile expedition against their redoubted enemies. Accompanied by a few Frenchmen, armed with matchlocks, Champlain embarked with the Algonkins, and proceeding up the St. Lawrence and through the Sorel, entered the beautiful lake to which he gave his name, previously known as the Lake Iroquois. They proceeded south, and at the meeting of the waters, *Ticonderoga*, passed into Lake George, to which the French leader gave the appellation of St. Sacrament, from the pellucid clearness of the water, which he thought well suited to the holy offices

of his religion. They were now in the country of the Iroquois, and approaching the castle of the Mohawks.

A war party of the confederated Iroquois were navigating this lake on their way to the St. Lawrence, and the two armaments of canoes soon met. The hostile parties landed and prepared for battle; the warriors of the Iroquois with shouts pressed on to certain victory, for who could stand before them? But to their astonishment they saw the enemy advance with confidence—heard strange thunders—beheld the fire and smoke that issued from the ranks of the Algonkins, while the fatal bolts inflicted wounds and death, although the enemy was yet out of reach of the tomahawk or arrow. The Iroquois were astonished and fled. This was the first time that fire-arms had been seen or heard, the first time their power had been felt by the Iroquois. The Algonkins retraced their way to the St. Lawrence with some captives, and Champlain saw the mode in which his alliés treated their enemies when prisoners. The scalps of the slain were exposed to their families, and the savage triumph of torture and cannibalism was for the first time witnessed by the French.

M. Champlain soon after returned to France, but left a feeling of hostility towards his nation which was never eradicated from the breasts of the Iroquois. The Dutch of New Netherland soon after taught them the use of fire-arms, and supplied them with the means of mischief; and when the colony was subjected to England, the five confederated nations were always the allies and the bulwark of New York against the French.

INDIANS OF NEW NETHERLAND WHEN FIRST KNOWN TO EUROPEANS.

It may appear necessary that a history of the New Netherlands or of New York, should commence with all that is known of the inhabitants found within its present, or former boundaries when discovered by Europeans. The natives were called Indians by the first discoverers, because when seeking a new passage to the East Indies, they found a new world, which they thought was part of the old world they sought, and the appellation has been continued to this day. Where these Indians came from has been a question occupying the minds of many men and the pages of many books, and it is as far from being decided now as when first started. No longer considered as aborigines, authors have brought them from various parts of the eastern hemisphere: they have been pronounced Tartars, Hindoos, Japanese, Philistines and Jews; but most agree that before their arrival, whether over the Pacific Ocean

or by the way of Behrings Straits, another and a more civilized people occupied America. Indications are supposed to exist of such a people even in the western parts of New York, still more in Ohio and the valley of the Mississippi. We look with admiration at the wonders disclosed by the discovery of Palenque and other ruins in Mexico; and our attention is drawn to the antiquities of more southern nations; but my researches must be bounded as much as possible at this time, within lines drawn from the Gulf of St. Lawrence and Delaware bay, on the Atlantic, to a moderate distance westward towards the Pacific Ocean, keeping (as much as possible) east of the Rocky Mountains. Indeed we shall find that the Algonkins, Delawares and Iroquois will occupy most of our attention.

Mr. Jefferson in his Notes on Virginia, written in 1781, and published six years after, says, that the best proof of the affinity of nations is their language. Mr. Gallatin has recently, 1836, published a luminous essay on this subject, comprehending in his researches the American tribes, as known in the year 1492, as well as at the time of his writing; nations spread from Patagonia to the Arctic sea, and from the Atlantic to the Pacific Ocean. I know no better guide than this learned and sagacious author and statesman.

Although the language of the Indians of America is from one root, the branches *appear* to have no affinity, if we may believe travellers and agents who have been years among this people, and have attended to the subject. They have found that the attainment of the language of one nation is useless in the attempt at intercourse with another. Adair, and many who have wished to find the lost ten tribes of Israel in America, think that they have heard the word *jehovah* made use of by the Indians in their addresses to the Great Spirit. Other travellers have sought for it in vain. The nearest resemblance they could find, was that during the songs and dances of most of the western tribes, they uttered a sound or *yell*, in which was a continued repetition of "yeh, yah, yeh, yah," ending in a shrill, short, yelping shout.

The North American Review, (No. 64) gives from the Chipewa dialect, a branch of the Algonkin, the words "jah," and "atta," as "indicating respectively 'to be' an animate and inanimate nature." And these words are said to "run like two principal arteries, through the whole language." *Jah* is said to be part of the name of the supreme Being, and when used in the sacred or mystic songs of the Indians, "excites a strong feeling of fear and dread." The "yah" above mentioned, as given by travellers, I take to be the same word, or sound, as is used in all their songs, and commonly accompanied by their dances. At the same

time, it is said that the words used in their songs are not generally understood by those who repeat them.

The reviewers say, that "Monedo," which is frequently written Manito, is "the modern name for the supreme Being, or Great Spirit," and is "a personal form of the verb 'to take,' derived from the supposed abstraction of the food placed as an offering, to the supreme Spirit upon the rude altar-stone." Yah, is one of the Hebrew titles of Jehovah. They further say that when the Indians endeavour to recollect the name of a person, or of a forgotten circumstance, they repeat the words "jah, jah," meaning "It is—it is." They give examples of the use of "jah," thus, "jah-e-men." "He is there," "Monedo-jah." "He is a spirit."

But to return to our history of the Indians within the bounds of New Netherland, and those immediately connected with them either by relationship, or friendship, or war, (much the most fertile source of intimacy or interchange of communion;) these were the five great divisions or families, *first*, the Algonkins; under which name we may include the Chippewas, (or according to modern orthography, Ojibbawas,) the Ottowas, Knistanaux, Pottawattamies, and Mississagues. *Second*, The Iroquois, under which appellation I include the five great confederate nations of Senecas, Cayugas, Onandagas, Oneidas, and Mohawks,* (called likewise Manguas, Mingues, and Mingoies,) with, when called the six nations, the Tuscaroras. There were other nations of Iroquois origin, but they were enemies of the confederates. *Thirdly*, The Delawares; including the Minsies, Nanticoks, Susquehannocks, Conoys and Pamlicoës. *Fourthly*, The Mohicans; including probably the Pequods, certainly the Manhattans, Montauks and other Long Island tribes, with the River Indians under various names; and *fifthly*, the New England Indians, such as perhaps the Pequods, certainly the Narragansets, Wampanoags, Massachusetts, Pawtuckets and some others.

The *Delawares* first received Verrazzano and his French crew, as they did afterwards the Dutch under Henry Hudson, on the shores of New Jersey and within Sandy Hook. The Manhattan-Mohicans, were the second people who had intercourse with the crew of the Half-moon: and soon after the river Indians were astonished at the sight of the monster of the great deep, the floating Wigwam, bearing white-skinned *manitoës*. Before this visit from Europeans, the Mohicans and river Indians had been ren-

* The five Iroquois nations were each composed of three tribes, designated by some animal, as the Mohawk nation, (whose three castles occupied the Valley of the Mohawk,) consisted of the Tortoise, the Bear and the Wolf.

dered tributary to the redoubted confederacy of the *Iroquois*, with whom the Dutch, and after them the English of New York, had the most intimate and profitable intercourse. They were a sheltering frontier of warriors opposed to the French and Indians of Canada. I shall have much to say of the *Algonkins*, as the allies of France and enemies of the Iroquois, and of the Europeans of New York.

By the annexed sheet (for which I am indebted to Mr. Gallatin's larger map of the situation of all the Indian nations of North America,) the student of the history of New York will see the abodes of the savage nations, with whom it is most necessary for him to become acquainted, as their friendly intercourse or hostile aggressions formed important parts of our annals, until after the war of the revolution.

The Algonkin territory extends north and west from New York to the Mississippi, and a river falling into Hudson's Bay. We are told that the word "Missi," in the Algonkin tongue, means "all," or *the whole*, perhaps *great*, and "nissi" is *water*. Whereas "sippi" means *river*, and joined to "missi" gives "the whole," or the great river—the Mississippi. The southern boundary of the Algonkins may be considered as the north shore of the St. Lawrence and the lakes, including the tract lying between lakes Erie and Michigan, and between a line drawn from the latter to the river Missouri.

The northern Iroquois in the year 1600, possessed land on both shores of the St. Lawrence and of the Lakes, to the head of Lake Erie; and thence their territory extended beyond the Miami river to the Ohio, which last river, with such land as the Delawares and Mohicans could withhold from them, was their boundary on that part. Mr. Gallatin says, "The Iroquois nations consisted of two distinct groups," which when they were first known to the Europeans, were separated from each other by several intervening, but now extinct Lenape, *i. e.* Delaware tribes. It is in the northern group that we are most interested. The same writer says, "when Jaques Cartier entered and ascended the river St. Lawrence in 1535, he found the site of Montreal, then called Hochelaga, occupied by an Iroquois tribe," and "we have no further account till the year 1608, when Champlain founded Quebec; and the Island of Montreal was then inhabited by the Algonkins." So we have reason to believe that the latter people sometimes repulsed the Iroquois, notwithstanding their general superiority both in civilization and arms.

The intelligent and philosophic writer above mentioned, gives the boundaries of the northern Iroquois thus, "on the north, the height of land which separates the waters of the Ottawa river from those which fall into the Lakes Huron and Ontario, and the river St. Lawrence. But the country north of the lakes was a

debatable ground, on which the Iroquois had no permanent establishment, and at least one Algonkin tribe called Missisagues was settled. On the west, Lake Huron was the bound of the five nations; and south of Lake Erie, a line not far from the Sciota, extending to the Ohio, was the boundary between the Wyandots, or other, now (1836) extinct Iroquois tribes, and the Miamies and Illinois. On the east, Lake Champlain, and further south, the Hudson river as far down as the Kaatskill Mountains belonged to the confederates. These mountains separated the Mohawks, (a tribe of Iroquois) from the Lenape Wappingers of Esopus. The southern boundary cannot be accurately defined. The five nations were then (1608) carrying on their war of subjugation and extermination, against all the Lenape tribes," (the Delawares) "west of the river Delaware. Their war parties were already seen at the mouth of the river Susquehannah; and it is impossible to distinguish between what they held in consequence of recent conquests, and their original limits. These did not probably extend beyond the range of mountains, which form southwesterly the continuation of the Kaatskill chain. West of the Alleghany mountains they are not known to have had any settlement south of the Ohio; though the Wyandots" (once an Iroquois tribe by language,) "have left their names to a southern tributary of that river—the Guyandot."

The Tuscaroras are the only portion of the southern Iroquois which I have to notice as the historian of New York, and that only, because when driven from North Carolina, they were received by the Iroquois of the five nations, and constituted a sixth in 1712.

The situation of the five nations in this State, is still marked by names familiar to the citizens of New York: the river Mohawk winds from the high ground on which fort Stanwix once stood, and falls into the greater Hudson amidst islets; while another stream from the same height runs into Ontario through the Oneida Lake and Onondaga river. Counties and towns likewise bear the names of these nations; Cayuga Lake and river remind the traveller of a fourth, and the village of Seneca Falls with other vestiges, fast fading, show the residence of the fifth of this once great confederacy.*

* The remaining Onondagas, in 1815, residing near the council ground of the union, were sober, honest, and somewhat agricultural. They obstinately rejected teachers from the whites, answering in respect to clergymen, as the chief of the Narragansetts replied to the offers of Mr. Mayhew, who asked permission to preach to his people, "Go, and make the English good first;" adding, "as long as the English cannot agree among themselves, *what religion is*, it ill becomes them to teach others." The tribe of Algenkins, said by the French to be converted to the christian religion, were called Abenakis: these and the New England Indians, of the far east, were between

The Iroquois of New York were the terror of all the nations that surrounded them. By their advancement in civilization, attention to agriculture, (although committed in the practice to their women and slaves,) conduct as statesmen and warriors, general superiority in all the arts of destruction, and above all by their union into one confederated body of free and independent nations governed by a great council or congress, they had become the acknowledged lords of many tributary tribes, and appear to have pursued their course of vengeance or thirst for conquest in the persecution of those whom they chose to account enemies, with a relentless purpose, and with a subtlety and courage that distinguished them as braves above all others of the red-skin species, and might entitle them to comparison with the states and heroes of ancient, or in some respects, modern Europe.

In the year 1600, the seat of the confederated Iroquois, or five nations,* was south of the river St. Lawrence and Lake Ontario, and extended from the Hudson to the upper branches of the river Alleghany, and to Lake Erie; Hochelaga, now Montreal, was founded in 1535, and the island was inhabited by Indians speaking a dialect of the Iroquois tongue, they were Hurons, and between Montreal and Quebec the Iroquois had resided and planted,

Kenebec and the river Piscataqua. The Indians were found more populous in the vicinity of the Atlantic Ocean and its rivers than in the interior, owing to the greater abundance of food within a given district to be attained without labour. The Pequods (a part of the Mohicans) of New England were reputed to amount *in former times* to 4000 warriors; but in 1674, Gookin states them to amount to only 300. During the intermediate time they had been subjugated by the whites. The Narragansetts in 1674, counted 1000 warriors; the Wapanoags, Massachusetts and Pawtucketts, had, it is said *in former times*, an aggregate of 9000 men; but at the date above mentioned they had less than 1000 warriors altogether. In 1680 Connecticut contained 500 Indian warriors of all the tribes within her borders. In 1774, by an actual census, there were still remaining, Indians of all ages and sexes 1363; and in Rhode Island 1482.

* It is asserted by a writer in 1741, that the confederacy of the five nations was established, as the Indians say, one age, or one man's life before the white people settled at Albany, or before white men came to the country; and he gives the names of the chiefs who formed the confederacy: viz: the Mohawk was *Togana-wita*: the Oneida *Otatscherhtis*; the Onandago *Tatotarpa*; the Cayuga, *Togahajon*: the Senecas had two chiefs present, *Ganniatario* and *Satagarureges*. And further, that the Mohawks made the first step towards the confederacy, and for that reason bore the name of *Tgavihoga*, in council. The destruction of the greater part of the Hurons or Wyandots, (who it must be remembered were of Iroquois origin, but not part of the Iroquois confederacy) took place in 1649, and the dispersion of the residue, with that of the Algonkins of the Ottawa river, was achieved by the confederated Iroquois in 1650. The Delawares, who had resisted until this time, then submitted, and the victorious Iroquois evacuated fort Christina on the Delaware, and sold the adjacent lands to the Dutch in 1651. The neutral nations were annihilated or incorporated with the Iroquois at this time, i. e. about 1651. From 1651 to 1653, these conquerors destroyed the *Eries*: and in 1672 the *Andastes*. During all these wars, the Iroquois carried on hostilities against the Algonkins and the French. I owe these dates to the researches of Mr. Gallatin, and they give a lively idea of the power and aggressions of the confederated Iroquois of the seventeenth century.

but had withdrawn themselves to the other side of the St. Lawrence for the purpose of concentration. The Cayugas and Onondas were younger members of the confederacy than the other three: the Tuscaroras, who spoke the same language, were not received until 1712. The confederated five nations had acquired a decided superiority over other Indians long before they were known to Europeans; they were then at war with the Algonkins and Hurons. They had carried their conquests to the mouth of the Susquehannah, to the present site of Newcastle on the Delaware, and were objects of terror from the sources of the Potomack to the Merrimack and Piscatawa.*

Their wisdom in concentrating the confederacy within the above mentioned limits, and only making distant tribes (when conquered) tributary, is one cause of their superiority. Within these limits they were at home: they were protected on the south by mountains, on the north by lakes. Although more polished and civilized, they were more daring, ferocious, and perhaps more cruel than their neighbours; that is, more thoroughly military and heroic. But above all, they were better and more constantly supplied with food from the circumstance above mentioned, of being somewhat of agriculturists, and of course further advanced towards permanency and civilized life, than the wretched beings who were scattered over wood, prairie and desert, in pursuit of game, and either revelling in super-abundance, or wasting with hunger. More certain subsistence gave the Iroquois more leisure for improvement, and thus, in both council and field they had greater advantages than their neighbours. The Delawares, according to Mr. Gallatin, call themselves *Lenno Lenape* (Heckewelder's *Lenni Lenape*) meaning "original or unmixed men." But they had been conquered by the Iroquois, who stigmatized them as women. At the treaty of Easton in 1758, the Delaware chief, Tadyusacing, acknowledged that the land near the source of the Delaware belonged to *his uncles*, the Iroquois, and that the Delawares were bounded by the Kaatskill mountains, where the Iroquois (or Mohawks) again met them. The Delawares extended along the Schuylkill and the sea-shore of New Jersey.

It is stated by all writers, on the testimony of the Indians, that the Mohicans, Wappingers, and all the river Indians on the Hudson, had been subjugated by the Iroquois and paid them tribute:

* When the Algonkins took refuge with the French under the walls of Quebec, the Iroquois followed and attacked them there. In such terror were they held by the New England Indians, that Gookin says, the appearance of four or five Maquas (Mohawks,) in the woods, would frighten the neighbouring Indians from home, and make them take refuge in forts. On Long Island, and in Connecticut the Mohawks have been known to pursue their flying enemies, or victims, into the houses of the English settlers, and there murder them. Their superiority has been likened to that of the armed knights of feudal Europe over the defenceless peasantry, or of disciplined soldiers of modern times, over half-armed militia without military knowledge or leaders to guide them.

yet it is certain that the Mohicans and Iroquois, were at war with each other after the settlement of the Dutch in New Netherland. Colden states that their war continued until 1673; at which time the Dutch succeeded as mediators, and produced a state of peace between the belligerents.

It is worthy of remark, and has been stated by a writer of great philosophic research, that Indians, however they may have to complain of evils introduced by the Europeans, have, since the existence of the United States as a free republic, been ameliorated in their manners.

Mr. Gallatin, the writer I allude to, remarks that for the last forty years, we know of no instance of any Indian tribes torturing and burning their prisoners.

Strange as it may now appear, we know that the French, in their Canadian wars, encouraged this abominable custom.

It is truly asserted that our prosperity has been attained at the expense of the Indian tribes; and that we owe them a great debt, which it is from many various circumstances very difficult to pay; but it should *never be forgotten*. If they had not in the first place received the Dutch and English with kindness, their colonies could not have been planted. When they found that by selling, or giving their lands, they had deprived themselves of territory necessary for their subsistence; and that those received as gods were rapacious or encroaching men, addicted to vices and familiar with blood, men who treated them always as inferiors and often as slaves, they in vain endeavoured to regain the territory without which they could not exist in that state, and with the customs they preferred. Then began wars, which resulted in defeat, loss, subjugation and extermination, inflicted upon them for endeavouring to regain that which they had thoughtlessly parted with, or to prevent further encroachments.

The whites increased in numbers; forests gave way to cultivated fields; marshes and swamps to gardens and orchards; mud built huts and pallisadoed castles, to palaces, cities and churches. This is not to be lamented—it could not be otherwise—it was to be wished. Men in the hunter state, who were incessantly stimulated to barbarous and loathsome acts of revenge, against any neighbour who crowded upon the territory necessary or imagined to be necessary, for their hunting grounds; men whose principle as well as practice was to return tenfold, evil for evil; who inculcated as a duty revenge for injury and insult; are happily more than replaced by those who look to agriculture for subsistence, and to forgiveness for happiness; a race, whose religion teaches them to return good for evil, (however feebly they may practise the lessons of divine wisdom) are infinitely preferable to that whose morality was vengeance, and whose delight

was blood. The agriculturist loves peace, the hunter delights in war; the first is in a state of improvement; for in peace alone mankind can progress to the perfection they are capable of; the second cannot improve, for war deteriorates all who are engaged in it. It would be folly or worse, to regret that thousands, nay millions, of comparatively civilized beings constantly improving, and more and more influenced by the love and charity their religion inculcates, should have taken the place once occupied by a few hundreds of barbarians, whose pride made them detest that labour which is the only true foundation for improvement.

It may perhaps be expected that I should say something further of the people who preceded the red men, now melting away before the European race—those nations who, perhaps, have succeeded each other, varying in degrees of civilization, in arts, science, manners and morals, who may have occupied this vast continent, ages before the Esquimaux, Knistinaux, Algonkins, Lenape, Iroquois, or any other of the barbarous tribes we know, or have heard of—even before the half civilized Mexicans and Peruvians; but I know nothing of them except that remains and monuments are found which excite the imagination, and leave us, after every effort to penetrate into the past, in a dreamy and unsatisfactory state, thirsting for knowledge of we know not what. This we may be certain of—however far these nations had advanced in improvement, they had not attained the art of printing.

I acknowledge that no one can read the accounts we have received of the ruins of Palanque or Copan in Mexico, or of the remains of empire in Peru, or of the mounds, vestiges of fortifications and other tokens of ancient power, found in the valley of the Mississippi, and elsewhere, without conjuring up ideas which are rather fitting for the writers of romance than history. I have visited some of the remains of fortifications in the state of New York: of them I shall say more when speaking of the military operations of the French. Mr. Gallatin remarks that all Indian works for defence were of the same kind; that is, palisades. By Indians, meaning the race of red men now existing and passing away. He further observes, that they were proportioned to the population of an Indian village. The regular fortifications of earth found in this state, or to the west, indicate the work of Europeans, or of people in a more advanced state of civilization, than the Indians of the New Netherlands had arrived at when first known to Europeans, not even excepting the Iroquois. The Mississippi monuments indicate a populous, and of course an agricultural people: the probability is that they were destroyed by

* See Appendix A.

barbarians, who decreased in numbers in consequence of their wars of extermination, and desolating the country they had overrun. But all this is conjecture, not history.*

It has so happened that I have seen and conversed with three Indian Interpreters, men who had been carried away captive in childhood and adopted among the Iroquois, when all the western part of this state was uninhabited except by Indians. These men had all returned to civilized life, were possessed of landed property, and were employed by government, as qualified by their knowledge of language, and their reputation for honesty and intelligence, to be the channels of communication between the red and white men. Their names were Jones, Parish, and Webster. With the last I had most frequent communication; but a friend says that in 1819 he heard Mr. Parish testify, that it was then forty-two years since he first saw the Genesee river, and my friend remarked that of 70,000 people then in Ontario, not one other could say the same. Mr. Webster was most conversant with the Onondagas, and when I knew him in 1815 cultivated land in Onondaga Hollow, and was looked up to by the Indians as a friend and father. He testified to the arts of Governor Simcoe and the English in stimulating the Indians to that war and those murders which were only terminated by Wayne's victory, and the treaty of Greenville.

The Indian tradition of the origin of the confederacy as given by him, was as follows: He said that the happy thought of union for defence originated with an inferior chief of the Onondagas, who perceiving that although the five tribes were alike in language, and had by co-operation conquered a great extent of country, yet that they had frequent quarrels and no head or great council, to reconcile them; and that while divided, the western Indians attacked and destroyed them; seeing this, he conceived the bright idea of union, and of a great council of the chiefs of the Five Nations: this, he said, and perhaps thought, came to him in a dream; and it was afterward considered as coming from the Great Spirit. He proposed this plan in a council of his tribe, but the principal chief opposed it. He was a great warrior, and feared to lose his influence as head man of the Onondagas. This was a selfish man. The younger chief, who we will call *Owcko*, was silenced; but he determined in secret to attempt the great political work. This was a man who loved the welfare of others. To make long journeys and be absent for several days while hunting, would cause no suspicion, because it was common. He left home as if to hunt; but taking a circuitous path through the woods, for all this great country was then a wilderness, he made his way to the village or castle of the Mohawks. He consulted some of the leaders

* See Appendix B.

of that tribe, and they received the scheme favorably; he visited the Oneidas, and gained the assent of their chief; he then returned home. After a time he made another pretended hunt, and another; thus, by degrees, visiting the Cayugas and Senecas, and gained the assent of all to a great council to be held at Onondaga. With consummate art he then gained over his own chief, by convincing him of the advantages of the confederacy, and agreeing that he should be considered as the author of the plan. The great council met, and the chief of the Onondagas made use of a figurative argument, taught him by Oweko, which was the same that we read of in the fable, where a father teaches his sons the value of union by taking one stick from a bundle, and showing how feeble it was, and easily broken, and that when bound together the bundle resisted his utmost strength.

I have mentioned the defeat of the war party of the Iroquois* on Lake George by the effect of the fire-arms of Champlain and his companions, who accompanied the Algonkins at the time. We cannot but imagine the astonishment, and perhaps incredulity, which would be manifested by the chiefs of the Iroquois when assembled in council at Onondaga Hollow, they received the account which the fugitives gave of the white men's thunder and lightning proceeding from the ranks of their enemies, and destroying without hope the leaders and warriors who had always before returned as triumphant conquerors. They could not but assent—for an Iroquois, at that time, could not tell a falsehood—yet the tale must have appeared incomprehensible. They soon would learn the circumstances attending the visit of the French to Canada, and their alliance with the Algonkins. They never forgave the aggression of Champlain, and many hundreds of Frenchmen were sacrificed to atone for the thundering of that day on Lake George.

CHAPTER II.

*Discovery of Manhattoes—Henry Hudson†—Commencement of
New Netherland—Christianse and Block.*

1579 To Holland, a peninsula protruding into the sea, with soil only protected from the waves by embankments, we owe the germ of New York. Holland had erected the standard of

* Mr. Moulton gives *Irocoisia* as the name of the country of the Iroquois. He says truly, their territorial dominion embraced an empire that might be compared to that of ancient Rome. I have elsewhere given the boundaries of their territory. Where and what are they now?

† See Appendix C.

freedom in Zealand, the first place of the United Netherlands which defied the power of Spain; they owed to a province composed of islands, and depending upon the ocean for subsistence, the creation of an empire. Other dependent provinces followed the glorious example, and the foundation of a great republic was formed. It was essentially and necessarily commercial. Even while struggling for liberty, the States created a navy which traded with all the world, and established the fame of Dutchmen for naval prowess wherever a sail was unfurled.

The failure of those who had anticipated a short road by which to gain the riches of the East; the disappointment of the eminent navigators Cabot, Frobisher, Willoughby, Davis and others, in every attempt to find the much-desired passage by the north-west to the Indies, could not allay the thirst of English merchants, who, still excited by hope, engaged Henry Hudson, a man who had already acquired reputation as a mariner of sagacity and experience, to undertake the discovery of this short road to wealth.

Hudson coasted the shores of Greenland, renewed the discoveries of Spitzbergen; came within eight degrees of the pole, but found himself baffled by ice, and returned discomfited but not discouraged.

In the mean time the States of Holland had formed a 1608 company for traffic and colonization in Africa and America; called the East India Company. Europe was alive to find the predicted short passage to the East, the seat of wealth and land of wonders. It was in 1606 that Hudson first sailed.* In 1608 he again found men in England whose hope he could re-animate, and whose prospects of future gain led them to fit out

* In 1602 Bartholomew Gosnold sailed (March 26th) with thirty colonists for America, and made land, May 14th, near Cape Cod. He commenced a settlement which failed. In 1608 John Robinson went to Holland. Tyranny in Europe was the prime cause of colonization in America. It was during the reign of James the 1st of England that the equality of rights (without which man is a slave) began to revive from a long torpor in that island. But it was found to flourish better in the colonies of the New World than in any part of the Old. "Those," says Hume, "who were discontented with the established church and monarchy, had sought for freedom amidst those savage deserts," meaning North America. James 1st, with that generosity which is pleasantly exercised at the cost of others, gave, by patent, Acadia and Long Island to the first Earl of Sterling; but the natives and original possessors knew nothing of it. Feeble attempts at colonization were made by the French at Port Royal, and by the English on James River. As I have to record the burning of men at the stake in the city of New York, I will here remind the reader, that, in the year 1612, three *white* christian men—learned and pious men—were sentenced in England to be burned as hereticks, that is, for not believing as king James the 1st and his bishops believed, or, becoming hypocrites. Two of these men, so sentenced, were burned alive at the stake, and the third, for fear of *popular* opinion, was hid in a dungeon until death released him from tyranny. When in New York, a century after, negroes were burnt at the stake, it was not in cold blood, but under the influence of panic terror.

another expedition for the same purpose as the first, and again he exerted his skill and periled his life in vain among the regions of snow and mountains of ice. His employers were disheartened : not so the dauntless mariner. He offered his services, made more valuable by experience, to the Dutch East India Company ; they were accepted, and on the 4th of April, 1609, he made his third voyage of discovery. He was accompanied by his son, in the Dutch ship, the *Half-moon*, with a crew of eighteen men, half English and half Dutch, and sailed on that voyage which has rendered his name immortal, and which gave to the Dutch, according to received notions, a just title over an empire in the New 1609 World. Again, with a perseverance worthy of his employers, he sought the passage to India by the north, and again he was turned back from *Nova Zembla* by icebergs and interminable fields of frozen sea : he shaped his course to the west, and passing *Greenland* and *Newfoundland*, coasted until he saw the promontory of *Cape Cod*. He called this land, and the region beyond it, *New Netherland*, and *Cape Cod* was long considered by the Dutch as the boundary of their territory to the north-east. *Hudson* supposed that he was the discoverer of the promontory. He is believed to have anchored in the mouth of the *Penobscot* river. Sailing south, *Hudson* found himself opposite the bay of *Chesapeake*, and knowing this was an already occupied region by his countrymen, the English, claimed by them and named from their virgin queen, he again turned to the north, and discovered *Delaware* bay and river, called by the Dutch *South river*, and considered by them as the boundary of *New Netherland* in that direction. Continuing his course, *Hudson* saw on the second of September, the highlands of *Navesink* or *Neversink*. He supposed, and mankind generally considered, that he was the first European who had viewed this prominent land-mark, so familiar now to navigators. The voyage of *Verrazzano* was unknown to him. The next day he entered the great bay between *Sandy Hook*, *Long Island*, *Staten Island* and *Perth Amboy* ; into which flows the *Raritan*, *Passaic*, *Hackensack*, and part of the mighty stream which bears the navigator's name. Well might he linger a week in admiration of this beautiful lake-like water, with the undulating hills of *New Jersey* on his left, and on his right those islands, to one of which he gave the name it still bears, of "*Staten*."

Hudson and his *Half-moon* were no less objects of admiration to the natives, than they and their country were to him. The records of the Indians gave them no reminiscence of *Verrazzano*, his ship, or his crew ; and the savages saw a moving and floating palace in the *Half-moon*—a *Manito* in *Henry Hudson*. He, however, was not so fortunate in all his intercourse with the Indians as *Verrazzano* had been. One of his boats, when on an explo-

ring expedition, perhaps gave offence to some of the natives, and by a discharge of arrows a seaman of the name of Coleman, was slain. Happily the commander of the ship did not undertake to chastise the savages for an act which probably had been provoked by the strangers. Coleman was carried to the ship, and next day buried. The Indians generally seem to have been ignorant of this mishap, for they visited the Half-moon as before, bringing fruits, tobacco and maize for the much-admired strangers.

The journal of the voyage tells us that some of the crew landed, and rambled into the woods of Monmouth county without impediment. Many of the natives visited the ship, bringing, among other fruits of their country, dried currants. Some were clothed in furs, some in dressed skins, and some in feather mantles; wearing round their necks copper ornaments, and bearing pipes of copper in their hands.

On the twelfth of September, Hudson passed into the harbour of New York, and entered the mouth of *De Groote riviere*. If he explored the East river, it was done by sending his boats for the purpose. *De Groote riviere* was likewise called the *North*, as distinguishing it from the waters on the eastern side of the island. During this time, and before sailing up the North river, the natives brought "Indian wheat," tobacco, oysters, and whatever they thought would be acceptable to the strangers; and the Indians were observed to have "pots of earth to cook their meat in."

The harbour of New York after passing the Narrows, is bounded on the west by the shore of New Jersey, has the island of Manhattan in front, or north, and on the east the shore of Long Island. A reef near the entrance was called after the seal seen on it, *Robyn's rift*, from the Dutch name for the animal; Governor's Island being covered with nut trees, was named *Nutten* (or *Nooten*.) The two small islands of Ellis and Bedlow do not seem to have received names at this time, nor long after.

Turning from Amboy bay, the Raritan river, and the 1609 inviting channel west of Staten Island, the discoverer passed the Narrows, and found himself in one of the finest harbours of the world.* He must have seen that the south point of Manhattan was by nature intended for a great commercial city; but he at the same time hoped that he saw in one or the other of the broad waters which flowed on either

* When Hudson entered *his* river, it was called by the natives Mohicanituck, or Shatinicut, or Cahohatalea, according, as I suppose, to the tribe who gave the information. And the neighbouring nations, he was told, were the Sanehkieceni, Wabanje, and Mohawks: the latter being above the Kaatskill. All were on the western bank, and so were the Wappingers. (Wapinga, or Waubingi.) a name which Heckewelder derives from the opossum. Ebeling calls the Esopus Indians Wappingees.

side of this land, the much-desired passage to India.* Though delighted with the realities he saw—the goodly oaks and luxuriant soil promising a refuge to the oppressed of Europe—a home for the liberty of the world—still the object of his search was foremost in his mind; and it was not until he had explored the North river, that he relinquished the hope of finding here a north-west passage to the Indian Ocean. When he had carried the Half-moon up to the site of the present city of Hudson, and found himself in fresh water, and among islets and sand bars, the visions of eastern riches must have given place to the reality of being the first navigator of this noble river, and conferring on his employers a title, as he supposed, to a country unrivalled on the globe. After exploring in his boat, perhaps in his ship, as far as the situation at present of the city of Albany, and holding intercourse in his progress with the friendly natives, Hudson returned to the Manhattoes about the fourth of October; not far from the time when the famous Captain Smith sailed for England from Jamestown, and Champlain was invading the Iroquois from Canada, by the way of the lake which bears his name.*

From September tenth to the twenty-second, Hudson had felt his way, with line and lead, through the Highlands to the site of Albany, and again descended to Spikendevil creek and the Copsey rocks, on which our southern promenade, once a battery, now rests.† To himself, and his crew, all was a scene of delight and wonder, as he explored his own great stream. But I am grieved to say, that the lives of eleven of the natives were sacrificed in his visit to the beautiful river. The untamed wilderness and the untamed men, were equally objects of admiration. All was free to grow, luxuriate, enjoy, and decay as nature dictated. In one of the pleasantest months of our many pleasant months, did Europeans first see this noble river; and Hudson returned to the island of the Manhattoes, with ideas of the stream that bears his name, and the country through which it rolls, that cannot easily be imagined by an inhabitant of the present day.

* In the library of the New York Historical Society, in a MS. by the late Rev. Mr. Abeel, in which he says, that at the point of Manhattan island, Hudson found a fierce and hostile people. but this is contradicted by other statements: on the contrary, Mr. Abeel says, the Indians on the west side of the harbour, about Comunipaw, came daily on board the Half-moon, and brought oysters, maize, and fruits; and here Hudson landed. See Appendix D.

† When Hudson, in descending the river, was about the Highlands, some of the natives came aboard the vessel, who were given rum to drink, and made drunk by the crew, I hope, though I fear, not without the participation of the Captain. It is said that the effect of this poison “astonished the Indians, and filled them with great fear.” Happy would it have been if this dread of the liquor and its effects, had been accompanied by a disgust that could have withstood the seduction of European teaching.

Although Henry Hudson landed on the island of Manhattan, before he ascended the great river, and had his first interview with the assembled Sachems of the adjoining country, as the Indians have informed Heckewelder, he certainly did not fail to seek the northwest passage through the North river, and when he opened the sea of Tappan, might have imagined that the road to riches was found.

Long after the days of the discovery of Manhattan, Hudson and the Dutch generally, as well as the Indians, supposed that the Half-moon was the first ship that had been seen by the natives of this part of the continent. Of this we have the testimony of Vanderdonck, who wrote in 1650. The Indians appear to have lost all knowledge of Verrazzano's visit to Sandy Hook, and the shores within; or those who saw him had, in the lapse of years, been replaced by other tribes.*

There can be no doubt that the Delaware Indians had preserved the tradition which the reverend Mr. Heckewelder communicated to Doctor Samuel Miller, and which is deposited in the Library of the New York Historical Society. They described the ap-

* 1609. Vanderdonck says, that when the Half-moon arrived at the New Netherland, the natives "did not know that there were any other people in the world than those who were like themselves;" he says many of them were still living at the time of his writing, "with whom" he had conversed. When they first discovered Hudson's ship, they "stood in deep and solemn amazement," not knowing whether it was an "apparition from the world of spirits, or a monster of the sea; and when they saw the men their astonishment was still greater;" from which the author concludes, "that the Netherlanders were the first finders or discoverers and possessors" of the country. It appears that in the eyes of Europeans the natives were not considered as either *discoverers* or *possessors*. But although Verrazzano had made his appearance among these Indians in 1524, eighty-five years before the arrival of the Half-moon, neither the Dutch voyagers nor the Indians they conversed with had any knowledge of the events. Those natives who received the Italian, and his French crew, were no longer the inhabitants of the shores of New Jersey or New York; probably no longer in existence; and no trace would remain of the event among the people seen by Hudson in 1609, or by Vanderdonck in 1650.

Although Doctor Vanderdonck gives as the limits of New Netherland north and south, the sea coast from 38 degrees 53 minutes north to 43 degrees south, yet he subsequently says it is bounded "by New England and the Fresh river," (meaning the Connecticut river) and in part by the river of Canada or New France (the St. Lawrence) and by Virginia. And again; "north east the New Netherlands butt against New England, where there are differences on the subject of boundaries which we wish were well settled. On the north the River of Canada stretches a considerable distance, but in the north-west it is still undefined and unknown. Many of our Netherlanders have been far into the country, more than 70 or 80 miles from the river and sea shore: we also frequently trade with Indians who come more than 10 and 20 days journey from the interior, and who have been further off to catch beavers, and they know of no limits to the country," therefore he concludes, that, "we know not how deep or how far we extend inland." Such were the ideas of the learned among the Dutch as to the boundaries of New Netherland. At the time Vanderdonck wrote there appear to have been many whales on our coast; some occasio ally grounded in the shoal waters, when too eager in pursuit of pleasure or food. I am indebted for Vanderdonck's History, to a MS. translation by Jeremiah Johnson, Esq.

pearance of the Half-moon when first descried approaching from sea as that of a wonderful marine monster ; then they imagined the ship was a floating house of uncommon magnitude ; at last they compared her to a great canoe filled with gods, and directed by the great Spirit himself, dressed in scarlet. They said that those Indians who first saw this awful vision approach, sent *runners*, and messengers in canoes to spread the news, and inform the chiefs of the adjacent shores and islands : and that in consequence a council of Sachems convened on the point of land, afterwards the site of the city of New York, who awaited the approach, and received with propitiatory offerings the great *Manito* in red. They said nothing of the death of John Coleman, or of any untoward occurrence. They described the preparations which were made for sacrificing to the great Spirit who had designed to visit them ; and he having landed with his attendant spirits, ordered a *calibash* to be brought from his moving house, from which he poured a liquid into a smaller transparent receptacle, and drank it off. Again filling the small calibash, he offered it to the Sachem who was nearest to him, and he, after smelling the liquor, passed it to another, who did the same, all refusing to drink. At length the fatal cup came to the last in the circle, and was still untasted. A bold warrior however at last accepted the pledge for fear of offending the benignant *Manito* by rejecting his offering, and rather than draw down the wrath of heaven upon the red men, he resolved to risk his own life. He drank the rum. The deleterious poison soon began its operation upon one unaccustomed to any stimulants ; and while his companions anxiously looked at him he began to reel, and soon staggered and fell. They gathered about him in sorrow and wonder, and he recovering, described the pleasure he received from the intoxicating excitement. All the assembly then desired to experience the bounty of the red-coated *Manito*, and all became drunk. In this state of madness, which has been the bane of their race, the navigator left them ; and as the narrators informed Mr. Heckewelder, the island was called by the Indians, *Manhattan*, or the place of drunkenness, or madness by intoxication. An ominous name.*

The story of the Dutch gaining land for their first establishment, trading house, or fort, by cutting the ox-hide into strips, and thus surrounding a space sufficient for their purpose, is likewise a tradition told by the Delaware Indians to Mr. Heckewelder ; and if applicable at all, can only be supposed to have happened at a subsequent period, when in 1615 Christianse visited America, and commenced a post for trading. The tradition is, that the Dutch

* Doctor Barton gives all this scene of drunkenness, but supposes it happened when Verrazzano came within the Hook, and long before Hudson.

asked, in like manner as did Queen Dido, for as much land as would fall within the circumference of an ox-hide ; which being granted, they cut the hide carefully into one continuous strip not larger than the little finger, and thus encircled a large piece of ground, which the admiring savages willingly gave, pleased with the ingenuity displayed by their visitors. All that renders this probable is, that the Dutch traders, rather than the Indian narrator, should have been familiar with the original story of the foundation of Carthage. The fact is, that until 1615 the Dutch had made no purchase, nor obtained any permanent footing on the island of Manhattan, but at that time, probably under the guidance of Christianse, they purchased a piece of land on the bank of the Hudson, and obtained permission to erect a trading house, which being guarded by a palisade fence, was called the first fort. The situation of this fort was near or on the site of what is now Bunker's hotel or boarding house, and immediately looking down to the beach. The first real fort, as we shall see, was erected in 1623 or 4, and was a square, and on the bank of the river where the west wall of Trinity Church burying-ground is now. The first piece of soil purchased, extended from the palisaded trading-house along the bank, to Rector street, and was cultivated and used as a garden. I am aware that in the controversy between Massachusetts and New York, in 1667, respecting bounds, the commissioners of New York admitted that there existed a town and fort at New Amsterdam in 1612, when Argal received the submission of the man he called governor. But in 1612 the Dutch government had neither town nor fort here. Some huts sheltered a few unlicensed traders, who probably had a stockade round their dwellings to protect them from the savages with whom they bartered.

New Amsterdam (or New York) was begun by traders, and it now flourishes by trade ; but what a difference ! Then a stockade fort, or a stone wall, a few huts, a single ship, (to which an Albany sloop is a floating palace,) beads and shells for money, and otter skins and green tobacco for merchandise ! Now, thousands of palaces, and thousands of vessels, whose long-boats might vie with the half-decked shallop of Columbus, banks, mints, bills of credit, and specie ; with the manufactures of both hemispheres as the articles of commerce.

To return to Henry Hudson. Sailing back to Europe, 1610 he brought the Half-moon into the harbour of Dartmouth in England, (compelled so to do by his mutinous English sailors,) and sent his Dutch employers an account of his discoveries. Again the English merchants had their hopes revived of finding the much-desired passage by a short road to India, and Hudson was again employed by his countrymen for the purpose. On the 17th

of April 1610, he sailed on his fourth and last voyage, toward the North Pole, in the never-dying hope of discovering this imagined passage to the Indian Ocean. From April to July, amidst the sufferings of incessant cold, danger from ice islands and icebergs, struggling with disappointment and a mutinous crew, he thought himself rewarded for all when he passed the straits that bear his name, and saw a clear sea beyond. Into this sea he entered on the fifth day of August. To an island which he encountered he gave the name of Digges Island, in honour of one of his employers. The sailors who were sent to examine this place, reported great plenty of game, and the navigator was advised to replenish the exhausted stock of food; but elated with the bright prospect before him, he rejected the salutary counsel, and steered on for the country of gold and spices. He now felt assured that all his dreams were realized. Again he found that his way to India was impeded by snow-covered land and ice: he coasted the inhospitable shores but found no opening—he was in Hudson's bay. Here he wished to remain until spring, still hoping that the opening had only eluded his search in consequence of the late season; but in this fatal bay his voyages and discoveries terminated.*

In the same year that Hudson sailed on his last voyage, 1610 the merchants of Amsterdam sent out a ship to this country; claiming it as belonging to Holland by virtue of the unfortunate navigator's discoveries. The intention was to trade with the natives, others soon followed; and some few of the adventurers erected huts on the south point of Manhattan Island.

Samuel Smith, the historian of New Jersey, says, that in a pamphlet published in 1648, with a view to oppose the Dutch Colony of New Netherland, the author states, that at the time of Argal's visit there were "at Manhattan Isle, in Hudson's river," but four houses and a pretended Dutch governor, "who kept trading boats and trucking with the Indians." Argal made the trader pay whatever he pleased to demand as the charges of his voyage, and submit to the governor of Virginia.

The Dutch East India Company, finding that Hudson's 1614 discovery of the great river gave them no monopoly of the trade to New Netherlands, but that private adventurers visited Manhattan and the neighbourhood, bearing off furs and other produce, applied to the States general for an exclusive privilege, on the ground that the discovery was made at their expense; and this privilege was given by the edict of 1614; by which all persons who might discover new countries should have the exclusive trade thereto for four years in succession. This was the

* See Appendix E.

first exclusive right vested in the citizens of New Amsterdam by the republic, and was the foundation of the Dutch West India Company hereafter mentioned.

Adrian Block arrived at Manhattan Island for the purpose of trading with the Indians for skins, and making further discoveries for the Dutch East India Company. By some accident his vessel was burned, and he built another; certainly the first sea vessel, however small her tonnage, ever built here. With this sea-boat he explored the East river and Sound, between the main land and Long Island, which the Indians called the Island of Shells. Christianse, who was on similar service for the company, met Block somewhere about Cape Cod, and they in company explored the coast, and it is supposed that they discovered Newport harbour, where Verazzano had been long before, and the whole of Narragansett bay, to which they gave the name of Nassau. They then returned to Manhattan after entering Connecticut river.

For the voyages of Christianse and Block, and the first settlement near Albany, we are indebted to the *Albany Records*.* Christianse sailed up to the neighbourhood of Albany and erected Fort Orange, further than this he considered the navigation fit for sloops only.† Block and Christianse brought out traders who built on Manhattan Island. Block when he sailed through Hell-gate (the appellation now fixed on this pass) left his name permanently on Block Island.‡

The various distractions in Holland prevented any regular attempt at colonizing New Netherland until 1621, and Hudson's river was for a time called Mauritius, in compliment to prince Maurice.

On the third of June 1621, the States General of Holland granted a charter to the Dutch West India Company, (to which additions were made two years after,) and in February 1623 an act of amplification was given. By this charter and amendment a company was authorized to trade with the West Indies, Africa and other places; and all other inhabitants of the United Nether-

* Volume 4. p. 25.

† Schenectady was commenced shortly after Christianse planted a colony at Fort Orange, acting under the edict of 1614. It appears that this name had been applied by the Iroquois to the site of Albany. By degrees the Dutch pushed their settlements up the valley of the Mohawk to Caughuawahga. But the name of the German Flatts evinces the settlement of another race. In the reign of Queen Anne about 1709, three thousand Palatines were transported to America. Those who made New York their home, first resided at East Camp, (in the county of Columbia) many of them pitched their dwellings near Schoharie Creek; and in 1720 they spread over the German Flatts. The meeting of West Canada Creek with the Mohawk, formed a bottom land which attracted others of the same race.

‡ Judge Benson has suggested that instead of the entrance to Erebus, the Dutch navigator called the passage between Long and Manhattan Islands, *Hell-gat*, or beautiful pass.

lands were prohibited from trade with those places for twenty-four years under certain penalties. Articles were agreed upon between the Dutch West India Company and the States General, and approved by the Prince of Orange. In consequence of the above, the city of Amsterdam and the West India Company entered into articles of agreement with all colonists wishing to go to the New Netherlands, by which the burgomasters of the city bound themselves to find shipping on reasonable terms for the colonists, and whatever they may carry with them; to send a schoolmaster and religious reader; to make advances for clothing and other purposes; to erect public buildings and fortifications; to establish a government, wherein the citizens shall choose their burgomasters, their magistrates, and (when there shall be 200 families) a representative council of twenty delegates to be chosen annually. Courts of justice were provided, agriculturists were warranted as much cultivable land as they could till, free from certain taxes for ten years, and from others for twenty.*

Thus we see that the first government of New York was representative in part: the colonists governed themselves by magistrates elected annually, except as the Director General, or as the agent of the West India Company had a supreme control, and the common law of the Netherlands was in force. Such was the government, until overthrown by the English, when the colony was subjected to a Governor, appointed by James Duke of York, and to the laws called the Duke's Laws. The colony had by this time increased, and many English families had mingled with the Dutch in New Amsterdam and on Long Island, where townships of English from Connecticut, and other parts of New England, had been formed. The Duke's government, while he remained a subject, was mild: when he ascended the throne of England, it was tyrannical. Chancellor Kent, in his anniversary discourse before the New York Historical Society, (to whose library I am indebted for much information relative to this work,) says, "If I do not greatly deceive myself, there is no portion of the history of this country, which is more instructive or calculated to embellish our national character, than the domestic history of this state," speaking of the state of New York. Again he says, "Our history will be found, upon examination, as fruitful as the records of any other people, in recitals of heroic actions, and in images of resplendant virtue. It is equally well fitted to elevate the pride of ancestry, to awaken deep feeling, and enkindle generous emulation."

In pursuing the history of New York it will be necessary to note the colonization and progress of other provinces on this con-

* See Appendix F.

continent, and particularly those of New England, whose descendants form at this time so great a portion of the population of the state. The original settlers of New York were such as may be boasted of by their descendants; and the second race that flowed in upon them, and mingled with them, was such as is now remembered with just pride: they brought from their native country an equal portion of the germs which form our present prosperity.

The causes which produced emigration to the different colonies of America, and the various classes of people, as well as motives which induced men to leave their European homes, are subjects of curious inquiry, and edifying speculation. The puritans, or pilgrims, who sought a new home, for conscience sake, were people of property and education; and although some among them were men who had attained a degree of eminence, equality of rights was the distinguishing feature of their society. The first eastern colonists had the advantage over all the others in those qualities which form a republican government, or democracy, except the companions of William Penn, who settled Pennsylvania and West Jersey. The first visitors, and settlers of New York, those brought out by Block and Christianse, were mere traders; colonization was not their object. Traffic alone induced them to build huts and store-houses, with a fort to protect the goods they brought from home, or those procured by barter from the natives. That spirit, which now fills our streets with warehouses that emulate castles, and dwellings that are palaces; which encumbers our pavements with the most costly fabrics of Europe and the Indies; which has produced banking-houses whose vaults overflow with the precious metals, and send forth bills of credit that can only be counted by millions and billions; began its operations here, at the south-west extremity of Pearl street, (so called as if by inspiration,) and on the banks of the North river, conducting its bargains with strings of wampum cut from mussel and clam shells.

Commerce (the parent of national prosperity, both here and in the fatherland, Holland; the root of that prosperity which has created navies, not to destroy but bless mankind,) began its operations here, at the point of the island of Manhattan: it has covered the black rocks with pleasure-walks and groves, the whole island and its surrounding waters with fixed or floating palaces, and no longer confined to the *Copsey-point*, extends its influence to every region of the globe.

CHAPTER III.

Colonization of New England—Intimate connection with the Dutch of New York—Massachusetts—Permanent settlement of New Netherland—Silas Wood—Long Island—The Patroons—Peter Minuits—Van Twiller—The Swedes—Gustavus Adolphus.

WE will now turn to the east, and note the colonization 1610 of New England. The royal and ecclesiastical tyranny in England, drove Mr. Robinson and his congregation to Leyden, where they found an asylum with the Dutch protestant republicans. Cardinal Bentevoglio denominates these pious and exemplary people, "a body of English hereticks, called Puritans, who had resorted to Holland for the purposes of commerce." The intention of many puritans of England was to seek a refuge in Virginia; but a royal proclamation forbade any of the king's subjects to settle in that country without express permission from their master, James the first.

The Mayflower arrived at Plymouth in the year 1620. The puritan colony saw in the land of their exile nothing to cheer them; but they had *that* within which supported them under all trials, and "passeth show."

On the eleventh of November the pilgrims had landed some men at Cape Cod, but relinquishing this as the place of settlement, they, on the eighth of December, set foot on Plymouth Rock. Of one hundred and one who then arrived, only fifty-five survived to the following March.*

* There is a story told by J. Grahame, and others, that the Dutch captain who carried the puritans from Leyden, had been bribed by the government of Netherland or the West India Company, to carry the pilgrims, contrary to their intention, to the north of New Amsterdam. They give as authorities, Mather, Neal, Hutchinson, and Oldmixon. But the patent of the pilgrims contradicts the falsehood; as does their declaration to the envoy sent from New Netherland to congratulate them on their arrival. There are many assertions in MSS., and in print, against my opinion, which my readers may examine, as "Morton's Memorial," "History of the Puritans," "New England Chronology," "Hutchinson's Massachusetts," "Holmes' Annals," "Massachusetts History," &c. But I hold to my assertion both as consonant to the Dutch character, and to the truth. Many of these fables were propagated at a time when the Dutch and English claims to New Netherland were subjects of bitter controversy. See likewise, "l'Histoire Generale des Voyages, tom. 21, p. 280," where the reader will find it said that the puritans had chosen for themselves between Connecticut river and the Hudson, near the county of Fairfield.

The second vessel, the *Fortune*, arrived in 1622, and 1622 only brought mouths to be fed by those who had no bread.

On hearing that three hundred and forty-seven of the Virginia colonists had been cut off by the natives at Jamestown, the pilgrims built themselves a fort, the lower part of which was a place of worship: they prospered through all difficulties; they were a democracy; their government, the whole people assembled. Standish was elected their military chief.* Bradford was chosen a magistrate.†

The pilgrims came to find a place of refuge from European oppressors: to live and be free. The original compact had been signed on the deck of the *Mayflower*, by all the males of adult age, and the first signer was the chosen governor, Carver: this continued long to be the constitution of Plymouth colony.‡

The Dutch of New Netherland sent an honourable agent, shortly after the arrival of their friends at Plymouth, to congratulate them, by speech and letters, on their happy establishment, and offered them assistance, good will and brotherly intercourse. The agent was received with honour and cordiality, the English puritans returned a friendly answer, and expressed their gratitude for the hospitality experienced from the Dutch when received, protected and employed by them in their native land. This alone is sufficient to contradict the notion of the pilgrims having been betrayed and misled to a country at a distance from New Netherland, a story repeated even by the historian Robertson: but Mr. Robinson, and all his intelligent people, knew full well the extent of the Dutch claims in America, and the state of their colony, and sought for themselves a place of refuge, in which to establish a civil and religious government according to their own notions, and distinct from any then existing. They solicited, and obtained the sanction of England to their intended colony, and they procured a patent from the Plymouth Company of a place under English jurisdiction. A few years after, an association of puri-

* His sword is preserved by the Massachusetts Historical Society, as is that of Smith, by the Historical Society of Virginia.

† Peregrine White was the first English child born in the colony, and lived until 1704.

‡ Carver and Standish were elected magistrates by the majority. Trial by jury was ordained in 1623: the first offence tried was murder, and the criminal was executed. A legislative assembly for all the Plymouth towns was held in 1637. In 1643 took place the union or confederacy of the New England towns or colonies, for already the English had extended far to the south. This was the first step to the union of independence. In 1691 the old government of Plymouth merged at the age of 71 into the colony of Massachusetts. The New Netherlands had so much to do with New England, that to understand the history of New York, the eastern settlements must not be neglected.

tans was formed by the reverend Mr. White, a noncon-
 1627 forming clergyman of Dorchester, who applied to the same
 company from which the settlers of Plymouth had obtained
 their patent, and purchased a tract of land (not on Hudson's river
 or near it) lying from three miles north of the river Merimack, to
 nine miles south of Charles river in Massachusetts bay, "and ex-
 tending from the Atlantic to the Pacific Ocean." These men evi-
 dently avoided, and meant to avoid interference with the Dutch of
 New Netherland. John Endicott led them safely to Massachu-
 setts, where others joined them, and a charter was obtained from
 Charles the first, so liberal as only to be accounted for by suppos-
 ing that at this period he wished to get rid of troublesome enemies
 to his ecclesiastical pretensions. This policy was not subsequently
 followed by Charles, or he would not have retained to his cost,
 Cromwell, Hampden, Hazelrigg and Pym. Another company of
 puritans settled at Salem, and adopted the rules for civil and reli-
 gious government of their brethren of Plymouth; but two of the
 emigrants dissented from the rest and were sent back to England.
 It was at this time believed possible that all the members of a
 community could think alike; and differences of opinion were not
 tolerated.

It is to be remembered that in 1629 the English took
 1629 Quebec,* and almost immediately restored it to France by
 the treaty of St. Germain. Thus Charles, by confirm-
 ing the French power in Canada, planted the tree of evil whose
 fruits were shed liberally over New England and New York.

In 1630 the general court of Massachusetts chose their
 1630 own governor and council. Boston and the neighbouring
 towns were settled by emigrants from England. The small-
 pox swept off the natives, and made room for the strangers who
 had purchased their lands, and introduced pestilence among them
 without any ill design in either.

* Kirk was the English commander that at this time took Quebec. Champlain proposed to surrender on the nineteenth of July 1629, provided, first, that Kirk showed his commission, second, that a vessel should be given to the French to go home; not only for the garrison, but for the priests, jesuits and two squaws that had been given to Mr. Champlain two years before by the Indians. Third, that the garrison should go out with arms and every kind of moveables without hindrance. Fourth, that provisions should be furnished for the voyage to France in exchange for furs. Kirk replied that his commission was at Tadoussac, a trading port lower down the St. Lawrence, where the French were to embark for Europe, and there his brother would show it; that he could not give the French a vessel, but they could engage one at Tadoussac, for their purpose, first to carry them to England and then to France; "As to the squaws," he says, "I cannot let them go, for reasons which I will tell you when I see you; as to arms and baggage, and furs or skins, I grant that these gentlemen (Champlain and De Pont) shall take the arms, clothes and skins belonging to them; the soldiers each one his clothes, with one *robe de castor* and nothing else; as to the fathers, they must be content with their cassocks and their books."

The freedom of the colony was denied to all who were not received into the church: thus the ministers were vested with power not purely spiritual. The amiable Robinson had admonished his people that *more truth* would come. He did not think that *it*, or the bearers of *it*, should be rejected: yet Roger Williams, the good, the liberal, the charitable, could not be endured. Williams had found *more truth*, and brought it to the puritans; but they could not receive it, (or could not see it,) and he became the benefactor of Rhode Island. He planted the tree of toleration, whose fruits have blessed the land which drove him forth. By rapid progress the English spread until they encountered the Dutch settlers on Fresh river, (now the Connecticut) Long Island and New Haven.

This brief notice of the progress of New England is far from being foreign to my main subject, before returning to which I must notice that in 1630 the inhabitants of Massachusetts yet struggling for bread, devoted 400 pounds sterling to the establishment of the University of Cambridge. But ten years had passed from the arrival of the Mayflower and first settlement of Plymouth, when the puritans amidst every difficulty that surrounded them, remembered that education could alone be the foundation of a republic. They proved that they deserved, and they were determined, to be *free*.

To return to the Manhattoes. In the same year that
 1610 Hudson sailed on his last voyage, some of the merchants of Amsterdam sent out a ship for traffic, to the country claimed by Holland in virtue of the great navigator's discovery in 1609. The trade for peltries was profitable, and other adventurers followed. Next year Block and Christianse brought out more adventurers protected by an edict of the States-ge-
 1614* neral, and shortly after the settlement on the island called sometimes Castle Island in the Hudson, (which led to the beginning of Albany† on the main land a little further north,) was commenced.

The year 1623, as already remarked, may be consi-
 1623 dered as the era of permanent settlement in the New Netherland, Peter Minuits, the agent of the Dutch West

* 1614. When Block's vessel was burnt by accident at Manhattan, he built a vatch, 38 feet keel, 44½ feet on deck and 11½ feet beam; and with this vessel De Laet says, "he sailed through *Helle-gat* into the great bay," the Sound. He was joined by Christianse off Cape Cod, they discovered as they thought, Rhode Island

† The site of Albany was called by the Iroquois Scaghnegtady. Castle Island was abandoned in 1617, when found to be subjected to the floods of the river. An important event now took place, which was a solemn league of friendship between the Netherlanders and the Iroquois. The latter gained the use of fire-arms to repulse their Canadian enemies, and the French; the latter, besides the advantages of trade, made friends, who were long a rampart to the New Netherlands and New York.

India Company was governor, or Director-general for six years, under the grant from the States-general in the year 1621. Cornelius Mey (who has left his name on one of the capes) visited South river, since known as the Delaware, the same year that Minuits came out, and Mey built fort Nassau on Timber Creek, which enters the river a few miles below Cambden.

The colony of New Netherland increased under the 1625 government of Minuits; and the city of New Amsterdam grew under the government established, which was as republican as could be where the chief executive magistrate was appointed by others. After the Dutch under the West India Company, had permission from the natives to build a fort on the island of Manhattan, which I presume to have been under the government of Minuits, they erected a regular square, as the reverend Mr. Abeel tells us in his MS. which I find in the New York Historical Library. This corresponds with my opinion that the wall, or foundation which was discovered near the bank of the river on the site of the present cemetery of Trinity church, was part of the fort erected about the year 1623. But it is not likely that the first traders were altogether without defence, and I find that they had a stockade enclosure on the bank between the above square fort and the point of the island; for the idea of fortifying the bluff was not suggested until the time when Van Twiller erected the permanent fortress called Fort Amsterdam. The government under Minuits was according to the plan proposed by the city of Amsterdam.* The people, that is, the freeholders, chose the schepen and the council of twenty, and it was only the Director-general who was appointed, independent of their will, by the authorities in Europe; but his powers were so great that when the English conquest took place, and the colony was transferred to James Duke of York, the people willingly underwent the change. But under Minuits none of the inhabitants of New Netherland had cause to complain except the beaver and others whose skins enriched the Dutch merchants: the slaughter of these increased rapidly, notwithstanding which the Dutch West India Company failed in about ten years after taking charge of New Amsterdam.

Few agriculturists yet came to the new colony, but among them was, in 1625, a colony of Walloons who took up lands and began to cultivate at the Wallabout on Long Island; and from them the name is derived (*Waaale boght*.†) Thus, at this time was the city of Brooklyn begun; and the same year the first white child born in New Netherland saw the light, at the Waale

* See Appendix F.

† *Het-waale Boght*, meaning the Walloons bay.

Boght; this was Sarah Rapelye* the daughter of John; the *second* was given to the same Walloon family at the same place, and from her is descended the present worthy mayor (1839) of the city of Brooklyn.†

The Honorable Silas Wood, whose authority is unquestionable, tells us, that when Europeans first saw Long Island it was very clear from wood, in consequence of the Indian custom of burning off the brush and underwood.

I find from another record a memorandum of the manner in which agricultural, or farming transactions were carried on in these primitive times. "Wouter Van Twiller let George Jansen de Rapelye have two cows for four years, and then to be returned with half the increase."‡

The Dutch colonists of New Netherland sent the second in command as their envoy to the Plymouth colony with congratulations, and friendly offers of intercourse and assistance. M. De Razier was received with honour by the pilgrims, who acknowledged their former obligations to the Dutch, and professed their gratitude. The courteous envoy invited the English to a better soil than they were cultivating, denoting that of Hartford; and the English advised their neighbours to secure their claim to the Hudson, by application to England and a purchase or treaty, for they were not ignorant that their country claimed the Dutch possessions, on the ground of first discovery by Cabot. Every friendly demonstration attended the visit of De Razier; but the pilgrims requested the Dutch not to send their *skiffs* into the Naragansetts for beaver skins.

* Peter Vroom of Raritan, in a letter to Egbert Benson, dated November the eighteenth 1813 says, "your Society (the Historical of New York,) have published the day of the birth of Sarah Rapelye, the first white child born in the vicinity of New York. An account not only of her birth and marriages, but also of the number and names of her immediate descendants, with other particulars, having been found among the papers of my father-in-law, Guysbert Bogart, deceased, a great grandson of the said Sarah Rapelye by her second marriage, I apprehend it might afford the society some pleasure to have a few of the particulars, I have therefore made the following extract from the same. Sarah Rapelye was born on the seventh of June 1625, (differing two days from the account published) and was twice married. The first husband was Hans Hanse Bergen, by whom she had six children, named Michael Hanse, Jan Hanse, Jacob Hanse, Brechje Hanse and Marvtye Hanse. Her second husband was Tennis Guysbertse Bogart, by whom she had also six children, named Aurtia Bogart, Antje Bogart, Neelje Bogart, Aultje Bogart, Carelyntyje Bogart and Guysbert Bogart, who was the grandfather of my father-in-law Guysbert Bogart. The account also contains the names of the persons to whom eleven of her children were married, and where they settled, and states that the twelfth, namely, Brechje Hanse, removed to Holland." In the Dutch records, letter P. or Vol. eleven, at Albany, it is stated that this same Sarah the first, was a widow by the name of Forey, with seven children; and at the age of thirty-one in consideration of her situation and births, Governor Stuyvesant granted to her the valley adjoining her patent.

† General Jeremiah Johnson.

‡ See Appendix G.

The Dutch West India Company, by authority of the States, granted to certain persons, on condition that any one of them should, within four years, plant a colony of fifty persons over fifteen years of age, within the New Netherland, lands to the extent of sixteen miles in length, or if on a river, eight miles on each bank, (the width in the interior undefined,) the Indian right to be purchased from them by the grantee; and the island of Manhattan reserved to the company. These leaders of colonies were called *Patroons*.*

The four first great *Patroons* were Samuel Godyn, Samuel Bloemart, M. Pauw, and Kilian Van Rensselaer. Godyn and Bloemart united, and obtained the first deed for land in Delaware. Godyn purchased from the natives the soil from Cape Henlopen to the Delaware river; a territory of more than thirty miles, which purchase was ratified and duly recorded. This now constitutes the two lower counties of the state of Delaware. The patroons likewise bought the opposite shore of New Jersey; and one of them, M. Pauw, purchased the soil on the west bank of Hudson's river and of New Amsterdam bay, behind Hoboken, extending on the shore to the kills, with all Staten island, and the whole territory was called *Pavonia*. The agent of Mr. Van Rensselaer pitched his tents on the Hudson from Fort Orania (or Albany,) to the mouth of the Mohawk river. Of the four patroons the name of Van Rensselaer is the only one now known, and that is known in the most advantageous manner as the name of men, patriots, and true philanthropists.

These four original patroons, in the first place, sent out agents to secure places for their colonists, in consequence of a decree, or regulation, made by a council of nine, who were entrusted with the management of colonizing New Netherland, which decree granted privileges to those who as patroons, or private individuals, should carry out and plant bodies of settlers.

By this decree the agent of the patroon, having selected the land for the colony, four years were granted for perfecting the settlement. The patroon might hold his land as an eternal heritage, devisable by testament, with certain other provisions; among which, he might, if he founded a city, appoint officers and magistrates. The services of the colonists, or servants of the patroons, were assured to them by the government.

It was provided, that as the company intended to people the island of Manhattoes first, all colonial productions intended for exportation, should be brought thither, the patroons having privileges of trade, by paying five per cent on goods brought to Man-

* See Appendix H.

hattoes for exportation to Holland. The patroons held courts on their domains, but an appeal lay to the Director-general for all sums over fifty guilders, (twenty dollars eighty-three cents.)

Individuals wishing to settle lands might take up as much as they could cultivate, and they had a variety of privileges for fishing, hunting, mining, &c.

It was stipulated that colonists, not on Manhattan island, should extinguish the Indian claims, and that they should, as soon as practicable, establish a minister and a schoolmaster. Wouter Van Twiller came out as the agent for the four patroons, and having arranged the various tracts for his employers, returned to Holland. It was on the disagreement between Peter Minuits and the company, that Van Twiller returned as the Director-general or Governor of New Netherland.

In the year 1625 De Laet, a director of the West India Company, published his book on the New World. He endeavoured to invite colonists by describing the New Netherlands as a paradise, where nothing was wanting but what it was the interest of the settler to transport thither; but it was only by the union of the author with Kilian Van Rensselaer and others, that colonization was thrifty in and about New Amsterdam.

By MSS. deposited in the New York Historical Society, 1631 and by others submitted to Mr. Moulton the historian, it appears that Kilian Van Rensselaer purchased from the Indian owners the lands extending on both sides of the river, from Fort Orange or Albany, to a small island at the mouth of the Mohawk river, and paid in goods.

These great purchases by the patroons were not favourable to the settlement of the country by independant cultivators. There was dissatisfaction among the purchasers; and the colonists sent, or brought over, were poor dependants, who became tenants to the proprietors of the soil. These great landholders were directors of the West India Company, and Kilian Van Rensselaer in particular, was an opulent merchant of Amsterdam. They associated for mutual benefit; and Godyn having been informed that whales were plenty about Delaware bay, and both whales and seals frequent near New Amsterdam, the associates fitted out an expedition for whaling and colonization, and induced David Petersen De Vries to become commander, and sundry other persons to take shares. De Vries (who is sometimes called Petersen and sometimes David Petersen Van Hoorn,) arrived in Delaware early in 1631, and erected a fort in that part called Hooren Kill, or Swanendel. Houses were built and agriculture began in the spring. This plantation was within Godyn's purchase, and (as Fort Nassau had been abandoned,) was the only European settlement in Delaware. Mr. Moulton has sufficiently proved that the

Swedes did not settle *there* until 1638, (which agrees with *Du-ponceau*,) owing to the engagements and death of Gustavus Adolphus.

The pleasant sounding name of Pavonia no longer designates the territory of patroon Pauw, but perhaps his name is found in that of a township or village on the border of our bay, where the primitive Dutch dress and manners, have continued with the language little changed, to this time. The often, without cause, ridiculed, name of Communipauw, seems to mark the *Commune*, or community, planted there by the patroon Pauw. Rensselaerwyk, and the venerable *Colonic*, are never mentioned without suggesting the virtues of one patroon; and perhaps Communipauw may be entitled to the respectful attention of the New York antiquary.

Messrs. Godyn, Bloemart, and Van Rensselaer made the first settlement in Delaware, and the historian De Laet was one of the proprietors under them. This colony was antecedent to any in Pennsylvania or New Jersey, and was led by De Vries, who has written an account of the voyage, which is to be found in the Philadelphia library. By this voyage, the Netherlanders were the first occupants of Delaware. De Vries left the Texel on the 12th December, 1630; ascended the river as high as the site of Philadelphia; and as Fort Nassau, mentioned above, had been previously abandoned, all this country was in possession of the natives.

De Vries, after residing a year with his colonists, re-1632 turned home, and again coming to visit them, found no remains but the bones of his countrymen. In the account of his voyage, as translated by Dr. G. Troost of Philadelphia, the navigator says, "We sounded at thirty-nine degrees, had fifty-seven fathoms—sand—and smelled land, (the wind being N. W.) occasioned by the odour of the underwood, which at this time of the year," December, "is burned by the Indians in order to be less hindered in their hunting. The 3d, we saw the opening of the south bay or south river. We went the 5th in the bay. We had a whale near the vessel. We promised ourselves great things—plenty of whales, and good land for cultivation." They found the unburied remains of their former comrades! A quarrel had occurred between them and the Indians, who, repenting their first hospitality, flew to arms and massacred the intruders before they had become strong enough to become masters of both natives and soil. As the Europeans tell the story, the natives purloined a plate of metal on which the arms of the States-general were engraved, and affixed it to a column, as a token that they had certain claims to the soil according to European usage. It is more probable that the Indians, by this inscription and column, had their suspicions awakened, that the country was claimed as being under

the dominion of foreigners, when the natives, by selling the land, never meant to resign themselves or their country to any foreign authority whatever. The result was the destruction of the intruders.

In the meantime, Peter Minuits, who had been the first Director-general at New Amsterdam, and had superintended the colony formed upon the plan of 1621, having some disagreement with the Dutch West India Company, returned to Holland, and the second Director-general, Wouter Van Twiller, arrived in 1633* this year. De Vries finding only the ruins of his colony in Delaware, and narrowly escaping what is called the perfidy of the natives, sailed north, after visiting Virginia, and arrived at New Amsterdam shortly after Governor Van Twiller, under whose administration, this year, the fort or trading-house of *Good Hope* was built on Fresh river, within the precincts of the present city of Hartford.† The Netherlanders had not only dis-

* A list of the returns from New Netherland.

Date.	Beavers.	Otters.	Guilders.
In 1624	4000	700	27125
1625	5295	463	35825
1626	7258	857	45050
1627	7520	370	56420
1628	6951	734	61075
1629	5913	681	62185
1630	6041	1085	68012
1632	8569	546	94925
	4944	1115	48200
1633	8800	1383	91375
1635	14891	1413	134925
			725,117

“*Cost of New Netherland, now New York.*”

“The Dutch West India Company failed in 1634; and from a statement of their accounts drawn up in 1635, (part of which was in possession of Mr. Henry Kip, late of New York, deceased, and from which this extract is made,) it appears that Fort Amsterdam in New Netherland, cost the company 4,172 guilders, 10 stuyvers, and that New Netherland, (the province) cost 412,800 guilders 11 stuyvers.”—*Hazard*.

† But the Dutch were soon conscious of the designs of the New England settlers, for in 1635 Hooker and Haynes conducted a colony of puritans to Fresh river, and planted them as neighbours to the Netherlanders; this was the commencement of the colony of Connecticut. The Dutch fort long remained in the possession of the original planters, but surrounded and sorely annoyed by English towns. In 1635 (July 7th) Lord Say and Seal, Sir Arthur Hazelrigg, Sir Richard Saltonstal, Messrs. Lawrence, Dailey, and Fenwick, appointed John Winthrop, jun. “Governor of the river Connecticut in New England,” for one year: there to advance “the company’s service.” He was instructed as “soon as he comes to the bay,” to provide at least fifty men to build houses and make fortifications “at the river Connecticut and harbour adjoining.” They are to build first “for their own present accommodation, and then such houses as may receive *men of quality*,” the latter, within the fort. The planters are to “plant themselves” at the harbour or near the mouth of the river. One thousand or fifteen hundred acres are to be reserved adjoining the fort for its maintenance.

covered this river, but had actually purchased the lands adjacent, on the 8th January, 1633, for the States-general, by their agent Jacobus Van Curles.

The Indians called themselves *Sequelins*, and the river *Sivacok*. In the October following, the Dutch protested against William Holmes, who as commander or leader of men from Plymouth, "built a house on the Fresh river." They desired him to desist, but he continued to occupy the land previously purchased by the Netherlanders, and to cultivate and build as though on his own property, and in a short time Hartford arose, and the Dutch found themselves enclosed by English plantations and an English town.

Soon after the arrival of Van Twiller he appears to have 1634 commenced agriculturist. One of his plantations was at

Red Hook. Governors Island, which is supposed always from the first settlement, to have been a perquisite of the Director-general for the time being, was so near Red Hook that cattle crossed the channel to and fro at low water. This channel has since become a passage for vessels, and is known under the name of Buttermilk channel. It has been formed by washing away the lands of Long Island and part of Van Twiller's plantation. Under his administration both Dutch and English villages were settled on Long Island, and the land at Harlaem was purchased from

the Indian claimants. Flatlands, first called Amersfort, 1636 was commenced. The inhabitants of each town, settled

by the English, adopted or framed laws for their own government: they armed themselves and made military regulations for defence against the Indians; they established courts to prevent and punish crimes; they had trial by jury when required, the jury consisting of seven, and a majority deciding the question; they had town meetings which imposed taxes and appointed tax-gatherers. Each town judged of the character of any person proposing to become a member, and admitted or excluded him as his standing and opinions suited them. The New England colonies and the English towns of Long Island were peopled by republicans driven from Great Britain by civil and ecclesiastical tyranny.*

* In 1636 a warrant was given to the Lord Admiral to stop all *ministers who are unconformable to the discipline and ceremonies of the church*, from transporting themselves to the Summer islands and other of his majesty's plantations abroad, "where they take liberty to nourish and preserve their factions and schismatical humours, to the hindrance of good conformity and unity in the church." Therefore, no clergyman is to be henceforth permitted to go abroad to said places, without permission of the archbishop of Canterbury and bishop of London.

Rushworth says, "The severe censures of the Star Chamber, and the greatness of the fines, &c. and suspending and silencing multitudes of ministers for not reading in the church, the book for sports to be exercised on the Lord's day, caused many of the nation, both ministers and others, to sell their estates and set sail for New England, (a late plantation in America,) where they hold a plantation by patent from the king."

In 1637 the English government seem to have been alarmed by the great num-

Although the Dutch visited the Delaware for the purposes of trade, no effort at colonization was made from 1637 to 1633, about which time the Swedes sent out a colony to that part of New Netherland: they were led and directed by Peter Minuits, who had been dismissed from the service of Holland, and now arrived in the Delaware.

The heroic champion of protestantism, Gustavus Adolphus, had long before lent his name and influence to colonizing America, as a place of refuge for the oppressed of the reformed religion: but the call he received from Germany for the protection of the same cause and its suffering adherents, deferred his plans. After his wonderful German conquests, made not like those of preceding conquerors, over undisciplined multitudes—not like the triumphs of Alexander, and other leaders of well appointed bodies of men, trained to war over hordes without knowledge or practice in the science of man-killing—but victories obtained over those best instructed and flushed with success in battles innumerable; the soldiers of Tilly, confident in their leader, inured to carnage and delighting in blood. Gustavus conquered, solely by the justice of his cause, the favour of heaven, a gigantic genius and the valour of his hardy Swedes; and *after* these heroic achievements, which resulted in the death of the hero, at Lutzen, in the arms of victory, his worthy minister, Oxenstiern, renewed the design of an American settlement, the conduct of which was entrusted to *Minuits*. He sailed with two vessels, the “Key of Colmar,” and the “Griffin.” He entered the Delaware, and purchased from the Indians the lands from the southern cape, which the Swedes called “Point Paradise,” to the Falls of Trenton. About this time fort Christina was erected at the creek of the same name.

The liberal views of the Swedes, (particularly on the subject of slavery,) were avowed. The Netherlanders made use of slave-labour from the commencement of their colonial speculations;

ber of people who left the country to go to the plantations; and the 30th April the king issued his proclamation against the disorderly transporting his subjects to the plantations, he having been informed that great numbers of his subjects are every year transported into those parts of America which have been granted by patent to several persons, and these subjects transported or transporting themselves for the purpose of living “without the reach of authority;” he therefore commands all officers, &c. not to permit any persons, being “subsidy men,” to embark at any port, &c., without certificate of conformity to the church of England. And on the 1st May, 1638, “the privy council made another order for reasons importing to the state, best known to themselves, to stay eight ships now in the river Thames, prepared to go for New England, and for putting on land all the passengers and provisions, &c. And forasmuch as his majesty knows the factious dispositions of a great part of the people of that plantation, prohibits all ships to set forth” with passengers for New England without permission from the lords of the privy council.

and like other people, English as well as other European nations, seem to have thought the traffic in men as lawful as any other. As early as 1620, the Dutch carried a cargo of African slaves to Virginia. The tobacco and other plantations at Manhattoes, were cultivated by negroes; but we must remember that long after this, when the good queen Anne was establishing churches in the English colonies, she was no less active in prosecuting the trade in Africans, and in introducing slaves to her American dominions. It is only the more remarkable and worthy of admiration, that the Swedes at the early period of which we are treating, should have avowed their intention of eschewing the evil; and should have seen the policy of a contrary practice. They declared their intention to cultivate their lands by the labour of freemen. "Other nations," they said, "employed slaves; the Swedish people are laborious and intelligent; and surely we shall gain more by the efforts of the free who labour for their wives, their children and themselves."

About the same time that Sir William Kieft arrived* 1638 at New Amsterdam, and superseded Van Twiller in the directorship, Minuits arrived with a ship of war and a transport, and planted the Swedish colony at Christina. With the emigrants came out a minister and an engineer. They first landed at Cape Henlopen. Kieft considered this as an intrusion upon his territories, and sent a remonstrance to the Swedes. At the same time he found himself daily more and more crowded by the ever thriving colonies of New England, particularly Connecticut.

Already the territories of the Pequot Indians had been declared the just and rightful property of the English colonists by conquest. On the twentieth day of September, "at a general court," it was declared, that "whereas the lord had delivered the Pequots into the hands of the court, and thereby given a *just title* to all their lands both at Pecoit and Quinapiack, and the parts *beyond towards the Dutch*, the court declares that they and their "*associates upon Connecticut*," have "just right and title" to "all the said lauds and territories." They accordingly proceed to appoint a time for the planting or settling this territory, to pay by sales to the settlers a part of the expense of the war of conquest. It is well to notice, that it was only in 1635 that the Massachusetts emi-

* In this year the first printing press was sent out to British America, and in 1639 the first printing was done; whereas in Mexico, Mr. Thomas in his History of printing, tells us, that a press was set up in 1569, and Gazettes published in the seventeenth century. The first Gazette of the English colonies was the Boston News Letter in 1704. Samuel Greene commenced printing in Cambridge in 1639, and his son Bartholemew printed the first Gazette in English America at Boston on the seventeenth of April, 1704 on a half sheet of "pot paper."

grants, who, under the directorship of Kieft's predecessor, Van Twiller, had purchased the lands claimed by the Dutch on Connecticut river, from the Pequots, who, led by their chief *Sasucus*, had driven off the native chiefs, and had a *just* claim by conquest to this territory; but *Sasucus* having quarrelled, or being driven into hostilities with the English, he and his Pequots were subjugated, and the above *just title* is given to the people of New England.

CHAPTER IV.

Tendency which the ignorant have in all ages to worship idols of their own making—Universality of Negro Slavery in the beginning of the seventeenth century—Superiority of Eastern Colonists—Absurdity of a community of property in mixed societies—The population of New Amsterdam—State of society under Sir William Kieft—Various encroachments upon his jurisdiction—Canadian affairs—Foundation of the enmity borne by the Iroquois to the French.

THE disposition (caused by an ignorance of their rights and power) which mankind have ever evinced to worship the juggernauts who crush them, and to bow to the idols which they themselves have set up, while they tremble, and yet curse them, has induced writers to bestow unmerited praise upon Elizabeth Queen of England. During her reign, the persecutions which christianity and conscience underwent, were partly the cause of the attempts to colonize America. Puritans were marked as the enemies of hierarchal pomp and tyrannical bigotry. In process of time they fled their pleasant native land, in the hope to commune with their God without the interference of man.

It was during the reign of Elizabeth that England commenced the slave trade. Four titled Englishmen, "all honorable men," Sir John Hawkins, Sir Lionel Ducket, Sir Thomas Lodge and Sir William Winter, were the leaders in that infamous traffic, which has cursed and still continues to curse the free United States of America. In 1562, Hawkins by the aid of the three men above named, (made honourable and titled as well as himself, by that fountain of honour a monarch,) carried a cargo of Africans from Sierra Leone to Hispaniola, and sold such as were not murdered on the voyage, as slaves to the Spaniards. Even Elizabeth was shocked at this novel atrocity, and called Hawkins to her presence to reprove him; but he convinced her that it was an act of humanity to carry men from a worse to a better country, where they would become civilized and converted to christianity.

She afterwards encouraged the trade. The same argument is still used by the interested, in the face of fact, reason, religion and humanity.

The first cultivators of New Netherland employed African slaves for labourers on their plantations of tobacco or corn. But where shall we turn our eyes to the place at which slavery did not exist, or to what man at that time who discountenanced it? William Penn was a slave-holder; and John Locke the framer of constitutions for Carolina, contemplated negro slavery as part of the establishment, and gave to every freeman absolute authority over his negro slaves. Even in New England, where I confess that I love to look, negro slavery existed.

Already the inhabitants of Boston in 1635, only five years after the settlement of the peninsula, established a free school. In 1639 the puritans of Plymouth, who at first governed themselves by the voices of all who belonged to the church, that is, by the votes of all the settlers, found it necessary to establish a representative government. They had previously abandoned a community of property, for they found that even in that band of brothers it repressed individual exertion, and encouraged some evil propensities.

Community of property cannot exist in any society combined for political government, which consists of a number beyond a very small limit; and a good government must not be exclusive. All the *good* should participate. Equality of rights constitutes democracy, and numbers require a representative assembly.—Among many, or even a few, there cannot be equality of body or mind; so neither can there be equality of power, property or enjoyment in any community of persons associating for self-government. Equality of property in such a community, neither can nor ought to exist. Individual property, individual power or hope of enjoyment, stimulates to actions which result in the good of all. The man that can and will do more than others, deserves more, and he will receive more: he has more power, and if he exerts it for the common good, he deserves and receives more confidence, love and respect. If he is selfish, he will forfeit this confidence, love and respect; and his gratification will be sordid. The desire to possess power is in itself good, and with the inequality of individual gifts, proves the absurdity of endeavouring to establish a society where community of property shall exist.

Equality in the opportunities for acquiring education found nothing to oppose it among the puritans. In Massachusetts the general court enacted that in every township of fifty householders, a person should be appointed to teach children to read and write; and they said "this person shall be paid either by the parents or

the town." And every town of one hundred householders shall have a grammar school equal to fitting children for the university. So early did this wise people make provision for the future welfare of the state, and tax themselves for the benefit of posterity.

When De Vries, in April 1633, found Wouter Van Twiller at New Amsterdam, just arrived as the successor of Minuits, he says, the new commander was on board the ship *De Zoutberg*. Van Twiller had been a clerk of the West India Company of Holland. This was his second voyage to America: in the first he had acted as the agent of the patroons, in selecting lands and purchasing from the natives:

De Vries expressed to Van Twiller the disappointment he experienced in regard to the whale fishery on the coast of New Netherland. He said the company ought to have sent out two or three sloops to gain the necessary knowledge, before fitting out so expensive an expedition as that which he had brought out. Godyn, who had been a director of the Greenland Whale Company, ought to have known better.

Van Twiller had arrived with a ship of twenty guns, fifty-two sailors and one hundred and four soldiers. By this we may form some notion of the importance of the place in a commercial point of view; and it does not appear that the second Director-general was inattentive to agriculture. The colony or manor of Pavonia was neglected by *De Pauw*, and finally reverted to the West India Company. Heer Van Rensselaer* had not yet arrived in the country, and had only sent dependants with stock and farming utensils as the commencement of *Rensselaerburgh*.

The population of New Amsterdam was not so universally enlightened as that of New England. At the arrival of Director-general Kieft, it is recorded in the secretary of state's office at Albany, that fort Amsterdam in the city of New Amsterdam was in a state of decay and dilapidation; many farms belonging to the company, were without tenants or cultivation, and thrown into common; the trading vessels, with only one exception, were in bad condition; the houses were out of repair; there was but one smith's shop, one grist mill, and one saw mill in operation—there had been three saw mills, but one had been burnt and another was unfit for use. "The site of the magazine was

* In Vol. 13, Dutch Records, p. 43, Kilian Van Rensselaer is addressed by the States-general, "honourable, respected, beloved. Kilian Van Rensselaer; being, with his associates, patroon of a colony in New Netherland, and merchants in Amsterdam." Judge Egbert Benson, in a MS. communication to Doctor S. Miller, says, "Kilian Van Rensselaer came over with Van Cortlandt (who had been bred a carpenter,) and brought a number of low people, indented servants and others not servants for the purpose of planting *colonees*, as the Dutch called them."

scarce discoverable." The system of government had deteriorated as well as all things else about this time. "Judicial power was exercised by the governor and council, or by special courts. Confessions were extorted from the accused by torture."

Perhaps a few extracts from the Albany Records, will here give a better notion of the population of New Amsterdam in this year and a clearer idea of the place, than any mode I could adopt.

The "fort of Amsterdam in New Netherland,"* although dilapidated, was tenanted; for here Cornelius Van Tienhoveen "secretary in behalf of the general, privileged, West India Company of Amsterdam," held his office and attended to business; and here "Sir William Kieft, Director-general of New Netherland," appeared on the nineteenth of April 1638, and met John Damen, who there and then contracted to lease† of the director, two lots of land, probably a part of the company's farms above mentioned, "the largest," says the record, which "thus far has *been cultivated by the blacks.*" This largest piece of land is described as being near the fort, and the other is "north of the company's garden." Damen contracts to manure and cultivate this land, and as rent, pay to the Director-general half the produce, "with which God our Lord shall bless the said lots." Kieft contracts, "to keep the palisades in good repair, and provide Damen with two labourers for a fortnight in harvest time at the company's expense." The contract is for six years, and the company have the privilege to plant vines on the premises. There are other provisions; and in case any controversy should arise, it is to be submitted to "the high provincial court of Holland and other courts of judicature."

All the legal transactions appear to be in presence of the above secretary Tienhoveen, whether protests of skippers, or bargains for land. Kieft appears in company with the "honourable, wise and prudent," (words used by the translator whenever the gover-

* Sir William Kieft repaired the fort which had been erected by Van Twiller, and built a church within the walls. It has been supposed that a house for a place of worship had been previously built by our Dutch ancestors, but I find no trace of it. In 1623 the city of Amsterdam contracted to send out at her expense with the colonists a person to read the scriptures, which probably was done, and the people attended divine worship at a private house until Kieft built the first church within the fort, which was probably finished in 1641 or earlier, as it was begun in 1640. The reverend John Megapolcuis was perhaps then in New Amsterdam, and probably was the first preacher: he was certainly there in 1643, and remained until the English conquest in 1664. He practised physic, as did Doctor Vanderdonck; and we are incidentally told of a French physician residing at Manhattoes in Stuyvesant's time, to which physician a sachem repaired to be cured of disease.

† It appears that although Kieft's farm was at Paulus Hook, the whole of which peninsula he sold to Planck for seventy-five pounds, the Director-general had likewise a plantation on Manhattan Island, which he leased for one hundred and fifty pounds of good tobacco per year.

nor or ex-governor are named,) Wouter Van Twiller, who hires a farm from Kieft.

Witnesses are permitted to swear or affirm as conscience dictates: the latter mode is claimed and practised by the baptists; and accordingly Reyer Hofelsen Smit, affirms before the said secretary to circumstances which I copy to illustrate manners, rather than to add dignity to our history. This solemn affirmation is that of Reiner Jansen Van Sevord, who declares that Hendrick Jansen Snyder, called Anthony Jansen Van Zule, "is a turk, a rascal and a horned beast."

There appears to be a degree of rustic ill-manners in the above; but generally the records evince a state of society that is pleasant to contemplate. We have an agreement for the rent of a farm called *Wallenstein*, with horses, cows, calves, plough and harrow; the owner of which is to receive from the farmer as rent one hundred and fifty pounds of butter, half before and half after harvest; besides fifty schepels of corn (that is, thirty-seven and half bushels) either "wheat, rye, barley, or such produce as they can spare, to the contentment of the owner." The increase of the cattle was to be equally divided.

By another agreement, the wise and prudent* Wouter Van Twiller provides Lenaart Arentsen with three milch cows, of which Arentsen is to enjoy the increase for four years; at the expiration of which time, the "wise and prudent" may take his choice of the creatures Arentsen has in his stable, to the number of three milch cows, and the residue shall be equally divided between them, "provided that the three calves which are actually with the cows are to be fed and taken care of by Lenaart during the summer and next winter, after which said calves must be returned to the Honourable Wouter Van Twiller"—"and provided that the first heifer calf of the whole stock shall be the property of Lenaart Arentsen's youngest daughter." George Rapelye receives cows on similar terms from Van Twiller; and Kieft, the present Director-general, sells to Abraham Isaacs Plank, "a lot of land called *Paulus-hook*, situated to the west of the *Island of Manhattan*, east from *Ahasimus* on the *North River*, to the valley which borders on it." For this farm Plank gives four hundred and fifty guilders of twenty stivers each, (£75 st.) and the sheriff in the colony of Rensselaer-wyk is security.

* Grants to Wouter Van Twiller entitled him to the appellation of "wise and prudent." In 1637, "Hellgate and Nutten Island," were granted to him, and in 1643, "Red-hook." Several negroes appear on the records as patentees as early as 1643 and 1646. New Utrecht, Long Island, was granted and laid out in 1657, as appears by MS. translations by Mr. Goelet, who is mentioned by William Smith thus, "Mr. Jacob Goelet supplied us with several extracts from the Dutch records." But Mr. Smith's history contains very little of the early story of New Netherland.

Some payments are made in tobacco, as they were in Virginia long after. Several debts are acknowledged of tobacco due to the wise and prudent ex-director-general, who not only furnishes the colonists with cows but with goats.

The plain "situated on the island of Manhattan behind *Corlaer's* lot," was cultivated in tobacco; and Hans Hansen contracts to provide houses for the workmen and stores for the tobacco, and "to keep the persons emigrating from Vaterland in constant employ to their mutual profit."

These records remind me of the testimony borne by Chancellor Kent to the virtues of the first colonists of New York: he says, "they were grave, temperate, firm, persevering men, who brought with them the industry, the economy, the simplicity, the integrity and the bravery of their Belgic sires; and with those virtues they also imported the lights of the Roman civil law, and the purity of the protestant faith." But we should have a very unfaithful picture of the society of New Amsterdam if we applied these flattering colours to them generally. They undoubtedly belong to the leading men on the island of Manhattan, and to the agriculturists throughout New Netherland, who like the Walloons of Brooklyn and the settlers of Long Island, Esopus, and other early plantations on the North river, as well as the farmers upon the island beyond the pallisadoes of the city: but within the boundary line of Wall-street, in governor Kieft's time, the virtues above named were not so general. In the fort was a body of soldiers; in the harbour and at the wharves sailors and their skippers, of various character; and among them drunkenness and brawls were not unfrequent.

The administration of Kieft has been generally condemned by history, but we must make allowances for the many causes of irritation and perplexity which pressed upon him: among which the several colonies of Swedes who settled within the Dutch limits, and whom he had no power to resist, must be taken into account.

Colonel John Printz had been appointed governor of
 1640 the Swedes on Delaware river in 1640, but he did not arrive until 1642. He established himself near the mouth
 1643 of the Schuycill in 1643, where he built a fort, called New Gottenburg, a church and a place of residence for himself.
 He was instructed to resist the claims of the Dutch, but was only opposed by Kieft's protests. He cultivated friendly relations with the natives and enjoyed uninterrupted tranquillity; the colony prospered, and the colonel received permission from home to return in 1654, resigning his government to John Papagoa, a gentleman who had emigrated to America with the earliest Swedish colonists. Two years after Papagoa resigned his government to Risingh,

who, as we shall see, was forcibly displaced by governor Stuyvesant.

In addition to the encroachment of the Swedes on Delaware, and of the English on Connecticut river, Kieft found his territory invaded on Long Island by Lyon Gardiner, who had emigrated to America in 1635, and under Lord Say and Seal built a fort at Saybrook, of which he was commandant until he found a more pleasant and profitable home in 1639 on Long Island, and on the adjacent island, which has to this day borne his name.*

The Indians likewise disturbed Sir William Kieft more than they had done his predecessors. They probably lost the admiration first inspired by their European guests, placed less value on their commodities, felt annoyance from their encroachments and contempt at witnessing their vices. But before I enter upon the contests of Kieft and his savage neighbours, I will bring up the affairs of the French in Acadia and Canada, to the period of his administration.

The natives of Acadia or Nova Scotia called by the French, *Micmacs*, were governed patriarchally by their chiefs, or sagamores, a title which was in use likewise among the Indians of New England. Charlevoix tells us of a great sagamore who was converted to christianity at Port Royal, by the jesuits, but on his death-bed desired to be buried among his forefathers; and obtained the governor's promise to that effect. But father Bedet the jesuit, said "no; it would be a scandal to bury a christian among infidels. Biencourt, the governor, pleaded his promise: "besides," he added, "you can bless the place of burial." The jesuit

* Lyon Gardiner was a Scotchman, and a lieutenant in the British Army. He purchased Gardiner's Island from the Indians, and a confirmation of the property from the agent of the Earl of Stirling, who had a grant of Long Island and the adjacent islets from James the first of England. The Hon. Silas Wood of Huntington, Long Island, says, that the relinquishment of Long Island by the heirs of the Earl of Stirling, is recognized in the patent from Governor Nicolls to Constant and Nathaniel Sylvester for Shelter Island, 31st of May 1666. In the Stirling MS. in the Historical Library of New York, the attorney of William Alexander in 1759 tells him that the right of the heirs of Lord Stirling was conveyed to James Duke of York, in the year 1662 for three hundred pounds. David Gardiner, the eldest son of Lyon, was born at Saybrook, and is supposed to be the first white child born in Connecticut. After the removal of Lyon to Gardiner's Island, his daughter Elizabeth was born, on the 14th of September 1641; and she is traditionally considered to have been the first *English* child born on Long Island, as Sarah Rapelye born at Wallabout in 1625, was the first of *Dutch* parents. David Gardiner was probably the first English child born within the New Netherlands. Lieutenant Lyon Gardiner gained the friendship and gratitude of Wyandaia the sachem of the Montauks, by generously ransoming his daughter from the Narragansets, who had carried her off prisoner in one of their war expeditions from the continent. The grateful chieftain presented him with the territory which forms Southtown. Lyon died in 1663, having been in favour with both Indians and whites to the hour of his death. Gardiner's Island was appraised in 1663 at seven hundred pounds, and in 1824 paid one sixth of the taxes of East Hampton, and belonged at that date to the eighth lineal descendant from Lyon Gardiner.

would not yield that the body should be deposited in the spot pointed out by the sagamore, unless all the infidels should first be dug up and removed. As the sagamore's intention was to sleep with them, not to disturb them, and as the natives would not suffer such profanation to be offered to the bones of their ancestors, this could not be done. The jesuit persisted, and refused to perform the ceremonies necessary for the repose of the dying man unless he relinquished his intention. And father Charlevoix tells us, that this firmness of the jesuit was blessed. The sagamore gave up, and renounced his wish; consequently made an edifying end, such as would have done honour to an "ancient christian."

In the meantime the colony decreased: the colonists 1613 were dependent on the natives for food; and the contempt they conceived for such helpless beings, who at the same time made extravagant pretensions, prevented the progress of conversion to christianity. In 1613 M. La Haive found but five persons at Port Royal, including two jesuits and the apothecary, who had been in charge of the spiritual and bodily welfare of the community; the latter acted as governor.

La Haive removed the two fathers to *Pantagaet*, and the new colony was named *St. Saviour*. Here the jesuits performed at least one miracle, if the historian is correct: but scarcely had the savages been edified by this supernatural event (the cure of an infant by baptism,) when Samuel Argal with a fleet of English vessels from Virginia entered the harbour and carried off the colonists, jesuits and all. Shortly after, Argal expelled the French from Port Royal or its neighbourhood, claiming the whole country for England, and the plunder for himself.

M. Champlain, who had returned to France, again crossed the ocean and ascended the St. Lawrence. Having promised the Indians of Tadoussac, who were called by the French Montagnez, that he would accompany them on a second expedition against the Iroquois, he proceeded before them to Quebec, where the Algonkins joined in the war party, and the Indians from below coming up, all the savages proceeded to the river Sorel to await Champlain. On his arrival at the rendezvous his allies reported that one hundred Iroquois were near them; on which Champlain and four other Frenchmen leaving their bark, entered the canoes of the Indians, for the purpose of falling by surprise on the Iroquois. Again the heroes of the confederate five nations were defeated by the aid which Champlain afforded to their enemies, and the repetition of the fearful effects of their fire-arms. The report of the first defeated party, which probably could not be fully comprehended, was fearfully confirmed to the Iroquois.

After this battle the allies, though victorious, were disgusted

with each other. The Algonkins were displeased with the eagerness the French had shown in seizing and appropriating the spoil; and the French were shocked when they saw their friends eat one of their enemies who had been taken prisoner.

Champlain, after another voyage to France, returned 1615 to the colonists on the St. Lawrence. An establishment was formed on the island of Montreal. Champlain, who thought that by accompanying the war parties of the Indians, who surrounded the French colonists, he should secure their friendship, and at the same time make himself acquainted with the country, and familiar with the names of the various inhabitants, entered into an engagement with the Montagnez, the Algonkins, and the Hurons, all in league against their former conquerors, the Iroquois, who yet had not become acquainted with fire-arms for their defence or the annoyance of their enemies; for they had not yet received from the Dutch the weapons which they subsequently used with such effect against the French and their savage allies, when they proved themselves the guardians of New-York in repelling the Canadian inroads.

M. Champlain having occasion to visit Quebec, the Indians in the neighbourhood of the colonists, with a number of Frenchmen, armed with muskets, proceeded to the country of the Hurons to collect their forces against the Iroquois. They were accompanied by a father of the order of *Recollet*; who, in his zeal as a minister of peace, persuaded himself that it became him to accompany this invading war party, that he might, says father Charlevoix, "accustom himself to the manner of life of the people to whom he proposed to announce Jesus Christ." This *Recollet* father was Joseph Caron.

Champlain, returning from Quebec to Montreal, immediately pressed forward, with two additional Frenchmen and ten Indians, for the purpose of overtaking the allies. At the village of the Hurons he joined them; and they pushed on, accompanied by father Joseph Caron, to attack the Iroquois, who, at that time, had no knowledge of the French nation but by the injuries they had sustained at their hands.

The missionaries appeared among the Hurons, Algonkins, and other Canadian savages, with the advantage of being of the same country with those whose superiority in arts and arms gave them success over their enemies. The testimony of the Jesuit Charlevoix respecting the effects of the zeal evinced by the missionaries among the Hurons is given with candour and great *naiweté*. He says, they made but few converts who submitted to baptism, but they saved many infants by baptizing them when dying. As to the adults, his words are, "We are not to consider a savage convinced because he assents to what is proposed to him; for

they hate nothing so much as to contradict or dispute *that* which is asserted to them; and, sometimes, from pure complaisance, and sometimes from laziness, they evince every mark of being convinced on subjects to which they have paid no attention, or have not comprehended." He says, they receive baptism, and attend to all the external observances of religion, and will say frankly that they do so to oblige the priest who has pressed them to change their faith; but, with strange simplicity, he adds, that Indians, *who have had no doubt* respecting the articles of the Roman faith, even the *most incomprehensible*, yet would not be converted.

M. Champlain fortified Quebec, he having been at this 1623 time established as governor of Canada; but the city, now so proud, and as a fortress the admiration of the western world, was, in 1623, a very paltry place, and so it remained in 1629, when Kirk took the place for the English government. Most of the French inhabitants remained, and Canada was restored to France in 1632, by the treaty of St. Germain, with all its dependencies.

In this year the capital of Canada consisted of a small 1632 fort, surrounded by some miserable houses and barracks.

Higher up the St. Lawrence, Montreal was still more inconsiderable. A few houses were commenced at *Trois rivieres*, and below Quebec the settlements were much the same. This scant colonization, with the ruins of Port Royal, were the only results of the efforts of France to plant civilization in America up to this time.

When Champlain was restored to his government by the peace of St. Germain, he sent a colony of jesuits among the Hurons, whose country was bounded by Lake Erie on the south, Lake Huron on the west, and Ontario on the east. Notwithstanding many miracles performed by the fathers this colony did not thrive; and, although many christians were made, they were generally converted and baptized when dying.

The Iroquois had by this time procured guns, powder, 1638* and lead, from the New Netherlanders, and resumed their *to* haughty attitude, as warriors and conquerors, over the 1642 savages of Canada, notwithstanding the aid the latter received from their French allies. About the time that Sir William Kieft arrived at New Amsterdam, the skill attained by the confederated five nations, in the use of the European engines of destruction, enabled them to take ample revengé upon the French

* Let us ever remember that in this year the first printing press was sent to America, by J. Glover, a dissenting clergyman of England, and arrived at Cambridge, Massachusetts.

settlers for the inroads of M. Champlain. Eagerly and quickly the Iroquois seized the deadly arms of the Europeans, and, retaining his superiority of skill and courage, became more dreadful than ever to the Algonkin tribes; and the French were compelled to erect a fort, which they called Richlieu, at the mouth of the river *Sorel*, to guard against what they termed the insolence of the Iroquois.*

Their country, according to Charlevoix, extended from the *Sorel* to the Ohio; was bounded on the north by the great lakes and the Hurons, and on the south by the hunting grounds of the Leni Lenape or Delawares.

About the year 1640 the French government established some schools at Quebec, a hospital, and convents. A feeble attempt was likewise made to resuscitate the colony at Montreal, and the establishment was placed under the patronage of, "*The mother of God, our lady of Paris.*"

CHAPTER V.

Fort Amsterdam—Long Island—Hartford—Struggles of Sir William Kieft—With New England—with the Indians—De Vries—Roger Williams—Canadian Affairs—Previous History of Captain Underhill—Troubles and unhappy end of Director-general Kieft.

THE practice of purchasing their land from the Indians was one adopted by the colonists from a pure sense of justice and propriety; it was not enjoined by the grants from the European potentates. Calvert, Lord Baltimore, and, one year after, Roger Williams,† purchased of the natives publicly in council the territory they wished for their followers. The Dutch did the same at Manhattan, at Oranien, and in 1636 at Harlaem. The settlers on Long Island, both English and Dutch, satisfied the Indian claims. Many of the towns in Queens county were English, while the greater number in Kings county were Dutch. Wouter Van Twiller granted a tract of land in Kings county as early as 1636.

* This name of Iroquois is said to be formed upon the exclamation of these people when they finish a speech or harangue—"Hiro!" "I have said."

† Roger Williams was a native of Wales; he arrived in America in the year 1632. See Verplanck's Historical Discourse, Bancroft, and Walsh's United States and Great Britain. Note C.

Fort Amsterdam, in the city of New Amsterdam, was finished by Van Twiller, on the bluff which once overhung Pearl street, and commanded, or appeared to command, both East and North river. It cost the Dutch West India Company 4172 1640 guilders 10 stuyvers. Two years after his arrival Kieft built a church within the fort. In this church probably the Rev. John Megapolensis was the first preacher. He was likewise a surgeon and practised physic.*

Long Island, as we have seen, was not only claimed, but the settlement commenced in 1625. This island was then and long after the English conquest, an important portion of the province. The Dutch inhabitants of Long Island, as well as their brethren on Manhattoes, professed the religion of the synod of Dort. Their church government was that of the classis of Amsterdam until 1772, when the Dutch church of America established an independant classis and synods like those of Holland.

* In 1664 John Megapolensis, jr., minister of the Dutch church at New Amsterdam, wrote "A short description of the Maquas Indians in New Netherland." He gives an account of the country and its natural products. He says, "strawberries grow in such plenty in the fields that we go there and lie down and eat them, &c. Grapes fit for eating and wine in great plenty—Deer, price six or seven guilders—Turkeys in great plenty, and other fowl—Land-lions, (supposed Panthers,) Bears, Wolves and Foxes, &c. &c."

He describes the Indians as of two nations, the *Mahakobaas*, (Mohawks or Iroquois,) and *Mahakans*, (Mohicans,) the latter being subdued by the former and paying yearly tribute to the former, friendly and hospitable to the Dutch, as are both. They go almost naked in summer, the children entirely so. In winter "they hang loosely about them" a bear's or other skin. Nothing is worn on the head, and the women have long hair; the men only one lock unshorn. He describes them as loose in sexual intercourse, and the women's favours bought by the Dutch at two or three shillings (a Dutch shilling is worth six and a half pence sterling.) The facility of child-bearing and the slavery of females is mentioned as usual. He asserts that cannibalism, torturing and eating prisoners were practised. He says, that in 1643 the Indians took three Frenchmen. One was a jesuit, who was tortured, but the Dutch released him and sent him to France: one of the other men was killed. He describes their manners as they are now well known. Their slovenly and beastly mode of eating is disgustingly descriptive.

A *schepel* is a measure equal to three pecks: and he says he has seen a *canoe* of the wood of a single tree, that carried 200 *schepels* of grain. Already the Dutch had supplied the natives with guns, swords and axes. He describes their fishing, and says they dry the fish for winter food. His description of their belief in and worship of, a good and evil spirit, is confused. He says after he has preached to the Dutch, the Indians who have stood by, asked him what is the meaning of his making so many words, and no one answering him? And when he tells them that he admonishes the christians not to steal, get drunk, commit murder, &c.—they say he does well; but remark, that the christians do all these things notwithstanding. Of their superstitions, charms or medicine, he speaks as having some knowledge. Their government by councils of their oldest, wisest, most eloquent and efficient men is shadowed forth; but he truly says, it is only a government of persuasion and conviction; for the people decide in all cases—this he calls mob government. The chiefs and leaders, he says, give to the people instead of receiving from them, *among christians*. The principle of revenge he likewise mentions, and of pacification by presents. He concludes by saying, "that although these people live without law or punishments, they do not commit murders or other villainies as much as we do."

Many of the towns of Long Island were settled by the 1640 English with the permission of, and under the jurisdiction of the Dutch. These towns adopted or framed laws for their own government: they armed themselves from suspicion of evil designs towards them on the part of the Indians, they therefore entered into military regulations; they likewise enjoyed trial by jury when it was requested; a jury consisted of seven, and a majority gave the decision; they had town meetings for imposing taxes and appointing tax-gatherers: each town judged of the character of any person who wished to become a settler, and admitted or excluded him as his good fame or opinions suited the majority. In this year, Trumbull says, Mr. John Youngs purchased and settled Yinnicock, *i. e.* Southold.

The regulations established by the Dutch Governor respecting trade to Connecticut river, were strict, and no doubt intended to prevent collisions between the Netherlanders and the English. All persons were prohibited, as early as 1639, from trading with fort Good Hope without permission obtained from the Director-general; and vessels sailing up the Fresh river without leave were liable to forfeiture. Still the English increased in number about the fort, and the men of Hartford took possession, by force, of the land which the Dutch had prepared for planting. Those of fort Good Hope who attempted to plant, were beaten, and their complaints to Governor Hopkins of Hartford were not heeded. On the 13th of May, 1640, Kieft sent Cornelius Van Tienhoven, his secretary, with the under-sheriff, a sergeant and twenty-five soldiers, to *Siocits* bay, since called Oyster bay, on Long Island, to break up a settlement which the English had begun at that place. These settlers were people who had purchased from the agent of Lord Stirling, and finding on their arrival from Massachusetts, that the Dutch had marked their possession by affixing the arms of the States to a tree, the English tore down this mark of sovereignty and in derision set up a fool's head in the place.

When Tienhoven and his detachment arrived, they found eight men, one woman and an infant, who had erected one house and were building another. The Dutch guard brought six of the men to Kieft, and these men reported that they came from Lynn, near Boston, under the authority of one Forrester, agent of the Earl of Stirling.* The arms of the States having been replaced,

* July 7th, 1640, Forrest or Forrester, whose real name was Ferrat, agent of Lord Stirling, patented eight miles square, (now the township of Southampton,) to Daniel How, Job Sayer, George Wilks, William Parker and their associates. Though this agent of Lord Stirling is generally called Forrester and sometimes Forrest, he wrote his name very plainly Ferrat, as may be seen by original papers now on Long Island.

and the fool's head as well as other erections thrown down, the Governor dismissed the prisoners on their signing an agreement to abandon the intention of settlement. Already another invasion of Long Island had taken place, and Southold was commenced on a tract of land purchased from the Indians by the governor of New Haven, or by the Rev. Mr. Youngs.

In June the government and council of New Amsterdam 1640 determined to send Johannes La Montaignee, one of the council, with fifty soldiers and some sloops to strengthen fort Good Hope; and the strife between individuals continuing, a proposition was made by Kieft that the English settlements should be considered valid if made under the jurisdiction of the States of Holland. But all his attempts either amicably or by appearance of force had no effect. The Hartford plantations surrounded the Dutch fort; the Dutch cultivators were driven off, their cattle seized, fences were set up that prevented the Dutch from pursuing their usual wagon-way to the wood, and all these aggressions increased as the stronger party became more strong. In October this year, the English began to build at Greenwich, south of Stamford.

While the New England men, considering the English claim as good, or better than that of Holland, intruded themselves upon the Dutch possessions on the main land, from the east; the equally hardy Swedes planted their colonies upon the Delaware.

Both the republicans of Connecticut and the servants 1640 of the Earl of Stirling pressed upon the eastern end of Long Island, at the same time that the Indians of New Jersey showed symptoms of hostility towards the governor of New Netherland and his colonists. Provoked by dishonest traders and maddened by rum, the Delawares invaded Staten Island and threatened New Amsterdam. Kieft, who seems to have had little of the manner or spirit of conciliation, outlawed the New Jersey Indians, and offered a reward of ten fathoms of wampum for the head or scalp of a Raritan or other native. He even invaded their country, but only to prove the inefficacy of the measure.

De Vries, the leader of the first colony to the Delaware, being at New Amsterdam, urged treatment conciliatory, just and humane, as a remedy more effective than force; but the counsels of violence were too loud for him. The traders who had been crossed, or insulted, or thwarted in their schemes, could not be brought to submission or reparation; and the Indians *felt* the injuries, which they had not been taught, and had no disposition, to forgive. A savage, goaded by insult and wrong, had vowed to kill the first Dutchman he met. The vow of vengeance was performed. Kieft demanded the murderer. This the Raritans would not comply with; but they sent a deputation to say that they were sorry for

what had happened, and according to their customs were willing to pay the "price of blood." The historical reader will remember that an atonement of this kind was common to many nations in an early state. The Indians were willing to pay and to apologize; at the same time they said truly, "You are yourselves the cause of the evil. It is only by preventing the sale of rum that such madness and bloodshed can be avoided."

But the customs of *civilized* men required blood for blood.—Kieft thought it necessary to strike terror among the natives, and show them that the death of a white man could only be atoned for by the submission or destruction of a nation. The flames of war kindled, and the colony of New Netherland felt the effects of the cupidity of their traders and the rashness of their governor. I have reminded the reader that the price of blood was received as atonement for the death of a friend or relative among most savages. But in this the laws of civilization were found to clash with the customs of the native Americans and were irreconcilable: yet how powerful is the appeal of the Indian on this occasion. "You sell us rum—you make us mad—you drink and make yourselves mad—it is you who are in fault if we kill your people—it is *your rum does it.*"

Mr. Gallatin has observed that "the Dutch appear to have been reduced to great distress by the Manhattans and the Long Island Indians," and he might have added, the Raritans and other tribes of Delawares. "Application was made in vain," he continues, "for assistance to the colony of New Haven: but they engaged in their service Captain Underhill, a famous partizan officer, with whose assistance, and that of the Mohawks, they carried on the war for several years. Underhill had a mixed corps of English and Dutch, with which he is said to have killed 400 Indians on Long Island. And in the year 1646 a severe battle took place at Horseneck, on the main, where the Indians were finally defeated." Trumbull adds, "that Underhill was from Stamford, and the employing him so offended a ruffian, previously engaged by Kieft in Indian killing, that he attempted the life of the Director-general; and one of *Marine's* (the name of this ruffian) men discharged his gun at Kieft, and was shot by the governor's sentinel."

The hostilities from 1640 to 1643, although the cause 1643 of distress to the colonists of New Netherland, and particularly to those who had settled on Staten Island, were terminated in the latter year by the mediations of the wise and good Roger Williams, who visited Manhattan at that time on his way to England.

On the 25th of March, Roger Williams brought about a meeting between Kieft and the Sachems of various tribes, (which had been engaged in the previous contest,) at *Rechquatrec*, on Long

Island, (now called Rockaway,) and the quarrel which began in 1640, when an Indian youth, maddened by rum and injustice, murdered the first white man he met, and white men, professing christianity, carried the sword among the red men indiscriminately, was healed, and peace for a time restored by a real disciple of Christ.

This pacification was but of short duration, and before the end of the year Governor Kieft was involved again in furious hostility with the natives of the surrounding country, and it was then that he called in the aid of Captain John Underhill; but, before introducing that worthy formally to the reader, I will bring up the affairs of Canada and the northern frontier of New Netherland to this period.*

After the death of M. Champlain, who had caused that enmity towards France in the confederated Iroquois, which made them a rampart for the frontier of New Netherland, and subsequently for New York; he was succeeded by Mons. Montmagné, who was shortly after recalled, and Mous. D'Ailleboust was appointed governor of New France.

The great business in Canada at this time, according to Charlevoix, appears to have been making christians; but the trade in furs was not neglected, and certainly succeeded better than the first, if a protestant may be permitted to judge; not but that many *miracles* were performed, and martyrdoms suffered. The Iroquois continued to attack both the French and the Indians with the usual success which attended their superior wisdom, valour, and daring; and as the Eastern Indians were troublesome to the people of New England, Charlevoix tells us that they sent a deputy to propose an alliance, eternal, (as all alliances are,) between the English and French colonists. M. Ailleboust, in return, sent a priest

* 1644.—The Rev. William Castell wrote to the English parliament a letter recommending the preaching of the gospel to the Indians in the English plantations, and obtained the signatures of many clergymen in London, and elsewhere, to his letter, which was a kind of petition. He represents the cruelties of the Spaniards in America, and points out the "better way" that protestants should take with these unhappy and benighted people. He seems, however, to think that the English plantations will not continue, as England has rather hindered than furthered their prosperity. But he urges the cherishing the colonies, and the christianizing the Indians, with force, truth, and eloquence. When the lords and commons, assembled in parliament, appointed Robert Earl of Warwick governor of all the plantations of America, they likewise appointed commissioners to assist him, and among the names recorded we find that of *Oliver Cromwell*.

In this year [1644] Southampton, on Long Island, was received into the jurisdiction of Connecticut by permission of the commissioners of the United Colonies. The town subsequently complained that the Dutch sold guns, powder, and shot, to the Indians, who (they say) in 1653, had become good marksmen, and disturb the English by firing volleys of small arms at their entertainments. Easthampton was added to Connecticut in 1650.

as a negotiator to Boston, to conclude a treaty, "provided the English would join in a war against the Iroquois." This alliance was not likely to take place. The New England men did not think fit to march against the Iroquois for the purpose of defending the French and Algonkins.

The Hurons, attributing their destruction to the enmity which the Five Nations bore to the French, became jealous of the jesuits residing among them, and put several to death; while the Iroquois took pleasure in torturing the priests whenever they fell into their hands. The savage delight of the Indians, and the sufferings of the fathers, are detailed by the jesuit historian, as well as the miracles which attended these instances of cruelty.

The triumphant Iroquois are represented as pursuing the Hurons, even to the shelter of the fort of Quebec.

In the year 1643 the colonies of Massachusetts, Plymouth, Connecticut, and Newhaven, formed a league for self-government and common defence.* This confederacy may be considered as the germ of the present federal constitution: a congress was, by agreement, to be held annually, each province sending two delegates: the assent of three-fourths of the assembly was binding upon the whole. John Winthrop, the younger, was the first president. This was the first step towards that independence which we now enjoy. This confederation lasted till 1686. It showed *that* spirit which became universal with the American people—the determination to govern themselves, under just laws, and to preserve the rights of Englishmen; but it is, by no means, a proof, as Robertson the historian† has asserted, "that they considered themselves as independent societies, possessing all the rights of sovereignty, and free from the control of any superior power." They were ever conscious of their rights as English *subjects*; and when they found (as they soon did) that England, for selfish purposes, invaded those rights, they became jealous defenders of them. The union of 1643 was for defence, but its operation impressed upon the colonies the truth that union gives power. They united for their defence as their predecessors the Iroquois had done for conquest.

This confederacy of the English colonies may be considered as leading to all those which followed. The New England colonies confederated under pretence of danger from the Dutch, and with some reality of it from the Indians; but the true motive was self-government, the right of all men. The confederacy continued 43 years, when James II., of England, deprived the colonies of

* Kent's Comm. Vol. 1, p. 202, 203.

† Hist. of Am. Book 10.

their charters. But although they confederated for self-government, they soon found themselves strong enough to govern others. The commissioners (so the congress of deputies called themselves) gave a certificate to an Indian of Long Island, "because Long Island, with the smaller islands adjacent," had been granted "to the Lord Stirling," and by him "passed over," that is, granted or sold to "some English of these colonies," and because the Indians of and in the eastern parts of Long Island had become tributaries to the English, and have engaged their lands to them; they, the commissioners, therefore certify that this Indian professes to be friendly to both English and Dutch, and will inform them of any plot to injure them; and therefore they express their wish that this Indian, the sagamore, or sachem of *Munhauget*, on Long Island, may be respected by the English, and remain uninjured by them.

It was to this powerful confederacy of the English colonies that Kieft applied for relief from the Indian tribes that desolated New Netherland and threatened New Amstnrдам, and he applied in vain. Kieft knew that, besides the Indians who had been provoked by his own people, and now prevailed against him, he was surrounded by European foes. The puritans pressed upon him from the east, both on the continent and on Long Island; the Swedes were on his south river: and the Cavalier colonies of Virginia and Delaware were hostile to the pretensions of his nation.

The tribes of the nations on the Hudson had joined with the Raritans and some of the Long Island Indians; it therefore seemed as if they were determined to exterminate the whites whom they had once loved, or feared and adored. From the shores of New Jersey to the borders of Connecticut savage and remorseless hostility was waged against the Netherlanders and their inmates. Anne Hutchinson, who had fled from the *persecution* of the *persecuted*, and taken refuge with the cultivators of the Netherlands, was murdered with her protectors.

"When you first came to our shores," said a sachem of the council held for a treaty, "you were destitute of food. We gave you our beans and corn; we fed you with oysters and fish; and now, for our recompense, you murder our people." This charge was, with truth, often repeated in every part of America.

But confidence was not restored between the natives 1643 and the Netherlanders. Kieft was not conciliating or prudent. The Indians had felt their power and thirsted for revenge. They, perhaps, began to see their destined annihilation if the whites were suffered to increase and occupy their hunting and fishing grounds and waters. The same causes that had brought on the first quarrel renewed it in less than a year, and the Indians,

flushed with former success, again began the work of blood and desolation.

Though Kieft had received no succour in soldiers from the government of New England, he was not so unsuccessful in his application to individuals of the English blood. He engaged in his service a man whose name is still famous on Long Island, whose descendants to this day occupy land, purchased by his valour, the fears or friendship of some of the Indians, and the assistance rendered to the Dutch in this second Indian war.

We are informed by the Dutch records, that in June 1641, Englishmen had permission to settle on Long Island among the Dutch. Such of the English as chose to mingle with the Netherlanders were secured in the exercise of their religion, choice of their own magistrates, their own courts for causes under 41 guilders, and in cases criminal, not capital; with exemption from taxes for ten years, on condition of swearing allegiance to the Dutch government, using Dutch weights and measures, and not erecting any forts without permission.

Captain John Underhill, like Lyon Gardiner, brought with him the acquisitions gained by serving in the armies of England, sent to aid the Dutch in the low countries. Captain John was a soldier of fortune, sturdy and brave, seeking "provant" and plunder as one, at that time, of his profession may be supposed to do. He had been sent with the forces of James I. of England, (much against the king's will,) raised to aid rebellious subjects in casting off the yoke of a master; but the cause of the protestant religion, and the interest of James's son-in-law, the palatine, had prevailed over his bias to kingcraft. Whether Underhill bore a commission in this war, I know not, but he returned to England with the title of captain, a Dutch wife, and the Dutch language.

The new world presented a wider field for adventure than was to be found in England. A Dutch wife, or the Dutch language, were not likely to cause his thriving among a people taught to despise all foreigners; and the trade of war was not agreeable to James, happily for his subjects. A sword was the king's aversion; and a sword was probably the sole reliance of Underhill. Accordingly he emigrated to Boston, and was well received among the valiant and pious.

Captain John Underhill was an author as well as a warrior, and there exists, in the New York Historical Library, "News from America, or a New and Experimental Discoverie of New England, containing a true relation of their warlike proceedings, these two years past, with a figure of the Indian Fort or Pallsidado, by *Captain John Underhill, Commander in the Wars there.* London, printed for P. Cole, 1638."

The warrior author, after making apologies, tells us of the wars of New England with the "Block Islanders," and that "insolent and barbarous nation called the Pigeats," who were slain by the "sword of the Lord," and the English, "to the number of 1500 souls," so that their country "is fallen into the hands of the English." All this for the "glory of God," captain John sets forth. He states the cause of the war with the Block Indians being, their slaying John Oldham in his boat, and clothing "their bloody flesh with his lawful garments." This island, "lying in the roadway to the Lord Sey, and the Lord Brooke's plantation," the murderer was seen, and several of the murderers shot on the spot, and others carried prisoners to Massachusetts by the master and crew of an English vessel. This not being considered atonement sufficient, "Master Henrie Vane," and the other magistrates of Massachusetts, sent "100 well appointed soldiers," commanded by Endicot, having Underhill and others under him. It seems there were four captains, besides "inferior officers," to command this body of 100 men; for which disparity Underhill accounts by the necessity of dividing their men into small parties, to meet the practice of the savages. As they approached Block Island, they saw a single Indian, and every appearance of the place being deserted; but, knowing their manner of lying in ambush, Underhill was sent with twelve soldiers in his boat to land, in expectation of finding an enemy. Accordingly, he says, when his shallop approached the shore, up rose, "from behind the barricado," "fifty or sixty able fighting men, *men as strait as arrows*, very tall, and of active bodies, having their arrows nockt," (*i. e.* fitted to the nock ready for flight,) "they drew near to the water side, and let fly at the soldiers, as though they had meant to have made an end of us all in a moment." One young gentleman received an arrow in his neck, through a thick collar, and Underhill was pierced through the coat sleeve, and would inevitably been slain, but that "God in his providence" had "moved the heart of" Underhill's "wife to persuade" him to go "armed with his helmet," on which the missile fell in vain. From which the warrior-author impresses his reader with two things—1st, "that God useth weak means to keep his purpose unviolated." The second lesson of Captain John is, "let no man despise the counsel of his wife." We may add, that few men despise the advice of a wife without cause for bitter repentance.

But the captain seems to apologize for his former frailty at Boston, and says, that "what with Delilah's flattery, and with her mournful tears, they," women, "will have their desire." After much apologetic matter he proceeds to tell that the party he led, with difficulty landed, the surf preventing them from firing upon the Indians, or bringing their boat to the beach; they, however,

sprung into the waves, middle deep, and waded ashore. The savages, finding the bullets "overreach their arrows," fled, while Endicot, with the main body, gained the land unhurt. They found provision and shelter in the Indian wigwams, and with all due military precaution of pickets and sentinels, refreshed themselves with the goods of the native proprietors.

The next day they "burnt and spoyled both houses and corne in great abundance." The Indians were hid in their swamps, and the conquerors received no harm, but that *one of the captains*, going too near a swamp, was hit by an arrow upon his *corslet*, which blow would have killed him, if he had not been thus defended by armour. Having passed this day "in spoyling the island," they passed another night in ease, only that Underhill with ten men went out and discovered a place where there were many wigwams and much corn, all which, taking forty men with him the next day, he destroyed, "burnt their houses, cut downe their corne," and killed some dogs, "instead of men," which he found in the houses. As they passed to their embarkation they "met with several famous wigwams, with great heaps of pleasant corne ready shaled," which, not being able to bring away, they burnt. But the soldier speaks with pleasure and triumph of the *wrought mattes* "and delightful baskets" which were brought off as plunder; and after "having slain some fourteen, and maimed others," they embarked and sailed for Saybrook fort. This was the punishment inflicted upon a nation, women, and children, because a man had been robbed and murdered by savages, most of whom were killed at the time.

Underhill, continuing his narrative, says, "The Pequeats* having slaine one Captain Norton and Captain Stone, with seven more of their company, order was given us to visit them. Saying along the Nabanticat shore with five vessels, the Indians spying us, came running along the water side crying, 'what cheere, Englishmen, what cheer? What do you come for?' They not thinking we intended warre, went on cheerfully till they came to Pequeat river." They received no answer, the Englishmen thinking, as Underhill says, the better to "runne through the worke," and, by rendering them secure, "have the more advantage of them." At length the natives, suspecting hostility, asked "Are you angry? Will you kill us? Doe you come to fight?" And at night they raised alarm fires, and uttered cries, to gather the people for resistance.

* Pequot, the seat of Sasacus, was on the site of New London, and, I presume, the Pequeat river of Underhill is the Thames. The Pallisade, first stormed by Mason and Underhill, was near the Mystic river.

The next morning the natives sent an ambassador on board the vessels, "a grave senior, a man of understanding," "grave and majestic in his expressions." We are before told that the troops had an interpreter with them. This "grave senior" demanded for what purpose they came? and was told, to require the heads of those who had killed Norton and Stone. The ambassador did not deny that the Pequots had killed some men, whether English or not they could not tell; and his story was, that before Norton and Stone came into the Pequod river, a vessel had come to them for traffic, and they had used them well and traded with them; but the sachem going on board the vessel of the strangers was detained, and a bushel of *wampum* demanded for his ransom. To save their sachem they paid the price, and the traitors set him free, but how? By killing him, and sending the corpse ashore in mockery. The Indians stifled their feelings, but vowed revenge. Shortly after came another vessel into their river to trade. This was the vessel of Captain Stone. The Pequots pretended friendly intercourse, and the son of the murdered sachem went on board and was received by the captain in his cabin, where, Stone "having drank more than did him good," fell on his bed and slept. On which the young man, "having a little hatchet under his garment, therewith knockt him in the head." The crew of the vessel finding, too late, that the Indians, in great numbers, had boarded them with a hostile design, determined upon blowing up the vessel and destroying all on board; but, before the torch was put to the magazine, the natives jumped overboard, and the explosion destroyed only the English.

Such was the Indian's story, which, Underhill says, was false. It is the European who writes the book. "We have seen our sachem cruelly murdered—we have been cheated and mocked!—could you blame us for revenging so perfidious a deed? We knew not whether Dutch or English did it. All white men are the same to us. We revenge upon the white the injury received from the white!" Such was the justification of the free native of the soil.

The answer was, that having slain the king of England's subjects they, the armed men, "came to demand an account of their blood."

"We have not wilfully wronged the English," is the Indians reply. "We crave pardon." The heads of those who caused the death of the English is the demand persisted in, and the messenger asks permission to go ashore and inform his people that these armed men had come for the head of their young sachem, and the heads of all engaged in the affair of Stone and Norton, or that they threatened vengeance on the nation.

"We did grant him liberty to go ashore, and ourselves followed

suddenly after, before the warre was proclaimed." The ambassador seeing this, returned to them, and begged them to come no further until he had delivered his message. They, however, march to a commanding ground, and are drawn up in battle array. On the messenger's announcing that *both* the sachems had gone to Long Island, he was told that the sachem must appear, or they would "march through the country and spoyle the corne." After an hour's delay, Underhill says, that an Indian was sent to announce that *Momneuoteck* was found, and would come to them. The soldiers waited another hour, when another Indian came to inform them that the sachem, begging their patience, had called together the body of the Pequots, that he might find the men who had killed the English. In the mean time it was perceived that the Indians were hiding their "chiefest goods," and removing their wives and children; "but we were patient," says Underhill, "and bore with them, in expectation to have the greater blow upon them." At length the English were requested, from the sachem, to lay down their arms, and move thirty paces from them, when he would cause his men to do the like, and then advance to a parley.

This proposition was answered by beating a drum, displaying the English colours, and marching upon the defenceless wigwams and corn fields, firing on the natives as they fled before them, shooting "as many as we could come near." The rest of the day was passed in gathering "bootie," and "burning and spoyling the country." No Indians came near them and they embarked, setting sail for "the Bay," (Massachusetts): "having ended this exploit," says Captain John, "one man wounded in the legge; but certaine numbers of theirs slaine, and many wounded. This was the substance of the first year's service."

Underhill begins his narration of the second year's service, by remarking that, "this *insolent nation* seeing we had used so much lenity towards them," were even more bold, "slew all they found," and advancing to Saybrook fort, dared the garrison to come out and fight. A lieutenant and ten men were silly enough to leave their defences. Three Indians appeared and fled. The English pursued and of course fell into an ambush, and in spite of their guns and defensive armour, some were slain, and others glad to fly for refuge to the fort. When next time the Indians appeared some were armed like Europeans, with the spoils taken the previous day, others were dressed in English clothes. They defied the garrison to come out "and fetch your Englishmen's clothes again!" with every taunt they could devise.

"Connecticut plantation" sent a body of soldiers under Captain John Mason, to strengthen the fort at Saybrook. Still it feared that force was necessary to defend it, and application was

made for more men, to "Master Henry Vane," at "the bay." Massachusetts sent Captain Underhill with twenty men, and he took command of the place for three months, Mason returning "to the plantation." Underhill made several sallies from the fort, himself and men being "completely armed with corslets, muskets bandilliers, rests and swords." They saw no enemy; though as they were afterwards told, the Indians were near, but seeing them so completely armed and covered, did not choose to appear and oppose their naked bodies to the steel-clad Englishmen, or their bows and arrows to swords and bullets.

All was quiet about the fort, when suddenly as Underhill and his companions walked upon the rampart, they saw a fleet of canoes "come along in sight of us, as we stood upon Saybrook fort," bringing with them two English maidens captives, and poles hoisted in their boats in imitation of masts, on which were displayed instead of sails the clothing of English men and women. By this triumphal procession the garrison had intimation of some successful enterprise, which the Pequots had achieved against an English town or plantation.

They soon learned that with two hundred men the Indians had fallen upon Watertown, since called Weathersfield, slew nine men, women and children, and in this manner bore off their captives in sight of the fort at Saybrook. Captain John fired a piece of ordnance at the canoes, and very nearly hit the boat in which the two captive maids were borne.

The Indians encouraged by their successes continued their efforts to free their country from the English, which is attributed by Underhill to the instigation of "the old serpent." One Trille, a trader, anchored in Connecticut river for trade, not knowing the state of the hostilities existing; he and one of his men landed, and were murdered. Meanwhile the attack upon Weathersfield roused the colonists to action. Massachusetts ordered succours, and Connecticut sent 100 soldiers under command of Captain John Mason, with orders to "rendevoos" at fort Saybrook, and consult with Underhill for the plan of operations against the Indians. With the Connecticut troops came sixty Mohicans, who having been injured by the Pequots, as Underhill says, thirsted for revenge; but although the English suffered them to accompany the troops, they feared treachery, until the Mobicans unaided by the English, defeated a party of the Pequots, and brought five heads in triumph to the fort. This they did while the Connecticut troops were on board their vessels, and coming on slowly with contrary winds.

The two young girls that had been carried away captives from Weathersfield, (the eldest of whom was but sixteen,) were restored to their friends by means of a Dutch vessel from New Amster-

dam. The master was on a trading voyage, and stopped at Saybrook fort, where Underhill detained the vessel, declaring she should not supply the Pequots with necessaries or arms. The Netherlander agreed under a written contract, that if his vessel should be suffered to go free, he would make use of the opportunity to procure the liberation of the two Weathersfield maidens, whose captivity was a subject of conversation and lament. Accordingly the Netherlander sailed for Pequot, (now New London) and offered goods for the captives, but in vain. He then found means to induce seven of the Pequot warriors to come on board, and seizing them, made sail for the Sound. No offer of ransom would he accept, but an exchange was proposed of the seven men for the two girls. This being made known on shore, was agreed too, and faithfully performed; the Dutch skipper most honourably fulfilled his contract, and the maidens after many fears were restored uninjured to their friends. In the meantime, Underhill tells us, that the Dutch governor, who must from the time (1635) have been Wouter Van Twiller, having "heard that there were two English maids taken captive of the Pequots," manned out his own pinnace purposely to get these captives, what charge soever they were at, nay even at the hazard of war with the Pequots. Thus incidentally we have the testimony of an English writer to the gallant and honourable conduct of the Dutch of Manhattocs.

The reflections with which Captain John accompanies the tale of the captive maids, are in a strain of piety, little comports with the story of his Boston penance of a few years after. He, according to his book, was filled with christian feelings at this time towards all men—provided they were white—or not arrayed in opposition to his party, or employer. But he tells us that the apostle says, "*contend* for the truth," and that the Saviour told his disciples, "I came not to bring peace, but a sword."

But as he says, "to go on." The forces designed for the destruction of the Pequots, instead of sailing directly from Saybrook fort, to "Pequeat river," stood for Narraganset bay, thereby deceiving the Indians into a false security. They landed and marched undiscovered, two days before they came to the Thames, or "to Pequeat." They passed the night within two miles of the royal fort, and had ample knowledge of the situation of the Indians, who being there in a state of security, knew nothing of the approach of the English and their Mohican allies.

Doctor Dwight* says, the Pequot fortress was near the river Mystic. Underhill thus describes it. "This fort or palizado was well-nie an aker of ground, which was surrounded by trees, and half trees set into the ground, three feet deep, and fastened close

* Dwight's Travels.

to one another." The author for a clearer notion of the fort, refers his reader to "the figure of it before the booke," which is the most unintelligible of the two, and evidently as untrue as it is unskilful.

Captain Mason allotted the western entrance for himself, and ordered Underhill to attempt the southern. The soldiers surrounded the palisado, having their Indian friends encircling them again, and all were ordered to fire their muskets and arrows together, which was the first notice the sleeping Pequots had of an enemy. The English force had arrived, an hour after midnight, and made this simultaneous attack about daybreak. The crowd of men, women and children, thus started from their sleep, sent forth "a most doleful cry; so as if God had not fitted the hearts of men for the service," says the gallant captain, "it would have bred in them a commiseration," towards this mass of beings devoted to death by fire and sword. "But every man being bereaved of pity, fell upon the work without compassion." Thus it is that man blasphemeth the Most High and Most Merciful! Underhill states that the nation had "slaine first and last about thirty persons."

After this volley of balls and arrows, the assailants approached the palisades, and Underhill found the entrance, he was destined to force, so "stopped full with arms of trees and breaks," that the work was too much for him, and he ordered one master Hodge to the post of honour, with some other soldiers, to pull out those brakes, and lay them between him and the entrance. Master Hodge received an arrow through both arms.

Underhill now paused to defend himself from a charge made against him in a book, to which this "voice from America" may be considered an answer; it was said that he questioned a soldier when they came to the entrance, saying "shall we enter!" and was answered "what came we hither for else!" This he stoutly denies, and says, it was never his "practice to consult with a private soldier, as to ask his advice in a point of warre."*

He says, "Captain Mason and myself entered into the wigwams, he was shot and received many arrows upon his head-

* It is in the account of the Pequot war, or "the late battle fought in New England &c. that P. Vincent says, that Underhill when at the door of the Pequot fort, asked "What! Shall we enter?" and "one Hodge, a young Northamptonshire gentleman," answered, "what come we for else?" The Rev. Samuel Niles in his History of Indian and French wars, says respecting the hesitation of Underhill, that he entered the Indian castle on the opposite side to Mason, but after him. Meeting with some obstructions at the south-east entrance which occasioned some delay, at length a valiant and resolute gentleman, one Mr. Hodge, stepping towards the gate saying, "if we may not enter, wherefore came we here?" and entered after slaying his opponent, "a sturdy Indian fellow." Niles died 1762, aged eight-eight years. Vincent printed his "True relation 1638."

In 1637, the name of Newtown was changed to Hartford, and Watertown was called Wethersfield. The place now called Sachem's-head is so named because there the English beheaded several Sachems who refused to betray their countrymen by giving information. Trumbull, Vol. 1, Chap. 5th.

piece," but received no wounds. "Myself," says Underhill, "received a shotte in the left hippe, through a sufficient buffe coat, that if I had not been supplied with such a garment, the arrowe would have pierced through me." But the "Buffe coat," a thick leather defence, was sufficient to stop the weapon of the native, who was exposed naked to the bullet or sword of his assailant. The captain says, he "received another between neck and shoulders, hanging in the linnen of my head-piece." Notwithstanding the two captains were unhurt, two of their men were killed, and twenty wounded. The Pequots fought bravely in defence of their homes, their wives and their little ones; and finding the place "too hot for us," Mason seized a "fire-brand," and he set fire to the west side, while Underhill did the same on the south end "with a train of powder; the fires of both meeting in the centre of the fort, blazed most terribly, and burned all in the space of half an hour; many courageous fellows were unwilling to come out, and fought most desperately through the palisadoes:" from which it would appear that the English finding the place too hot, had set fire to the wigwams and retreated out of the fort. In vain the gallant Pequots fought—they were shot with bullets, by men covered with defensive armour, from without—the flames even rendered their bows useless by burning the bow-strings—"many were burned in the fort," says the narrator, "both men, women, and children;" others escaping from the Europeans, were cut down by the circle of Narragansetts and Mohicans who formed an outer enclosure; but first they encountered the English, who "received and entertained" men, women, and children, in troops of twenty and thirty at a time "with the point of the sword." Not above five out of 400 escaped the massacre.

"Great and doleful was the bloody sight to the view of young soldiers that never had beene in warre;" but Captain John was inured to such carnage, and besides, he could justify putting the weak and defenceless to death, for says he, "the Scripture declareth women and children must perish with their parents"—"We had sufficient light from the word of God for our proceedings."

Before Mason's troops were received by their vessels which had been ordered to meet them at a given point, they had several skirmishes with the natives, which were principally managed by his Indian allies. Underhill and his command returned to Saybrook fort, and Mason having been joined by Captain Patrick with forty men, burned and spoiled the country between "the Pequeat and Connecticut river."

Sassacus in vain urged war to the destruction of the invaders; but the Indians were generally discouraged, thinking it vain to contend with men so superior in offensive and defensive arms. They prevailed, and destroying what they could not take with

them, abandoned the country. Underhill's time of service being expired, he returned "to the Bay." Stoughton with one hundred well appointed soldiers, joined in the destruction of "the distressed Indians; some they slew. others they tooke prisoners." Such are the last words of the book of Captain John Underhill.

But Captain John had not served in the Netherlands without bringing away some of the frailties of the camp, and we are told by Bancroft, upon the authority of Hubbard, that although his Dutch lady was with him, the Captain had been compelled, for the purpose of regaining his good name, to appear before a great assembly at Boston, in the year 1640, and confess his fault on lecture day, during a session of the general court, dressed in the rueful habit of a penitent, to stand upon a platform, and with sighs and tears, and brokenness of heart, and all the marks of contrition and aspect of sorrow, to beseech the compassion of the congregation. This, the above authorities say, was in consequence of certain gallantries which would probably only have served as trophies in the course of a warrior's career in the Netherlands.

Whether this was the cause of removal or not, certain it is that Captain John, in the year 1641, removed to Long Island, where his Dutch wife and Dutch language, as well as reputation for valour, recommended him to the inhabitants and to Governor Kieft.

Before his fall and repentance, as we have seen, Captain John had gained reputation in the war with the *Pequots*. His religious zeal had attached him to Mrs. Hutchinson, and the banishment of that lady from New England, may have been one cause of the Captain's removing to the New Netherland, as her death by the hands of the savages may have embittered him against the natives.

It appears that this war between the Indians and New Netherland continued for two years, and Underhill did good service. His military reputation enabled him to raise a considerable number of men under Kieft's authority, and his skill gave them discipline. They were composed of Dutch and English. With this corps he is said to have terminated the opposition of the Indians on Long Island, by the destruction of 400, at a place still called Fort-neck, in the township of Oysterbay, but on the south side of the island, being a neck of land projecting into the sea, and on the estate at present of David S. Jones, Esq.

At this place, it is said that the Indians threw up works for defence, and sent their women and children to some Islands in the bay adjacent, which to this day are called *Squaw Islands* from this circumstance. Underhill, with his corps of disciplined Europeans, attacked the Indian fort, carried it and put to death the champions of their country's independence. Here, for a time, he established a garrison to prevent a reunion of the tribes.

Tradition likewise says, that Kieft and his friend Underhill de-

feated the Indians upon the main land, after a hard fought battle at Strickland's plain, Throgs-neck.* After the battle of Strickland's plain, the war was terminated by the interference of the Iroquois, whose mediation Kieft contrived to engage. These conquerors among savages, negotiated a peace between the Dutch and the New Jersey and river Indians. As sovereigns, they assembled the tribes of the Delawares at New Amsterdam, and the sachems of the Raritans, Manhattoes, Mohicans, and others acknowledging the superiority of the Iroquois and submitting to their arbitration, appeared upon the space between the Dutch fort of Amsterdam and the bay, and attested the sun to witness another treaty of peace between them and the Director-general.

This is the last account I have of the battles of Captain John Underhill, whose Indian warfare has stamped him the hero of Long Island, as far as heroism depends upon the power or inclination to destroy. It will be seen that although a friend of Kieft's, he was not so of his successor, Stuyvesant, during whose administration Underhill endeavoured to get up another Indian war, in which he would willingly have involved the English, on the one part, against the Dutch and natives, on the other. After the English conquests, he held the civil office of high-constable. The Hon. Silas Wood† tells us that under the government of Nicolls, he attained to the office of sheriff of Queens county, and received from the friendly Indians a gift of 150 acres of land, which remains with his descendants of the same name, to the present time; and having shown his prudence and judgment, by securing to his posterity some of the best land on Long Island, he died on his own territories in the year 1672, and lies buried in the cemetery of the very pleasant village of Oysterbay.

Kieft's fame is not so unclouded. After a stormy life he appears to have ended it in a tempest. Again he was involved, and inextricably, in hostility with his savage neighbours: towards the end of his turbulent administration he incurred the displeasure of all the Dutch colonists of any respectability, by an atrocious act intended to destroy or weaken the power of the natives. A party of the Iroquois, probably Mohawks, as they were the nearest of the confederacy to the Dutch settlements, appeared advancing towards Manhattoes in warlike array, for the purpose of collecting tribute from the river Indians, and others in the neighbourhood. The latter unprepared for the visit, had gathered on the west side of the Hudson, seeking protection or mediation from the Dutch: but Kieft, instead of seizing the opportunity to conciliate the neighbouring tribes, took advantage of the occasion to perpetrate

* This name is derived from an owner of the land, Throgmorton. It was familiarly called Throgsneck, and after changed to Frogsneck.

† History of Long Island.

an infamous massacre, by sacrificing the fugitives. With the soldiers of the fort, joined to the worthless and unthinking of the populace, and the privateersmen or others, from the vessels in the harbour, he crossed the Hudson and fell upon the defenceless, unsuspecting natives, and murdered indiscriminately men, women and children, during a night of horrors.

Those who escaped, and the inhabitants of the neighbouring country joined to revenge this gross and faithless deed of blood. Again the innocent cultivators suffered all the miseries attendant upon savage warfare. Kieft was justly and loudly accused as the author of another war. The inhabitants of the colony complained to the authorities at home, and the Director-general was recalled by the Dutch West India Company. He embarked with his riches, for while others suffered, he had accumulated wealth; but the ship was wrecked on the coast of Wales, and the unhappy governor drowned.*

The colony Kieft had to govern was certainly not composed of the best materials. It neither had the advantages of the puritan settlement of the east, nor the Virginia colony of the south. The Swedes on the Delaware, were of a higher character, and so were, subsequently, the Quakers of Pennsylvania and West Jersey. The colonists of New Netherlands in general, particularly in New Amsterdam, at the first, were mere traders seeking gain; and in Kieft's time, a motley set of grasping petty merchants, mercenary soldiers, privateersmen and other sailors, with a few planters and very worthy emigrants from Holland, constituted the people. The West India Company, whose servant Kieft was, had little else in view than gain. They threw a negro slave population from their African settlements into the colony. Even in the boasted times of the Georges of England and of the elder Pitt, (Lord Chatham,) colonial policy in Europe was calculated altogether for the profit of the mother country. When Chatham opposed certain oppressive measures adopted by England, it was only because he had the sagacity to see, that by bending the bow too far, it would break. He was willing to strain to the utmost. "Parliament could bind the colonies in all cases. The colonists should not be allowed to manufacture even a hob-nail." If such were the maxims of European government in this enlightened time, and with this great

* Sir William Kieft was still in New Amsterdam on the 25th July, 1647 (as appears by a proclamation of Governor Stuyvesant,) and was acting as one of the Governor's council, (MSS. translated by Mr. Westbrook for Common Council of New York.) That he sailed from the New Netherlands during that year, we learn from Dr. Vanderdonck, who says "the ship Princess, in which he embarked, deposited him and his treasures at the bottom of the ocean." Albany Records, Vol. 2d : De Vries, Hubbard, Trumbull, &c.

statesman, after the present constitution of Great Britain had given security and liberty to Englishmen, what are we to look for in Kieft's time, when England was involved in the darkness preceding her revolution of 1688, and when the true theory of a representative government was little understood and scarcely practised in other parts of the civilized world. It follows that the colonial government of New Netherland was, in some measure, arbitrary—meant for the benefit of the West India Company. Kieft was pressed upon by the puritans on the eastern border, and by the Swedes on his western: while such English as mingled in his population were ever in opposition to his rule, as they were imbued with the light of republicanism from New England. Such were his difficulties, and they continued under his successor Stuyvesant, although his superior wisdom and energy redeemed the colony, in a great measure, from the evils which surrounded it.*

* Many have been Indian-killers: some have wished to save and instruct them: the teachers have been *few indeed*.

The pious and generous labours of Elliot and Mayhew to make christians and civilized men, have handed down their names with honour to posterity, although the fruits of their cultivation were of little worth. Dr. Dwight represents the scanty remains of the Mohicans in 1820-1, as living upon the land reserved for them in the township of Montville, a lazy, sauntering life, principally subsisting upon the fish of the neighbouring streams. In 1774, there were here 206, in Stonington 237, in Groton 186, in Lyme 104, in Norwich 61, and in Preston 30. Now, I presume (1839) these numbers are reduced to almost nothing. Of the Stockbridge Indians, Dr. Dwight tells us, from undoubted authority, that in 1734, John Sargeant of New Jersey devoted himself to teaching them, and others joined in the labour. Many submitted to baptism. In 1751, Mr. Edwards of New Jersey succeeded Sargeant, and in 1757, the son of Sargeant took charge of the people, and they subsequently removed to New Stockbridge in the state of New York. They are considered as the oldest branch of the Mohicans, and those remaining have the character of being a little superior to other half-civilized Indians. The Indians of Stonington are described by the same author in 1821-2, as a poor degraded miserable race of beings: they are descendants of the heroic Pequots. They live in part on the lands reserved for them, and in part among the neighbouring farmers as servants. Prodigal as lazy, stupid, lying thieves; dirty, half naked drunkards. A few exceptions occasionally occur. At Cape Cod or its neighbourhood, is a place called Massapee, occupied by Indians, and at Yarmouth once stood an Indian church. Among the last relics, says Dr. Dwight, of the efforts "successfully made for the conversion of the Indians to christianity," he states that at one time there were in New England "not far from ten thousand praying Indians." But he says that the attempts "which have been made in modern times to spread the influence of the gospel among them, have in a great measure been unsuccessful." This he attributes to the opinion prevalent among them, that the whites are their enemies, and to the general conduct of the whites towards them and each other. In fact, the Indian converts, so called, or praying Indians, did not and could not know or feel any thing of real christianity either in New England or elsewhere; they were merely deteriorated savages, ready to return to savage life and savage murders at any opportunity; and by degrees sunk to the state above described, at Stonington.

In the township of Paris, state of New York, is an Indian reserve six miles square called Brothertown. These Indians are Oneidas, Mohicans, and others. In 1821-2 Dr. Dwight says, there were forty families of agriculturists. Three of them have framed houses. Their husbandry is of inferior character. A school-house is built for them by the state, and a quaker was teaching the children.

CHAPTER VI.

Swedes on the Delaware — Minuits — Printz — The Stuarts — Colonization of New England — Doctor Vanderdonck — Peter Stuyvesant — Controversy with the commissioners of the united New England Colonies — Charges against Stuyvesant as conspiring with the Indians to cut off the English, denied and refuted.

WHILE the thriving colonies of New England occupied the attention of Kieft in one direction, and the Indians required all his military force near the Hudson, the art or revenge of Minuits, his predecessor, planted a thorn within his side on the Delaware which he had no power to remove.

John Printz, a Swedish colonel of cavalry, was appointed governor of New Sweden, and in 1642 arrived in the Delaware, where previous to his coming *Jost de Bogardt* had ruled. With Colonel Printz came the Rev. John Campancies, the future historian of the new territory. An addition to the colony of several vessels with emigrants had accompanied Printz, and he established himself on the island of *Tonnekong*, near the mouth of the Schuylkill, which was in 1643, granted to him by the crown of Sweden, and there he built a house for himself, and a fort, which he called *New Gottenburgh*. His dwelling was somewhat ambitiously denominated *Printz-hoff*, but he did not neglect to erect in his neighbourhood a place for public worship. He confirmed the purchase made by Minuits from the natives, added presents to conciliate their good will, and was repaid for his just government by the friendship of the Indians and the prosperity of the Swedes.

Printz, by permission of his sovereign, Christina, resigned his government to *John Papegoa*, who was succeeded by *John Risingh*, of whom I shall have occasion to speak hereafter.

The reader of American history can have no just view of his subject without reference to the events in operation at the time in Europe, and to their causes, particularly in England, and as it respects New York, in Holland.

When James I. in 1603, escaped from the thralldom of his Scottish Barons, each one of whom felt himself a prince, according to the feudal system, the son of the misguided and probably guilty Mary, found himself a successor to the tyrannic power the Tudors had established in England. James found the people who had served Elizabeth on their knees ready to kneel to him; and, although his tongue gave him the lie, he said, "I am Eng-

land." He was however, a king, and he hated the Netherlanders because they had thrown off the yoke of a tyrant. He called them rebels; yet from a dread of the power of the house of Austria, he joined with France in establishing that republic to which we owe the foundation of New York.

But the first of the Stuarts found already diffused among his English subjects, though not apparent to his view, a vigorous and youthful spirit that had been cherished by the early reformers, and which was teaching them that they had rights and property; to secure which they must aim at self-government. The grandmother of James, had in a moment of passion, declared to the lords of the congregation in Scotland, that "the promises of princes were only considered binding by them while they favoured their kingly interests;" and although the descendants of the queen-regent continued to act on this principle, the people of England had not forgotten the caution conveyed by the words.

To counteract the growing desire for self-government and security of property, James I. cherished the prelacy and listened with delight to the courtly bishop, who, in answer to the king's royal question, "Have I not a right to take the subject's money without his consent?" said "certainly, sire, for you are the breath of our nostrils."*

That Charles I., so educated, by such teachers, should raise a rampart of prelacy around the throne, the crown and what he had been taught were his rights, to oppose the puritanism of the people and the liberty of thought, was to be expected. The ray of truth, when it has entered into man, increases until it is a perfect day. Interest, passion, selfishness, are the clouds which obscure it, and around Charles they formed a veil thick as night. That he should stretch the prerogative to breaking; raise up Laud and the bishops, or any others, as the instruments of his tyranny, and so use them until he brought his head to the scaffold; that he should employ ship-money for the purpose of oppressing the Dutch, and taxing the seas, by making that people pay him for the privilege of taking food from it, may not surprise us. He had been taught and willingly believed that he had a right so to do. But that the people who had sought refuge in the wilds of New England from kingly and priestly tyranny, should at the same time, be usurping and exercising power over the New Netherlands, and encroaching upon men and their territory with no other pretence or claim than *that* derived from prelacy and monarchy, is an anomaly that must give us pain.

* "Put not your trust in Princes," was the scriptural quotation made use of by Wentworth, Lord Strafford, when he said that Charles I., contrary to his kingly promise, had signed his death-warrant.

Sir William Kieft and the New Netherlanders were accused by New England of "hostile aggression." He very justly compared the accusation to that of the wolf in the fable, who, seeking a quarrel with the lamb, a desirable object for his appetite, charged the devoted victim with having disturbed the waters of the stream from which his wolfship was drinking, *at the source*, by presuming to quench his thirst at an humble distance; lower down.

The English puritans had found hospitality, place of refuge and employment in preference to other foreigners, among the protestant republicans of Holland. During their residence among them they learned that the Dutch had found and taken possession of a New Batavia in America, and the English refugees were encouraged to seek a New England on the same continent beyond the sea, where no king or prelate—no court of high commission or star chamber would seize on their property, or control their consciences. The Mayflower arrived at Plymouth, a free constitution for the government of the voluntary exiles was formed on her deck. They landed on snow-covered rocks; and amidst the wilds founded an empire.

The admiring natives received their visitors as friends; and, without comprehending their motives for desiring property in the soil, they gave, or sold, their land for what was to them valuable, and to the strangers of little worth. Many and sore were the afflictions of the little band of republicans, but they were consoled by the purity of their motives and the presence of civil and religious liberty. They established laws for their own government. They founded a seminary for their children's education, as the only security for the laws they established. They increased and prospered; for the good and the wise sought their society. But for the jealousy and fears of the first Charles, those giants, before whom he trembled, Hampden, Hazlerigg, and Cromwell, would have become a peaceful portion of the Plymouth band of brothers: perhaps Pym might have joined them, and the unhappy Wentworth, who deserted the cause of the people for riches, power, and the fatal name of Strafford, might have lived to rivet chains on his country.

It seems strange that Hume could imagine no other motive for John Hampden's desire for a retreat in New England but that of hearing long prayers and long sermons. The historian, when he wrote, knew of the prosperity of the colonies, and even predicted their independence. Could he not have thought and believed that Hampden would have employed himself in promoting that prosperity and laying the foundation of that knowledge which was to preserve and increase it.

Happy and prosperous as the puritans were in New England, they looked with envy on their neighbours of New Netherland,

who had preceded them in settling on a more genial soil, and beside rivers greater and better fitted for commerce than had fallen to their lot. The Dutch trading house, on Fresh or Connecticut river, excited their jealousy, and they founded pretensions on the claims made by England to a right over the three great streams possessed by the Dutch—the Delaware, Hudson, and Connecticut. The latter being the nearest, was first invaded. Colonies traversed the wilderness from Massachusetts, first to the Dutch *Huy's Good-hope*, and began to build Hartford, and then farther south to New Haven, and even to Delaware.*

Writers, both English and American have endeavoured to cast ridicule upon the complaints of Governor Kieft, made in his protests and remonstrances to the government of New England; yet the grievances he states are precisely those which a stronger neighbour, intending to drive off a weaker from the soil he coveted, would inflict upon him. The tiller of the earth is interrupted in his labour; the horses are driven from their accustomed pasture in the meadows; the servants of the weaker are beaten by

* Several purchases were made of the Indians during Kieft's administration. In 1643 the people of Hempstead bought a large quantity of land from the natives. He entered into articles of agreement with *Tachpoussie*, chief of the Indians of that name, in 1656, by which they put themselves under the protection of the Dutch government, with all their lands on Long Island, as far as the Dutch line extended, according to the treaty of Hartford, promising mutual assistance. This agreement was made at the Fort, in New Amsterdam, March 12, 1656. The year before, the sachem of Selasacott (Brookhaven) sold a district of land in that quarter, and the *sagamore of Long Island* sold Great-neck to the same.

In 1645 Kieft granted the town of Flushing to Thomas Huntington, John Hicks, and others; and empowered them to choose for their own government a *scout* or constable, with the powers of a *scout* in Holland, or constable in England, they paying one-tenth, if demanded, except for one acre.

The intelligent and patriotic industry of the Hon. Silas Wood, of Huntington, has given us a picture of the state of Long Island about this time. He says that, in 1646, at the first town-meeting held by the people of Gravesend, every inhabitant was (or was ordered) to make twenty poles of fence, to enclose a common field for corn, and in 1648 a fence was ordered, in like manner, for a calf pasture.

To show that the first settlers in this part of our state were not obliged to clear their land, but, on the contrary, were anxious to preserve forest trees, we are told that, in 1654, "the town of South Old passed a resolution, that no person should cut trees, or sell wood, from their *common lands*, for pipe-staves or heading, or other purposes, to any person not being a townsman, *without the town's liberty*. And, five years after, the town of Huntington prohibited the cutting timber, for sale, within three miles of the settlement." And, in subsequent years, passed similar resolutions. Oysterbay and Newtown made similar laws on this subject.

It was the custom of these early settlers of Long Island to employ herdsmen, who drove their cattle to pasture. In 1658, and subsequently, the cattle of Hempstead were driven as far as Cow-neck. (So named from the custom.) The cattle of Huntington were, at times, driven to Horse-neck.

As the Indian mode of clearing was not in use with the settlers, the brush and underwood increased to the diminution of the pasturage, and we find that, in 1672, the governor and court of assize ordered, that the inhabitants of Long Island, from the age of sixteen to that of sixty, should turn out four days in every year to cut down brush and underwood. Similar regulations were made by the towns, at various periods.

those of the stronger. This was hard to bear by the first purchaser and occupant; a member of a republic, which had recently thrown off the yoke of Spain, and carried her growing commerce to the extremes of the earth: and to be borne from the descendants of exiles, who, however prosperous, only flourished through the neglect of the mother country, while she was engaged in civil contention.*

Kieft, as we have seen, was unequal to the contest with New England and New Sweden, and left the struggle to be continued by an abler head and a firmer hand.

Peter Stuyvesant is described by tradition, (and by all 1647 our writers,) as brave and honest; recently from Curacao, where he had been vice-director. He had been wounded in an attack upon St. Martin's, was a soldier and mariner, (according to the fashion of that day, when both professions were united in the same person, as in the celebrated Blake and notorious Monk,) and was likewise a scholar, of more depth than

* In 1645 Dr. Vanderdonk, who resided here before and after this date, tells us, that the Dutch, immediately upon turning their attention to agriculture, introduced horses and cattle of various breeds. Hogs, that have always had possession of the city, fattened, in Vanderdonk's time, upon acorns, on the same ground where now they precede the street cleaners; but the best pork was found then, as now, that which was fed upon maize. Sheep were more plentiful in New England than with the Dutch; and the Yankees already made good use of their wool. Goats were preferred to sheep by the Netherlanders of 1645.

From the same author we may learn, that Sir William Kieft, in 1645, made a treaty with the Iroquois in Albany. He says, "at the time when we were employed in conjunction with the magistrates and officers of Rensselaerwyck, in negotiating a treaty of peace with the Maquas Indians, who were, and still are, the fiercest and strongest Indian nation in the country; at which treaty the Director-general William Kieft, on the one part, and the chiefs of the Indian nations, of the neighbouring nations, on the other part, attended." They had the services of an interpreter, who understood all the dialects of the confederated Iroquois. This Indian interpreter lodged in the same house with Kieft, and one morning, in the presence of the governor and author, commenced his toilet by painting his face, and, upon examining the substance he used, they thought, "from its greasy and shining appearance, that it contained some valuable metal." They purchased a portion of it from the Indian and gave it to a skilful doctor of Medicine, "Johannes de la Montagne, a counsellor of New Netherland."

The lump of mineral paint was put in a crucible and tried by fire. It yielded two pieces of gold worth about three guilders. "This proof," says the doctor, "was kept secret;" and, when the treaty was concluded, an officer and a few men were sent to the mountain or hill which the Indian interpreter designated as the place from which the paint was taken, and a bucket-full was brought to the gold-seekers. The officer did not observe any indications of a mine having been worked at the place. This yielded as much as the first experiment. The governor sent a specimen of this paint, mineral, or ore, to the Netherlands, "by Arant Cooper," who took passage from New Haven for England, and was never more heard of.

When Sir William Kieft sailed from the New Netherlands, which we know was after the last of July, 1647, he took with him, in the ship Princess, specimens of this and other minerals, which were all deposited at the bottom of the ocean. The gold mountain has never appeared again. I notice this attempt at gold-finding for its historical value, and not for the worth of the mineral.

either occupation would lead us to expect. He arrived as Governor of New Netherlands, Curacoa and their dependencies, in May 1647. The loss of a leg impressed the colonists with a confirmation of his valour; and the substitution of a member, encircled with silver plates, has given rise to the fable of the *zilver been*, or silver leg.

His successful endeavours to conciliate the Indians was one prominent cause of the jealousy of the neighbouring colonies of New England, and of the atrocious charge which they and some of the Long Island English brought against him, of plotting to employ the savages for their destruction by a general massacre.

I will endeavour to make as plain as possible to my reader the long-continued controversy between the New England commissioners and the New Netherlanders, which was necessarily continued, from where Kieft's administration left it, through the greater part of the rule of Petrus Stuyvesant, taking colour more or less from the events passing in Europe, particularly in England and in Holland; at times threatening war between the colonists of those nations, and uniformly keeping them in a state of irritation. To be better understood, it will, perhaps, be best to keep this quarrel and its negotiations distinct from other matters.

The year before the arrival of Petrus Stuyvesant, 1646 "William Kieft Director-general, and the Senate of New Netherland for the States," addressed Theophilus Eaton, governor of the place called "the *Red Hills in New Netherland*, but by the English called *New Haven*," giving notice that the English "without provocation, and contrary to the law of nations, and the league of amity existing between Holland and England," had entered New Netherland, usurped divers places, done injuries, and not giving satisfaction when required: for these reasons, and "because," says Kieft, "you have determined to fasten your foot near *Mauritius river*," to disturb trade, "we protest against you as breakers of the peace, and if you do not make reparation, we shall use such means as God affords, manfully to redress ourselves. Given at Fort Amsterdam, August the third, 1646."

Eaton in his reply, says, he knows no such river as *Mauritius*, unless Kieft means what the English call Hudson's river. Neither have "we entered upon any place" to which "you have any title, or in any way injured you." He however acknowledges that his countrymen have "lately built a small house upon Pawgusett river, which falls into the sea in the midst of the English plantations" many leagues from the Manhattoes, or any part of Hudson's river. At this "Small house," he says, they expect to trade, but not by force, the Indians being free to traffic with Dutch or English: and that before building, purchase was made of the soil from the "true proprietors." He refers to former protests

made by the English, stating injuries received from the Dutch, to which unsatisfactory answers were returned. He offers to refer the differences to their superiors in Europe, and feels assured that his "Sovereign Lord, Charles, King of Great Britain, and the Parliament now assembled, will maintain their own rights;" dated "New Haven the twelfth of August, 1646, old style."

Taking the above into consideration, the commissioners of the United New England colonies, (met according to the confederation of 1643,) addressed the Dutch Director-general, Sir William Kieft, and state that they have seen a complaint made to him by the colony of Massachusetts, of injuries done to the inhabitants of Hartford, by Kieft's agent upon Fresh river, three years ago, to which complaint the governor had "returned *ignoramus*." They further say, that Kieft's agent has grown insufferably bold, and complain that "an *Indian captive*, liable to *public punishment*, "who fled from her master" at Hartford, is entertained at the Dutch house "at Hartford;" and though required to be "given up" is, as they hear, either married to, "or abused by one of your men. *Such a servant is part of her master's estate, and a more considerable part than a beast*." They further complain that Kieft's agent drew his rapier upon the watch at Hartford, and broke it upon their weapons. They call this a "*proud affront*;" and say, that if he had been slain, "his blood would have been upon his own head."

Such was the state of affairs when Stuyvesant entered 1647 upon the government of New Netherland. Such continued to be the complaints reciprocated from the Dutch and English colonists, during the conflict between Charles the first, and the parliament of England.*

But when royalty had been put down, and the parliament from a consciousness of acting a part, for which they were not elected by the people, wished by the exertion of their power on foreigners to draw the attention of men from themselves, then they made war upon the states of Holland; and our neighbours of New England thought they had a good opportunity to prefer more serious charges against the Dutch of New Netherland, who were under the direction of Petrus Stuyvesant; for though they knew that his character stood high for abilities, and that as an honourable

* These criminations and recriminations continued unto the month of September 1646, at which time it was that Kieft said, "Certainly when we hear the inhabitants of Hartford complain of us, we seem to hear Esop's wolfe complaining of the lamb." And he protests "against all you commissioners met at the *Red Mounts*, as against breakers of the common league, and also infringers of the special right of the lords of the States, our superiors, in that ye have dared without express commission to hold your general meeting within the limits of New Netherland. These things are spoken from the duty of our place, in other respects we are, your, &c. &c."

veteran, he had been rewarded by the states with the government of their West India territories in the islands and on the continent, for services done, and blood shed in the cause of his country; on the other hand they looked for support from the dominant party at home, in any attempt upon the Dutch colony. The commissioners being determined on a quarrel, charged this honourable gentleman with the base design of stimulating the Indians to a massacre of all the English, whether in their own colonies, or in the towns of Long Island under the Dutch jurisdiction. Such a design would have been as foolish as it was atrocious. If Stuyvesant wished to be on friendly terms with the savages, who surrounded him, it was both politic and praiseworthy; and if, in case the English proved hostile, he should determine to defend himself by the aid of the Indians, it would be only what prudence and necessity demanded from the weaker party, and what men in more *enlightened days* have done. But, by an examination of the documents which have come down to us, I find that the Dutch governor used every effort to preserve peace with his powerful neighbours, whether red or white.

We must bear in mind, during this examination, that Oliver Cromwell put an end to the Rump parliament, and assumed the administration of English affairs in April, 1653. It was his wish to be at peace with Holland, and to bring about an union of the two republics of England and the Netherlands; but his policy dictated previously a threatening aspect towards the Dutch colonies in America, and the New England commissioners, or Congress of Deputies from the New England colonies, showed no reluctance to enter into a war with Petrus Stuyvesant, but, a peace being concluded between Cromwell and the States, the intention was for a time suspended.

After the arrival of Governor Stuyvesant as the Director-general of New Netherland, Sir William Kieft remained and acted as one of his council—until, at least, the latter part of July, 1647; and we must suppose that the sagacious ruler made himself master of all the particulars in dispute with Indians, Swedes, and English.

On the 17th of June, the commissioners being in session at Boston, address Governor Stuyvesant in consequence of certain duties or customs imposed by the Government of New Amsterdam upon the traders to “Manhattoes,” which are complained of as too high. The commissioners likewise complain of a “disorderly trade” carried on by the Dutch, in selling to the Indians “guns, powder, and shot.” The letter is temperate, and they conclude it thus: “With our due respects to yourself and the late Governor, Monsieur Kieft, we rest your loving friends, the Commissioners of the United Colonies.”

On the 25th of June, Governor Stuyvesant expressed his desire to meet the Governor of Massachusetts and others "to reconcile present, and to prevent all future occasions of contestation." But no such happy meeting appears to have taken place; and the commissioners loudly complained that in October, 1647, Stuyvesant demanded from New Haven certain fugitives, "as if," say the New England congress, "the place and jurisdiction" had been *his*; whereas they claim as belonging to the Kings of England "all this part of America called New England, in breadth from 40 to 48 degrees of northerly latitude, which they assert is granted to the English, and the inhabitants of New Haven had right to improve a small portion thereof."

Stuyvesant, on his part, about the same time, October 12th, 1647, stated very honestly to the commissioners the claim made by the Dutch to all lands, rivers, and streams, from cape Henlopen to cape Cod.

Such conflicting claims were very difficult to be adjusted; however, I find that, on the 15th of November following, the Director-general of New Netherland professed to the Governor of New Haven his "readiness for a fayre and neighbourly composure of differences." It appears that he wrote other letters to the Governors of New Haven and Plymouth, desiring a meeting in Connecticut, "not doubting that mutual satisfaction would be given to each other in every respect."

These prospects were all illusory; for Stuyvesant complained next year that the English forbade the Indians of Long Island to sell any land to the Dutch, "notwithstanding," as he says, "the said land" was possessed by the Netherlanders long before any English came there. He further says, that on Connecticut river they have so enclosed and possessed the land that the commissioner of the Dutch and his family cannot live.

On the 10th of September, 1648, the New England commissioners, though still subscribing themselves the Governor's loving friends, tell him peremptorily that the traders, whether mariners or merchants, of the Dutch, may expect no more liberty within the English plantations than the English find at the Manhattoes; and that if, "upon search," there is found in any Dutch vessel, within the English jurisdiction, any quantity of powder, shot, &c. "fit for that mischievous trade with the Indians," such merchandise shall be seized.

Shortly after this, the commissioners determine that, as the Dutch will not permit their trade with the Indians within the New Netherlands, and charge great customs upon the English vessels, and "force them to anchor in very inconvenient places," they will bar the Dutch from trading with *their* (the New Englanders') Indians, and "recommend to the several general courts that an-

swerable preparations may be made, that either upon his" (the Dutch Governor's) "refusal to answer, or his not giving meet satisfaction, the colonies may seasonably provide for their safety and convenience."

About this time a Dutch trader found it convenient to put himself under the protection and jurisdiction of the English colonies; and was in consequence considered by Governor Stuyvesant as a rebel. He had resided at Plymouth, but became a planter of New Haven, and to that harbour ordered a vessel and cargo, purchased in Holland, value £2000. Stuyvesant, who asserted the Dutch claim to New Haven, sent and by force seized this vessel and cargo. *Westerhouse*, the Dutch deserter, demanded of the New England commissioners, letters of mark and reprisal upon his countrymen, but they rather thought best to address to the Dutch government a letter, complaining of the trade carried on with Indians, in selling them powder and shot, in conjunction with the treatment of *Mr. Westerhouse*. They assert the English right to the New Haven lands and harbour, and to all the English plantations and their appurtenances, from Cape Cod or Point Judith, both on the "mayne," and the islands, as anciently granted by the kings of England to their subjects, and "sence" duly purchased from the Indians. They assert the right and title of New Haven colony to certain lands within the Delaware, by the Dutch called the South River, and that it is Stuyvesant's fault that these differences are not adjusted as he did not meet them "at Boston as was propounded and desired," they therefore are constrained to provide for their own safety, and forbid all trade with the Indians for guns, powder and shot, within the limits of any of the United Colonies.

Accordingly they by law prohibit all foreigners, especially French and Dutch, from trading with the Indians within the jurisdiction of the United Colonies, as such trade is to their prejudice, because it strengthens and animates "the Indians against them."

Governor Stuyvesant went to Hartford in September 1650 1650, and sent a letter to the commissioners met at that place, but the letter having been written in council at Manhattoes, was dated New Netherland; this the commissioners conceived a bar to further negotiation, as claiming that Hartford was a part of New Netherland, and they so informed the Dutch Governor. He explained and dated from Connecticut. This being satisfactory, they proceeded.

Stuyvesant asserted that the English intrusion upon Connecticut, or Fresh River, was an injury done to the Dutch; as the West India Company of Amsterdam had bought and paid for the lands in question to "the right proprietors, the native Americans, before any other nation either bought or pretended right there-

unto." To this, Edward Hopkins, President, answered that the English right to Connecticut river and said plantations, "hath been often *asserted*," and is sufficiently known, as the commissioners conceive, to English, Dutch and Indians "in these parts;" and, they, the commissioners, have not heard any thing of weight sufficient to alter their claim.

Other complaints are answered in much the same manner. Stuyvesant in reply, says he has proofs of the first Dutch purchase, and seems willing to waive claim to Hartford, but insists on the right of trade with the Indians.

These letters to and fro resulted in appointing delegates, two on each part, who agreed upon and settled the boundaries of the two nations in their colonial possessions in America, by what is called the treaty of Hartford.

Stuyvesant dates his letters from "the house the Hope, on Connecticut, commonly called Fresh River." And Hopkins, president of the congress of commissioners, dates from "Hartford on Connecticut."

By the articles of agreement, dated the 19th day of September 1650, the disputes respecting claims on South river, or Delaware bay and river, are left undetermined; but the boundary line is fixed between the contending colonists on Long Island, "from the westernmost part of the Oyster bay, soe and in a strait and direct line to the sea;" and upon the main land, a line "to begin upon the west side of Greenwich bay, being about four miles from Stanford, and so to run a northerly line twenty miles up into the country, and after as it shall be agreed by the two governments of the Dutch and of New Haven, provided the said line come not within ten miles of Hudson's river." The Dutch were likewise to enjoy "all the lands in Hartford that they were actually possessed of; known or set out by sertayne marks and bounds."*

The next year, according to their own statement, certain inhabitants "of New Haven and Satockett" being "straitened in their respective plantations, and finding this part of the country full"—wishing to "enlarge the bounds of the United Colonies" and also "the limits whereby the gospel might have been carried and spread amongst the Indians in that most southerly part of New England" hired a vessel, and "at least 50" of them sailed in the spring for the Delaware. On their way they touched at New Amsterdam, which place they say they "might have avoided." But it seems that they had some doubts respecting the legality or propriety of their voyage, notwithstanding their tender care for the souls of the Indians, for they had provided themselves with a letter from "their honoured Governour" to the

* See Hazard, vol. 2d. p 218. In which work all the documents are to be found.

“Dutch Governour,” which letter they sent to Stuyvesant by two messengers. He immediately clapt them under guard, and sent for the master of the vessel that was conveying them, to extend the limits of New England on soil under his government. The skipper and two more of the emigrants appearing, were confined in a private house, as were others that went to commune with them. The governor required “their commission,” which he kept; and dismissing the poor people who were straightened in Connecticut, for that the country was too full in the year 1651, he sent them back to New Haven with a promise that if he found any persons intruding upon *South River*, he would seize their goods and send the adventurers to Holland. All this is stated in a petition from the would-be emigrants to the commissioners, mingled with the usual complaints that the Dutch sold powder and shot to the Indians, and pretended a right to a country “known to belong to Englishmen.”

The commissioners declared that the English had their right to the Delaware by patent; and the inhabitants of New Haven to certain tracts of land by purchase from the Indians. A letter was therefore written to “the Dutch Governour,” protesting against his injurious proceedings, and requiring satisfaction therefor. They wrote to the New Haven men, saying that they will not enter into immediate hostility with the Dutch, as they “*would not seem too quick.*” But if they should see fit again to attempt the settlement on Delaware, “and for that end, should, at their own charge, transport together, 150, or at least 100, able men, with a meet vessel and ammunition,” by “authority of the Magistrates of New Haven;” then if the Dutch or Swedes oppose them, the commissioners will supply them with such number of soldiers as they, the said commissioners, “shall judge meet.”

Having thus encouraged another invasion of *South River*, and that with arms, ammunition and soldiers, the commissioners wrote again to Stuyvesant, and acknowledged that he had “given notice to those of New Haven,” that he would not permit settlements to be made on *South River*; but at the same time they protest against the Dutch claim, and complain of the governor’s unneighbourly proceedings.

It must be remembered, that these encouragements given by the congress of commissioners to the people of New-Haven, to proceed to actual hostilities against the Dutch, and the promise of support by a body of troops, were made at a time when 1652 the English parliament were triumphant over the Dutch republic; and these hostile movements were followed up by the charge of a conspiracy entered into by Governor Stuyvesant, to combine with the Indians in a plan for the destruction or massacre of all the English colonists.

Early in the year 1653, that is, in March, when they 1653 meet in congress at Boston, and before the downfall of the rump parliament, the commissioners gravely took into their consideration the rumor of the Dutch "engaging several Indians to cut off the English."

There can be no doubt but the Dutch West India Company had directed Stuyvesant to engage the Indians for the defence of the colony if attacked by the English; but it is equally certain that the prudent veteran exerted himself strenuously to preserve peace with his powerful neighbours.

On the 19th of May, 1653, while yet the power of England was threatening destruction to the Hollanders, the commissioners of the united English colonies again met at Boston. They sent messengers, furnished with a number of queries to *Ninnigreet*, a sachem of the Narragansetts, to demand from him whether the Dutch governor had engaged him, or any other of the Narragansett Indians, to join with him in fighting the English, or had endeavoured to form such a league or conspiracy, or had given guns, powder, and lead to the Indians for that purpose? The commissioners further require of the sachem to come to Boston to *answer them*. The same queries are put to other sachems. They all deny any such agreement or proposition for engaging them in war with the English. These sachems do not choose to leave home to be examined by the commissioners, but they send four men, whom we may suppose are of their council. In answer to the question why *Ninnigreet* went to Manhattoes the last winter, these men answer, "to be cured of disease." He having heard of a French physician who could heal him: that he gave wampum to the doctor, and some to the governor, who in return gave him clothing, "but not one gun." But *Ninnigreet* bought two guns of the Indians at Manhattoes.

This testimony does not appear to be very conclusive; but then an Indian of "Road Island" gives information that another Indian heard an Englishman say that the Dutchmen "would cut off the English on Long Island," and that he heard *Ninnigreet* say that he heard that ships had come from Holland to cut off the English. And Captain Simkins says that the Rhode Island man said that the Dutch had offered him one hundred pounds a year to serve them. There is other testimony of equal importance. A squaw had sent word to the people of Weathersfield "to take care of themselves, for the Dutch and Indians had confederated to cut them off."

Upon this the commissioners drew up a declaration which may be seen in full in Hazard's state papers, detailing former grievances, and accusing Stuyvesant of this conspiracy to destroy them all.

They complain that the people of New Haven, having built a village, called Stanford, Kieft, in 1642, did challenge the place and set up the prince of Orange's arms there, which the English tore down. Then they complain of Kieft's protest respecting Delaware bay, and of a variety of the acts and intentions of the late governor.

They then speak of the disputes concerning Fresh, or Connecticut river, and in the *eleventh* article they arrive at the atrocities of Stuyvesant. He had in 1647, still claimed and exercised his authority within the English limits, and above all, had furnished the Indians with guns, powder, and lead. They affirm the right to settle on the Delaware, and complain of Stuyvesant's prohibitions in 1651. Then comes the charge of *treachery and cruelty*, and they are presented in colours of blood against the Dutch governor. "By many concurrent and strong testimonies," the Dutch are charged with warring upon the English *in Europe*; and Stuyvesant is accused, upon this undoubted testimony, with having engaged the Indians to massacre the English on Long Island and New England. Nay, he was going to poison and bewitch them. Certain Indians said that *Ninnigreet* had employed an "artist" to exercise his *art* upon the English, and (as is implied,) render them powerless by drugs and witchery: but *Uncas*, the friend of the English, discovered the conjurer, and having seized, slew him. Another proof of Stuyvesant's guilt is, that "the Indians praise the Dutch and condemn the English:" and that *Ninnigreet* hath brought "wild fier from the Dutch," and had ordered his people to procure ammunition and promised them plenty of rum; further, that all the Indians grow insolent to the English—that the Dutch have threatened the English with "East India breakfast"—and then the *Amboyna* affair is lugged in. The commissioners go on to say, that an Indian *Sagamore* on Long Island says so and so; and *so and so* an Indian squaw in Connecticut; that the Indians of Long Island charge *the plot* upon the Dutch fiscal, and *Captain Underhill* told the fiscal of it, and was therefor "setched from Flushing by the fiscal with a guard of soldiers, and confined to the Manhattoes, till the relation he made at Hempstead was affirmed to his face; then without tryal or hearing, he was *dismissed and all his charges borne*." Other Indian testimonies, and particularly that of nine sagamores living near Manhattoes, who had affirmed that the Dutch had promised them guns, ammunition, and clothing, if they would cut off the English. The *declaration* concludes in terms disclaiming trust in the sincerity of the Dutch governor's professions, and *still more* those of his fiscal; and the belief of the commissioners that Stuyvesant would only make a treaty with them until he has an opportunity to do them mischief, "as the state of affairs either in Europe, betwixt the com-

monwealth of England and the Netherlands, or *heer*, betwixt the Colonies and the Dutch," may guide him.

This *declaration*, however, "*exercised*" some of the commissioners, and the Massachusetts delegates advised that the Dutch governor may have an opportunity given him to answer for himself "*before*, what was considered by them as, a *Declaration of War*."

Governor Stuyvesant wrote to the governors of Massachusetts and New Haven in April, denying "the plot charged," and offering "to come or send to clear himself," and desiring "some may be deputed thither to consider and examine what may be charged, and his answers." Accordingly Mr. Francis Newman, a magistrate of New Haven, and Lt. Davis, of Boston, were sent, with a commission and instructions, in form of a writing addressed "to the right worshipful Peter Stuyvesant, Governor and General of the Dutch Province; and to Monsieur Montaigne, and to Captain Newton, two of the Counsell for N. Netherland."

In this writing, the commissioners state that the United English Colonies have often required reparation for former hostile affronts, but in vain. However, "the evidence" of the late *treacherous* conspiracy "against them, their wives, and children, at a time when the governor was proposing a treaty of peace, puts upon them "*other remedies*." They then, after enumerating grievances, go on to mention their deputies, who are to receive and return the governor's answer. They reproach him with making use of "heathen testimony," on another occasion, and say the *heathen testimony* they act upon, is as good as *that* he had used. They do not forget *Amboyna*. They refer him to their deputies, and say they "shall expect speedy and just satisfaction" for all injuries past, and security for the future. They threaten measures for their safety, and will act according to the report of three deputies.

To Newman, Leverett, and Davis they gave instructions to report all these grievances; and instruct them that, if Stuyvesant refuses to go *in person* to Stanford, or send "indifferent" persons "to receive evidence" *there*, or in some other convenient place, "you are to demand of him satisfaction and security:" which, if refused, the deputies are to report.

Further instructions are given to the deputies at great length, respecting witnesses to be ready to convict the Dutch, and the testimony of the Indians with their *marks* affixed. And two letters from Captain Underhill, "which," they add, "you *conceal* from all such as will take advantage against him." The commissioners from Plymouth signed the letter to the Dutch governor, but enter a protest against some of the grievances therein enumerated.

The deputies being sent forth, the commissioners determined

the number of soldiers to be levied, viz: Massachusetts 333, Plymouth 60, Connecticut 65, New Haven 42. And appointed officers to command. One of the deputies (Leverett) is recommended, "as he will have opportunity," to spy out the Dutch force. Arms apportioned and all preparations for war made. When arrived at New Amsterdam, the three deputies address the governor and council from "the place of our residence, the Basses house in Manhattoes this 13th of May, 1653." They say, having desired the governor to pitch upon a place within the colonies of New England, and *speedy time* for "producing evidence" to clear himself and his fiscal from the charges made; which, he having declined, they ask that the place shall be Flushing or Hempstead, provided they may have security under his hand for liberty to call "*such* to testify in the case, as we shall see meet. And the *English Indians* who shall testify, shall remain unharmed."

The governor consents to these demands, provided the testimony is taken in presence of three commissioners of New Netherland, men understanding Dutch, English, and the Indian languages. And provided the witnesses be cross-questioned in the presence of these Dutch commissioners, according to the law of New Netherland. This is signed by Stuyvesant, Bryant Newton, Rouvigeer, Van Ransaellaer, (John Baptist,) Van Carloe, Beeckman, Wolferslen, Alard Anthony, Rulker Jacob, and Peter Stuyvesant. Dated 23d May, 1653.

The New England deputies object to an examination before, or in presence of the commissioners appointed by Stuyvesant. They appear to think they were to *try* him and his Fiscal, they sitting as judges. They object to the cross-examination of witnesses according to the law of New Netherland; and next day, May 24th, they write to Stuyvesant demanding "full satisfaction" for all former and present injuries, and "security for the time to come," and that he cause to be delivered to them "the body of Thomas Newton, a capital offender, in one of the colonies of New England," and *lastly*, they demand a speedy answer.

To this, Carrill Vanbrige, secretary, the same day, answers that the governor and council, before replying, require a true copy of the commission of the deputies, and their instructions; that the Dutch government may know, as the secretary says, "whether or noe your honours have anything more to propound." The deputies send a copy of their commission, but refuse their instructions. The governor, the same day, (24th May) answers, that he and his council hoped that the assurance they had given of innocence from any such treacherous design as was imputed to them, would have been satisfactory to the commissioners and "*all christian people.*" That they still desire to give full evidence of their

innocence, respecting "*injuries imputed*," they are ready to submit to the judgment of "indifferent persons." The governor professes not to know "what form of security" is wished. He has employed the captain lieutenant, to give a warrant to the magistrates under whom Newton lives, "to lay hold of him:" and he concludes with a wish to perform all matters in "a neighbourly and loving manner."

Stuyvesant further "propounds" articles of agreement for an alliance, without taking note of the differences between England and Holland in Europe. *For* a continuance of trade as before. *For* mutual justice in all contracts between individuals. And to prevent all false reports from Indians, he proposes an alliance defensive and offensive against all "Indians and natives." Finally, if the deputies have not sufficient powers, he proposes to send persons empowered unto their "principals."

To this the deputies answer on the 25th, that the governor's last cuts off all further negotiations; and they make declaration of hostile measures if "any injury is offered to the English in these parts," i. e. within the jurisdiction of New Netherland, "whether by yourselves or *by the Indians*." And Stuyvesant returning an answer the same day, they depart and proceed to set forth the testimony of *Rounisoke*, and other Indians, of English labourers, of Dutchmen living in the English colonies, taken at different times; *some* the most improbable *hearsay*; and the amount of the *probable* is, that Stuyvesant (as directed by his employers, and as common prudence dictated, the Dutch and English at home being at war, and the threats of the United English Colonies increasing,) had visited some of the Indian tribes west of the Hudson, near Manhattoes, and others near Orange, (Albany) and cultivated a friendly intercourse with them.

One of the witnesses, a Stanford man, upon oath states, that being "att the Manhattoes" in the month of April 1653, *Captain Underhill* being with him, and "George Woolsey and his wife," and an Englishman belonging, or residing in Manhattoes, *said* that the governor and his fiscal being in presence of some Indians, asked them whether they would affirm that the governor and his fiscal did set them on "to burn the houses, poison the waters, and kill the English." The Indians presently affirmed to their 1653 faces that "so they did." This English narrator said before *Captain Underhill*, that the governor and fiscal thought he and his companions could not understand the Indian language, "but they were mistaken, for he could understand *as well as most Dutchmen*."

That many of the English on Long Island had this notion of a plan to destroy them, is certain. Captain John Underhill resided at Flushing, and great consternation was expressed by several

communities. The deputies from New England took depositions as to their fears. The people of Hempstead sent by Richard Alexander Knowles, and those of Middlebrough by Robert Coe and Richard Jessop, to know from the commissioners of the United Colonies, if England demanded their subjection, how they could act by Dutch laws; and what they were to do "having so many enemies" around them? They ask the favour of twenty or ten men and a commander to *train them*, and ask if the commissioners can afford them "powder and shott?" They profess their desire "to cleave to New England," and desire "corne" and provision, they giving "security that it shall be for the English only."

Underhill wrote to the commissioners offering *service* to them and the parliament, (May 23d.) "I am like Jephthah, forced to lay my life in my hands to save English blood from destruction;" he prays God to move their hearts to *vindicate* "the common cause of England against the Dutch." He says he has requested assistance from "Road Island," and he "shall be tender in shedding blood," but requests them to "make haste."

In the mean time the general court of Massachusetts appointed a committee to consult with the commissioners respecting the difference with the Dutch: to which the commissioners agree *though they think it unnecessary*. A consultation is held, and notwithstanding Mr. Eaton states the "multiplied injuries and treacherous falsehoods of the Dutch in these parts," and their "bloody plot," with the "*insolencies, treacheries, and bitter enmity*" of the *Dutch in Europe*; and the fears of the English who have placed themselves within the Dutch jurisdiction in New Netherland; particularly *Captain Underhill's* danger from his national love and his application to Rhode Island. And likewise, notwithstanding the statement to the same effect made by General Dennison, the *Massachusetts men* say, that they "do not understand" that the United Colonies "are called to make a present war with the Dutch." Happily Massachusetts was of too much importance to be disregarded.

The English colonists in the immediate vicinity of New Netherland were most adverse to the Dutch. The treaty of Hartford had run a line of division from the west of Oysterbay to the sea, on Long Island, and at Greenwich on the main, north from the mouth of Byram River, to within ten miles of the Hudson. These borderers, and the English who had settled in the towns on Long Island under the Dutch jurisdiction, were averse to the laws of Holland, and were inflamed by the prevalence of little-understood republican principle in the commonwealth of England. Massachusetts was not so irritable or rash. In the mean time, Stuyvesant sent Mr. Augustus Heerman to Boston, with a letter to the commissioners, in which he complains gently of the haste of the

deputies, "who would not attend one half day" to take his answer, and then he proceeds in detail to consider all the charges made against him by the deputies. Many of them he considers as put at rest by the treaty of Hartford. The charge of a bloody plot, he terms *absurd*; he points out the impropriety of mentioning the affair of *Amboyna*; says if the deputies had taken proper measures, they might have been convinced of the innocence of the Dutch government in respect to conspiring with the Indians. He sends an abstract of the New England intrusions from 1633, in temperate language, and apologises, saying he thought all this settled at Hartford, and would have communicated with the deputies, but for their hasty departure "after supper, about 9 o'clock in the evening, without waiting for his letter to their principals."

The commissioners of the United Colonies are called together at Boston, on the 3d June, 1653, and acknowledge the receipt of the above. They say Stuyvesant agreed that Greenwich should come in New Haven jurisdiction: and his denial of the "barbarous plot" will weigh little against *the evidences*, and they must still "seek due satisfaction."

A question is "propounded" to the general court of Massachusetts, whether the commissioners have power to engage the United Colonies in a war? And the general court determine in the negative. The other three colonies make objections; but Massachusetts persists in refusing such power to the commissioners, and the dispute is carried on unto September of 1653. On the 12th September, 1653, the commissioners send messengers to *Ninnigreet*, to inquire into information received, that he and his Narragansetts had invaded the Long Island Indians, killed a sachem and several others, carrying away some as captives. They require *Pessacus*, *Mixum*, and *Ninnigreet*, or two of them, to repair to Boston to answer the charge.

About this time the Rhode Island men seized a vessel belonging to Plymouth at Oysterbay; apparently on pretence of her carrying provision to the Dutch. Further, under commission from Rhode Island, one Baxter makes prize of a Dutch vessel, and the Netherlanders fit out two vessels, which blockade Baxter in Fairfield harbour. In consequence, the commissioners direct hostile measures against these vessels from the Manhattoes, in consideration of the continued open war between the commonwealth of England and the Netherlands.

The messengers sent to the Narragansetts, requiring the sachems to come to Boston, and forthwith to set free the captive Indians of Long Island, are received with threats. "Thomas Staunton, with his rapier in the scabbard, struck at the Wolfs-tail on the head of a Pequot Indian," and a Narragansett threatened the messenger by "cocking his gun;" while another Indian "drew

his bow with an arrow in it." But the messengers persevere and deliver the commands of the commissioners to *Ninnigreet*, who had replied to a former message, "What have the English to do to demand my prisoners?" So now he said, "Why do the English slight me, and respect the Long Islanders and the Mohicans? Why do they inquire the ground of *my war* on the Long Islanders? have they not heard that the Long Islanders murdered one of my men?" And he refused to come to "*the bay.*" *Mizam* excused himself from the journey.

It appears from the English account of this feud, that the Long Island Sachems sent a Narragansett as prisoner to Hartford, charging him with attempting to shoot "the *Sagamore of Shinnicock.*" Whereupon he was tried, and put to death at Hartford by the Long Island Indians, who burnt his body. For this, *Ninnigreet* had crossed to the Island and attacked them, as above; and in revenge, burnt one of his captives. The commissioners "conceive themselves called by God to make present war against *Ninnigreet* the *Niantucke* Sachem;" and the United Colonies levy 250 men for the purpose. Here again Massachusetts interfered, and declared that they did not see any "obligation of the English towards the Long Islanders," or any reason for making war upon *Ninnigreet*.

But September 24th, upon a petition from New Haven, the commissioners conclude that they have just cause of war against the Dutch; and declare that Massachusetts has broken the league. They further press the war against *Ninnigreet*. However, the war against the Manhattoes is deferred; notwithstanding "sharp" and tedious "disputes" among the colonies; and the wisdom of Massachusetts prevails.

The Commonwealths of England and Holland had 1654 been engaged in a naval war from 1652, in which sometimes Tromp and De Ruyter, and sometimes Blake and Monk, were victorious; but uniformly, humanity and the contending nations suffered. "The two republics," says Hume, "were not inflamed by any national antipathy, and their interests very little interfered," yet more furious or bloody combats have seldom been recorded than those of the 29th of November, when Tromp defeated Blake, although inferiour in force; or of the 13th of February, 1653, when Blake, Dean and Monk vanquished Tromp and De Ruyter; 2000 men on each part were slain, besides, of course, a much greater number maimed or groaning under grievous wounds. "Never on any occasion," says the historian, "did the power and vigour of the Dutch republic appear in a more conspicuous light." But their commerce was cut up, their fisheries suspended, and all the evils suffered of

a fierce contention with a neighbouring enemy more powerful than themselves.

Cromwell was declared protector while this war between Holland and England raged; and although he entertained the notion of forming a coalition with the States, still the war continued, and also negotiations for a peace were carried on. The protector designed, before a treaty was concluded, to wrest New Amsterdam and all the territories the Dutch held in America from the States. He accordingly made requisitions on New England for aid in 1654. I find in Hazard's state papers, a letter from Thomas Welles, a magistrate of Connecticut, (and afterwards governour,) dated Hartford, June 10th, 1654, to Major Robert Sedgeworth and Captain John Leverett, saying, the colony agreed to furnish aid, and wishing to know the number of men wanted. He says, "it is thought by some who know the strength of the Dutch, that this service will require at least 500 land-soldiers. Captain Underhill and John Young, who are gone towards the bay, can best inform you of the state of things at the Manhattoes."

But Cromwell concluded a treaty of peace with the Dutch, although Holland had refused his offer of an union even more intimate; for he wished the two republics to become one. This treaty of course put an end to the projected conquest of New Netherland, and Petrus Stuyvesant was for the present unmolested, although Captain John Underhill appears to have been anxious to put on his helmet, corslet, buff jerkin, bandelier and sword, whenever fighting was the fashion.

Although the New Netherlands had been, long before European discovery, more populous than many parts of America, the wild animals in 1648 were yet in abundance, and afforded food for the inhabitants, and skins for trade with the Dutch, as well as objects for their observation and curiosity. Their own country, rescued from the sea, was destitute of the bear, the panther, wolf, fox, racoon, beaver and deer. Here they saw the last mentioned beautiful animal in great numbers, though hunted by the Indians incessantly, and in the winter destroyed by the wolves, scarcely less numerous than the timid creatures they pursued. The wolves hunted in troops, and with the sagacity of other *chasseurs*, encircled a given space, and by closing in, made prey of the deer within the ground they had encompassed, unless a lake or river gave him a chance of escape. If in the pursuit, the flying animal arrived at a piece of water or a stream not fordable, the wolf was obliged to stop and see his intended prey escape. The Indian, in his canoe, chased the deer over river or lake, and if the poor creature is about to gain the shore and baffle the pursuer, he shouts and yells as in the day of battle, and the echo from the woods, bewilders the animal to his

destruction ; he turns from the shore which would have been an asylum, and the hunter pierces him with arrows.

At the commencement of the 6th chapter, we have seen the progress made by the Swedes upon the Delaware. To this intrusion Kieft could only oppose his protest : but Governour Stuyvesant had more power. In 1651 the Dutch built Fort Cassimer, on the site of the present town of Newcastle, within a short distance of the Swedish Fort at the mouth of Brandywine river ; but the Swedes attacked and overpowered the garrison, and Stuyvesant was ordered by the West India Company to reduce the Swedes in the South river under the Dutch jurisdiction.

Having made his preparations, the gallant soldier sailed 1655 from New Amsterdam with an armament, and at the head of 600 men, reduced all the Swedish fortresses, the inhabitants generally remaining as subjects of the Netherlands, the most honourable terms having been granted to Governour Risingh.

On the 9th of September, Stuyvesant's armament appeared before Fort Cassimer, where he landed his troops, and summoned the garrison, which surrendered on the 16th. The Governour of New Netherland immediately proceeded to Fort Christina, which Risingh surrendered on the 25th, and was conveyed to Europe ; and such of the inhabitants of the Swedish Colony as did not choose to swear fidelity to the States General, removed to Maryland and Delaware. Lieutenant Governours ruled this country for the Dutch, the first, Johan Paul Jaquet, who was succeeded by Alrucks Hinnjossa and William Beekman, who in 1658 purchased Cape Henlopen from the natives, and fortified it.

Governour Stuyvesant had a delicate game to play with Lord Baltimore's Commission, and with Sir William Berkely, Governour of Virginia. Beekman was ordered to surrender to Lord Baltimore's grant, but he required time to consult his principal, and evaded the demand. In 1660, Governor Stuyvesant 1660 endeavoured to enter into a treaty with Virginia, and to procure an acknowledgment of the Dutch boundaries. Berkely treated the advances civilly, but avoided the question of boundaries, and sent Sir Henry Moody to New Amsterdam to further the commercial intercourse.

Governour Stuyvesant wrote to the Dutch West India 1661 Company in 1661, that he had not yet begun the fort at Oyster bay, because the English of New England lay the boundary line agreed upon at Hartford in 1650, one mile and a half more to the westward than he thinks just ; and because the West India Company seem not content with that treaty. He mentions a report that Lord Stirling was soliciting the King of England to confirm the grant made to his father, of the whole of

Long Island. Further, that the grant made by England to Lord Baltimore, of the land on South river, (Delaware) had been confirmed to him, and that England intends an invasion of New Netherland.*

Esopus was one of the earliest settlements made by agriculturists in the New Netherlands. The plantations were laid waste by the Indians. Some of the inhabitants were killed, and others led away captive. The Iroquois, particularly the nearest Mohawks, came to the aid of the Dutch, declaring themselves brethren.†

Stuyvesant was pressed on all sides, and his employers at home afforded him no help. Although the people of the city of New Amsterdam had in part a popular government, popular freedom did not exist in the province. The people were poor and spiritless. The New England notions of popular rights had spread as the English increased on Long Island and in the city. The Director-general obeyed the commands of his superiors in Holland, and ruled with the best intent; but it was apparent that his will was law, and men had begun to think that they ought to have a share in governing themselves. Stuyvesant was willing as far as his instructions would admit, and a Convention was called by him about this time, and another in 1664; but before this, rumours of an invasion from England and a change of government

* See Hazard.

† In the Library of the New York Historical Society, among the Miller papers, I find a newspaper in Dutch, dated September 17th, 1661. Judge Egbert Benson translates one paragraph thus: "On Monday last, arrived in the Texel the ship '*Nuarint*,' from New Netherland, laden with Tobacco and some Peltry. The ship *Frou* and the ship *Klock* lay ready to sail, and may be daily expected, having been seen, as is supposed, near Fairhill. In the *Frou* came passengers Mr. Winthrop, Governour of Connecticut, and the Rev. Mr. Stone, as agents to his Majesty of England. The trade in Tobacco has been tolerable; but that in Peltry indifferent. In every other respect, matters are in good condition. In the *Sopus* the cultivation of the land proceeds briskly, as it does also on the South River. In the beginning of the summer there was a great storm in New England, in which a number of ships were lost."

This newspaper is called "Haerlemse Saterdaghe Courant." The Rev. Doctor Miller writes, Judge Benson "told me that from all he could gather, that there were many colonists who settled before in New Amsterdam and Fort Aurania, (Albany) yet the first husbandmen who came over on their own account, and at their own risk, were some who went and settled at *Esopus*. The other colonists at New York and Albany were either soldiers, or some who came out with Renseller, or subordinate to some other great man." "Judge Benson is persuaded that no plan of permanent colonization was distinctly undertaken in New Netherland until about 1630 and 1633, when Mr. Van Renseller, the original patroon, came over with Van Cortlandt, (the latter had been bred a carpenter,) and brought a number of low people, indented servants and others, for the purpose of planting colonies, as the Dutch called them. The first set of free, independent farmers (the Judge thinks,) were those who came over after Van Renseller some years, and settled at *Esopus*. There they were largely in the way of raising tobacco."

As early as 1616, settlers fixed themselves in *Esopus*, and a minister was established as early as 1662. See Thomas F. Gordon.

had reached the people, for they saw the necessity of the province submitting, and most of them wished it: Some for the sake of change, and many hoping to enjoy the free government of New England.

The Governour, ever faithful to the West India Company and to the States General, represented the truth to them—he told them that the English on Long Island were disaffected to them; that Connecticut had purchased as far as Hudson's River of the Indians—that the Dutch were not well affected to the present mode of government, and that his weakness was too apparent.*

In this year the Indians near Esopus, who had for some 1663 time evinced discontent with their Dutch neighbours, seem to have united in a plan for exterminating the whites. In the month of June, while they amused the people with a negociation for better neighbourhood, they seized the opportunity, while the men of the village were at their agricultural employment abroad, to enter, as 'tis said, under pretence of trade, and in a very short time killed or carried off captive sixty-five persons. The Netherlanders, who from anterior hostilities had been induced to erect a fort, rallied and seized their arms: but the natives, as if intending further aggression, likewise erected a palisaded fortification, and were probably increasing in force, when Martin Crygier arriving from New Amsterdam with troops sent by Governour Stuyvesant, the red men fled to the mountains.

During part of this summer the Director-general repaired to Esopus, and by sending out parties, not only kept the superior numbers of the enemy in check, but made inroads among the hill fastnesses, destroyed the Indian villages and forts, laid waste and burnt their fields and magazines of maize, killed many of their warriors, released the Dutch captives to the number of twenty-two, and captured eleven of the enemy. These vigorous operations were followed by a truce in December, and a treaty of peace the May following.

During this pressure upon the people of Esopus, such was the discontent of the inhabitants of Long Island, that they refused to embody the militia for defence of the colony on the Hudson, or even to send troops to New Amsterdam.

The powers with which the West India Company and the States General had invested their Director-general, had by this time caused great discontent among the people of the province, and particularly upon Long Island. He had a sovereign voice in the appointment of officers and framing laws. Churches and their ministers were at his disposal. Indian titles were extinguished

* See Appendix I.

only by his permission. Grants for lands, and taxes for the support of government, depended on him. He was only responsible to superiors beyond sea.

The English settlers under the Dutch jurisdiction unwillingly submitted. They applied for a share in the government. They claimed the privilege as of right. They embodied their grievances in memorials to Governour Stuyvesant, and to the States General. The governour denounced the meetings on Long Island as illegal. He prohibited similar meetings. He obeyed his instructions, and might truly say that the settlements had been made knowingly as to the nature of the Dutch government. But the desire for self-government could not be satisfied by appeals to circumstances under which the settlements were formed. The English and New England notions prevailed. Discontent increased. The laws were contemned, as not emanating from the people. The English towns of Long Island sent deputies to a convention in November, 1663, and appeared so formidable that the governour did not venture to disperse them.

Religious complaints were added to civil. The Directors-general were required by their superiors to maintain "the Reformed religion, in conformity to the word and the decrees of the Synod of Dortrecht, and not to tolerate in publick any other sect." Here was no room for the admittance of any discovered truth; and the governour had bound himself, as usual, to exclude any light not discovered by his employers. Laws to this import were promulgated, and fines decreed for preaching or attending on any doctrines but those of the Synod. Lutherans were imprisoned, and a clergyman of that church banished. The Dutch West India Company thought they had gone too far, and graciously permitted them to pray after their own manner, *in their own houses*. But the Quakers, (who were very far, at that time, from being the quiet, good citizens they now are,) who thought they had got all the light in their own hands, and were determined to introduce it every where, in despite of synods, priests, or governours, caused Stuyvesant no little trouble, as they had done the keepers of men's consciences elsewhere, and elicited acts from the Dutch Director, as well as from the rulers of New and Old England, which can hardly be believed in the year 1839. Richard Smith was imprisoned (1656) in Massachusetts, but let out of prison "to return to his family at Southampton," in the hope that the magistrates will be careful to keep out Sathan and his instruments. In 1657 the Commisssoners of New England ordered that all quakers, ranters and such hereticks, be removed from the districts they infest. In 1658 the same commissioners recommend a law by which the accursed and pernicious sect of Quakers be banished upon pain of death if they return. In 1660, Plymouth enacted

laws against bringing Quakers into the colony, and those who shall entertain them. Massachusetts had done the same, under penalty of fine and imprisonment to the introducer or entertainer, and the punishment for the first "offence, inflicted upon every male Quaker, of having one of his ears cut off, and being kept at work in the house of correction till he can be sent away at his own charge;" and for the second offence the other ear is to be cut off, and the correction again applied. "Every woman Quaker" is doomed to be whipt, and the same mode of mending used. And for the third offence, both males and females are to have "their tongues bored through with a hot Iron," and to be confined "close at worke" till sent away at their own charge. At Plymouth, Humphrey Norton and John Rouse, Quakers, were whipt and imprisoned because they refused to pay for it. In Massachusetts, persons siding with the Quakers, and absenting themselves from "the publick ordinances," having been fined, asserting that they have no estates, and resolving not to work, the Court impowers the treasurers of counties, "to sell the said persons to any of the English nation at Virginia and Barbadoes." And in October, 1659, the question being put in Court, "whether Wm. Robinson, Marmaduke Stevenson, and Mary Dyer, the persons now in prison, who have been convicted for Quakers, and banished this jurisdiction on pain of Death, should be put to Death according as the law provides in that case? The Court resolved this question in the affirmative." Accordingly the governour pronounced sentence upon the prisoners, they being before him in "open Court," and an order and warrants were issued for their execution. On the petition of Wm. Dyer, the son of Mary, he or some other person is permitted within forty-eight hours to convey her out of the jurisdiction; but in the mean time, "she shall be carried to the place of execution, and there to stand upon the gallows with a rope about her neck till the rest be executed; and then to return to the prison and remain as aforesaid."*

During this period, when the New England Colonies banished, whipt, cut off the ears, bored the tongues, sold for slaves, and put to death, the Quakers, they had multiplied on Long Island, the governour's efforts and his oath of office notwithstanding. Far be it from me to justify oppression by showing greater oppression elsewhere. But the opinions and maxims of days of comparative darkness must plead for the individual who is influenced by them, however much we at the present day pity or detest such opinions.

Stuyvesant issued a mandate forbidding all persons from at-

* See Hazard or the Records.

tending or holding conventicles in any building or in any field or wood, under penalty of fifty guilders fine, to be doubled and quadrupled, and after a third offence subjecting the offender to arbitrary punishment. Many persons suffered fines, imprisonment and banishment. At Flushing the magistrates justified the Quakers. In Jamaica, where many of the sect dwelt, their meetings were dispersed by the sheriff. John Bowne was expatriated, and sent to Holland, from whence he returned after having suffered much; and the governour's superiors thought fit to reprimand him. All these discontents prepared the way for the events of 1664.

On the 7th July, 1659, the Commissioners of the 1659 United New England Colonies sent a letter to Governor
to Stuyvesant, from Hartford, saying they presume he has
1663 heard from the Dutch of "Fort of Orania," that some

New England people had been lately seeking "some meet place for plantation within the bounds" of Massachusetts Colony, "which is from the latitude of 42 degrees and 30 minutes; and so northerly extends itself from E. to W. in longitude through the maine land of America from the Atlantic ocean to the S. or W. Sea." Massachusetts had granted liberty to "erect a plantation in those parts," and intended "to effect the same." The Commissioners therefore desire liberty for these planters (as they would not *entrench on Dutch rights*) to pass up Hudson river, by the Dutch forts and towns, paying moderate duties. This the commissioners think a reasonable request, and that a denial would interrupt neighbourly and amicable correspondence. They say they conceive that the agreement made at Hartford, "that the English should not come within 10 miles of Hudson's River, does prejudice the right of Massachusetts in the upland country, nor give any right to the Dutch there;" that treaty only, they say, intending the settlement between New Netherland and Connecticut, and not concerning Massachusetts in any way.

I find no immediate answer to these pretensions. But Bancroft says in his history, that Connecticut, in 1662, "regardless of the provisional treaty, claimed *West Chester*, and was advancing towards the Hudson; and that Stuyvesant repaired to Boston and entered his complaints." And I find* that on July 9th he complained before the commissioners, that the English Colonies did not observe the treaty made at Hartford in 1650, and requested to know if the commissioners accounted the said treaty as remaining in force. John Winthrop and John Endicott, Commissioners for Connecticut, craved the United Com-

* Hazard, vol. 2, p. 479.

missioners not to decide immediately; but the Commissioners, "saving the right of Connecticut by their charter," do account the agreement of 1760 to be binding. Still Connecticut maintained its claim; and so did Massachusetts. "Where then is New Netherland?" say the Dutch. "We do not know," reply the English.*

In 1657, Oysterbay and Huntington were, by permission of the commissioners, received into the jurisdiction of New Haven. In 1660, liberty was granted by the Commissioners of the United Colonies for the jurisdiction of Connecticut to take Huntington and Sautauket into her government.

The Commissioners of the United New England Colonies having advised that the claims of the Dutch and of Connecticut should be deferred until 1664, and then brought before the Court or Congress for judgment, Governour Stuyvesant replied on the 21st of September, 1663, that he wished a friendly and neighbourly settlement of differences concerning "*East Dorſe*, by the English called *West Chester*," and all other disputes, "that the parties may live in peace in the Wilderness where so many barbarous Indians dwell." He requests of the commissioners a categorical answer, whether the treaty of Hartford, made in 1650, remains "firm and binding," and whether the patent of Hartford, newly obtained, shall extend westward. He says the answer already given is not so decisive as he expected. He is willing to abide by the treaty of Hartford, if the rights of the United Netherlands and the Dutch West India Company are held sacred. He declines the proposition of deferring the decision until 1664, but is willing for the prevention of strife to submit the question to impartial arbitration. This letter is dated at Boston.

On the 23d he writes again, hoping that "in consideration of the happy good understanding between Holland and England, the matter of limits," which he had come to Boston for the purpose of finally adjusting, "might be settled." But he found the demands of the commissioners no way answerable to the rights of his superiors. He therefore again urged the referring the matter to the two European governments. He desired to know whether there might not be such correspondence in America with the good and growth "of this poor Country," as is admitted in Europe; and union against danger from Indians. In reply the commissioners say that their demand in respect of limits is less than their patent authorizes; that they cannot act in respect to trade, but according to act of Parliament, and that as to confederacy respecting the Indians, it shall be presented to the General

* See Albany Records, 16th vol. p. 292, and Bancroft.

Court. The Commissioners of Connecticut make a similar answer to Stuyvesant's proposals. The Colony of New Haven was not at this time merged in that of Connecticut, and was averse to such a measure.

But while Stuyvesant was endeavouring to promote the interest of Holland in New Netherland, and relied upon the pacification and professions of friendship between England and Holland, the profligate and faithless Charles the Second, with that liberality which distinguishes monarchs, magnanimously gave to his brother James that which his Majesty did not possess, had no rightful claims to, and could not use for the immediate gratification of his sensuality, the whole of the New Netherlands, and that part of Connecticut lying westward of Connecticut River.

James, finding that all Long Island had been previously 1664 given to the Earl of Stirling, bought that claim for £300. As to the Dutch rights of discovery or possession, they were disregarded; and while Holland confided in the treaties with England, her fleets were committing piracies upon the Dutch possessions in Africa, and wresting from them the whole New Netherland.

The Royal Duke sent Colonel Richard Nicolls, with a squadron which carried commissioners to New England, and had orders with the assistance of Massachusetts to take possession of the Dutch province. Massachusetts, ever opposed to the government of the Stuarts, pretended inability to assist in the reduction of the Dutch settlements: this opposition to the commissioners was continued after the seizure of New Netherland, and its charter was pleaded against the royal authority.

Lord Clarendon says that the royal commissioners sent out to the colonies in 1664, found those of the north already "hardened into republics." The truth is, that the people were republicans from the first. The first government founded in New England was democratic. England interfered as much as she could, but the people persevered in republicanism, always struggling against the power which had driven them from their homes, and still pursued them. The Dutch of New Netherland were governed by officers appointed by the trading company that sent them out, and by the States General, but they had certain privileges secured to them; they knew their rights as men; and when they submitted to England, they jealously watched the encroachments both of church and state, which were attempted on the liberties secured by the capitulation.

Chancellor Kent has observed that the conquest of New Netherland proved to the inhabitants very fortunate. They were relieved from controversy with their encroaching English neighbors; had the privileges of English subjects, (or were entitled to them,) and

in a few years participated in the blessings of a representative government. "They exchanged," he says, "their Roman jurisprudence for the freer spirit of the English common law."

The instructions of Charles II to Nicolls, Carteret, Carr, Cartwright, and Chaverick, were, that the Dutch be reduced to an entire obedience. "It is high time," his majesty says, "to put them out of capacity of doing such mischief," as they had done elsewhere. "Their right is altogether disclaimed.*"

Although Massachusetts had evaded the order to assist the Commissioners in subduing New Netherland, John Winthrop, the amiable and accomplished governor of Connecticut, joined the expedition personally, and aided it by a body of troops, who were subsequently landed and encamped near Brooklyn.

Governour Stuyvesant had procured intelligence of the approach of an English squadron, with hostile intentions, and consisting of two vessels, of fifty guns each, and one of forty, with six hundred soldiers, besides a full complement of men as sailors. He had assembled his Council and Burgomasters, repaired and furnished his fortress, and taken such measures for defence as his spirit and experience dictated. The fleet anchored in Gravesend Bay. Stuyvesant sent a deputation, consisting of John De Clyer, one of his Council, the Rev. John Megapolensis, Major Vandergreft, and some others, requesting to know the intention of their approach without giving notice to the magistrates.

Nicolls issued a proclamation, dated on board his majesty's ship, the "Guyny," stating that the Commissioners were sent to receive into his majesty's obedience, all foreigners who have, without his majesty's consent, seated themselves among his majesty's subjects; promising to all who will submit to his majesty's government, protection by his majesty's laws, with security to property, "and all other privileges with his majesty's subjects." And to the Governour and Council "of the Mannhattans," he addressed a letter by his deputies, to let them know that "his majesty of Great Britain," had commanded him to require the surrender of all places, in possession of the Dutch, into his hands: he therefore demands the town and forts, promising to all who shall readily submit, estate, life, and liberty; otherwise, the miseries of war. An answer is requested by return of "Colonel George Carteret, one of his majesty's Commissioners in America," and Messrs. Robert Needham, Edward Groves, and Thomas Delavall.

Governour Stuyvesant promised an answer on the morrow, and immediately convened his Council. He proposed a defence, and, fearing the terms offered by the surrender would be acceptable to

* See Hazard, 2 Vol. p. 640.

the people, whose discontent with the government of the States he was well aware of, refused to submit to them the summons of Nicolls.

Gouverneur Winthrop, who probably had joined in this expedition, with the hope of preventing bloodshed by his interposition, wrote to the Dutch Director, recommending acceptance of the terms offered, and a surrender by capitulation. These terms Stuyvesant refused to communicate to the burghers, and issued his orders for the defence of the place entrusted to him.

On the 22d of August, the Council again met, and demanded to know the terms offered by Nicolls. The gouverneur again refused, and tore the summons to pieces before them. To the Commissioners he wrote a letter, stating the Dutch claims to the province, and concluding with his determination to defend the fort and city.*

It was in vain that Petrus Stuyvesant endeavoured to infuse his own spirit into the people of the colony, who had already made up their minds that if their property could be secured to them, 1664 a change of government was for their interest. In vain he represented that the *Fatherland* required resistance to English injustice! In vain he asked, how a surrender, without a struggle, would be viewed in the land of their fathers? The subjects of England were already mingled among those of the States, and all wished for the promised rights of Englishmen. The proclamation of Nicolls had its effect. Hide, who commanded the squadron under Nicolls, was ordered to attack the fort. Stuyvesant sent deputies with a second letter, proposing delay and accommodation. But Nicolls knew full well the *disposition* of the people, and answered that he would only treat of surrender.

The next day, the 26th of August, the Gouverneur of New Netherland agreed to a surrender, with an overpowering force arrayed in hostility before him, and no disposition evinced by those within call or view, to support him.

Nicolls had said, "on Thursday I will see you at Manhattoes, with my ships." The armament entered the harbour, and the sturdy old gouverneur yielded to necessity and surrendered. After the capitulation had been agreed to by the magistrates, he reluctantly signed it. On the 3d of September, New Amsterdam became New York, and the fort was called "James." On the 24th, Fort Orange surrendered, and took the name of Albany; and early in October, the settlements on the Delaware capitulated.†

Although Stuyvesant did not show to his burgomasters the terms offered by Nicolls, or the letter of advice from Gouverneur Winthrop of Connecticut, there can be no doubt that the reasons

* See Appendix J.

† See Appendix K.

for surrender, which the latter gave, had great weight with the Director General of New Netherland.

When the terms of surrender were signed by the English deputies, who met the deputies of the Dutch at Governour Stuyvesant's house, in the Bowery, although favourable, and agreed to by those he had nominated, (John De Decker, Cornelius Shenwyck, James Coupease, Nicholas Verleet, Samuel Megapolensis, and Oloffte S. Van Kortlandt,) he yet withheld his signature for two days. At length the compact was concluded, and to the above mentioned names, and those of Robert Carr, George Carteret, John Winthrop, Samuel Wyllis, Thomas Clarke, and John Pinchon, was added that of Petrus Stuyvesant.

By these articles, it was agreed that the States General and West India Company should enjoy all their fast property except that in forts, and all arms and ammunition belonging to them at the time of surrender to be transported or paid for. That the public buildings should continue for the uses intended. That the people should enjoy all property as before, with the privilege of removing if they chose so to do, and any public officer if he wished to go to England should be conveyed in his majesty's frigates. That people might freely come from the Netherlands and plant in this colony. That ships and goods should be received and depart for six months, as theretofore. That the Dutch should enjoy liberty of conscience and church discipline. That no Dutchman or ship should be pressed into military service. That no soldiers should be quartered on the townsmen without being paid for. That the Dutch should enjoy their own laws of inheritance, and public records should be kept as usual, neither should any decision of Court heretofore made be called in question. That the Dutch should have liberty of traffic with the English and Indians. That any public debt of the town should be paid as theretofore. That Magistrates should continue until the time of election, and then be chosen by the people as before, said officers taking the oath to his majesty of England. That contracts theretofore made should be determined by Dutch usage. That the military should march out with their arms, drums beating, colors flying, and lighted matches; and that if any of them chose to become planters they should have 50 acres of land and become free denizens. That the fort Aurania, (Albany) should be levelled, but if any persons should have property therein they should enjoy it. That soldiers or others wishing to go to Europe should have free passport from Col. R. Nicolls. That the copy of the king's grant to his royal highness, and his royal highness's commission to Richard Nicolls, testified by Mr. Winthrop, should be delivered to the Hon. Mr. Stuyvesant, the present governour; these articles were signed by Col. Nicolls, and fort and town were accordingly delivered to him.

The inhabitants of New Netherland very generally became sub-

jects of Great Britain. Governour Stuyvesant remained on his estate; and after a voyage to Holland, passed the remainder of his life on his estate in the Bowery. At his death his remains were interred within a chapel which he had erected upon his own land. Chief Justice Smith,* writing about 1757, says, that the Stuyvesant estate was at that time possessed by the governour's great grandson "Gerardus Stuyvesant, a man of probity, who had been elected into the Magistracy above thirty years successively."†

CHAPTER VII.

Connecticut is confined within limits by the Duke of York—Conduct of Nicolls—Discontent of the Towns—Francis Lovelace, Governour—Continuation of the History of the Iroquois till 1671—The Rev. Mr. James—The Lutheran Church in New York.

AT the time of the hostile seizure of New Netherland by the arms of Charles II, England and Holland were in a state of peace. Notwithstanding which, Charles granted to his brother James the whole territory, with part of Connecticut. James, finding that Long Island had been already given to the Earl of Stirling, bought it as we have noticed above, for £300.‡ The grant to James, Duke of York, gave to *him and his assigns* the power of government, and he assigned that part of New Netherland now called New Jersey, 1664 to Lord Berkley and Sir George Carteret.

By the surrender to Richard Nicolls, and the mandate of Charles, Connecticut lost all her territory on Long Island, and part of what she had seized on the main, her boundaries being fixed on one side by the Sound, and on the other by a line running north from the Sound at Mamaroneck Creek, and another confining her within ten miles of the Hudson River.

Nicolls, under the style of Deputy Governour for his royal highness, James, Duke of York, during his short stay in New York, filled his coffers by new grants of land and by making the possessors of former grants pay him for confirmations. He had likewise

* See his History of New-York.

† The pear tree which now stands at the corner of 13th street and 3d Avenue, marks the spot of the old governour's garden, and was probably brought from Holland, when he repaired thither to account to his superiors, which he did immediately after the surrender. See Appendix L.

‡ See MSS. papers, N. Y. Hist. Library.

a joint power with Carr, Carteret and Maverick, to settle contested boundaries of certain great patents, a further source of wealth. He instituted a race-course and races at Hempstead, on Long Island; and his successor in the government, appointed by proclamation, directed to the Justices, that races should take place in the month of May; and that subscriptions be taken of all such as were disposed to run for "a crown in silver, or the value in good wheat."

He ordained that henceforth all purchases made of the Indians should be by agreement with the Sachems and recorded before the Governour. Purchasers, to encourage them, were made free from assessments for five years. Liberty of conscience was promised, and the townships were allowed to frame their own laws for cases within themselves. He particularly encouraged settlements on the west side of Hudson river, near Esopus. Ministers were to be supported in every township, each man paying his proportion of the salary agreed upon. Officers, civil and military, were to be chosen by the freeholders of the town. The municipal privileges of Albany remained untouched; and he prudently changed

1665 the mode of government in New York by degrees, and introduced a Mayor, five Aldermen, and a Sheriff, instead of a Scout, Burgomasters, and Schepens. Thomas Willet, an Englishman, was appointed Mayor by the Governour; the five Burgomasters were transformed to Aldermen, and the Scout to a Sheriff.

Captain John Underhill, being now a resident of Oyster Bay, had the appointment of High Constable of the North Riding on Long Island. The governour chose his own council to suit himself, and possessed both executive and legislative powers. The Court of Assize was composed of justices appointed by the governour, and dependent on him. This court only served to lessen his responsibility.

Nicolls called a convention of two deputies from each town to meet him at Hempstead, but conceded no liberty to the people. The assembly merely settled the limits of the towns, and then signed a loyal address to the duke. Their constituents scorned them for their servility.*

The seizure of New Netherland in time of profound peace, caused an open war between England and Holland, which being proclaimed in London, notice was sent to Nicolls, at New York, with information from the ministry that the terrible De Ruyter was to be sent to wrest New York from the English. This apprehension proved without foundation, and by the peace of Breda, con-

* See Wood, and N. Y. Hist. Collections.

cluded 21st July, 1667, the province was ceded to England in lieu of Surinam. During the war, however, Nicolls confiscated the property of the Dutch West India Company in New York, which had been assured to them by the treaty with Governour Stuyvesant.

Although the people of New York were disappointed of their expectations by the non-establishment of a representative government, Nicolls appears upon the whole to have conducted himself with uncommon moderation, considering that he was in fact a despot. After three years in America, the governour returned to England, in favour with his masters, who appointed Colonel Francis Lovelace to succeed him. The king sent Nicolls a present of £200, and from his monument in Amphil church, Bedfordshire, England, it appears that he had the honour of serving Charles in his infamous war against Holland, undertaken by command of Louis XIV, whose pensioner he was; for on that monument Richard Nicolls is recorded to have been killed on board the Duke of York's ship, in a fight with the Dutch, in 1672.

I find no effort made by Nicolls to promote literature in the Colony, except that he licensed John Shute, an English schoolmaster, to open a school in Albany, for the purpose of teaching the people English; and warranted him that he should be the only English schoolmaster in the place and be paid as much as any teacher of Dutch. His care of religion is proved, as well as his liberal opinions, by authorizing the Lutherans to send for a preacher of their sect, and by his order to the magistrates of New York to raise 1,200 guilders for the support of ministers.

1667 Colonel Francis Lovelace arrived in New York, commissioned by the Duke of York as his deputy governour. He appears to have followed the instructions of his master, and to have made as much out of the people as circumstances would admit, exercising the unlimited authority established by Nicolls, levying taxes and imposing duties without consulting the inhabitants.

They, however, had imbibed different notions of government and of the rights of the people, and meetings were held in the various towns, and a petition agreed upon for redress.

At the surrender of the Colony, the inhabitants were promised besides protection to person and property, all the other privileges of his majesty's English subjects. The people contended that a participation in legislation was one of those privileges. They found their English governour as arbitrary as the Dutch Director-general. They resolved to complain to the court of assize: and on the 9th of November, 1699, the towns of Hempstead, Jamaica, Oyster Bay, Flushing, Newtown, Gravesend, West Chester, and East Chester, severally petitioned for redress. They reprobated the exclusion of the people from any

share in legislation. They were assured by some trifling concessions, but denied redress in all the important points.

1670 The court ordered contributions from the Long Island towns to repair the fort at New York. The people already deemed all taxation without representation, tyranny. They, in town meetings, resolved not to contribute unless their privileges should be obtained. The people of Huntington assigned as the reason for their refusal "because they were deprived of the liberty of Englishmen." The other towns protested to like effect. The resolutions of Flushing, Hempstead, and Jamaica, were laid before the court of sessions of the West riding; (the West riding was constituted of Staten Island, Newtown, and King's County,) and "that court, assisted by the secretary of the Colony and one of the council," adjudged the representations scandalous, illegal, and seditious; and ordered the papers to be presented to the governour and council, to proceed on as they should think might best tend to suppress such mischief. The papers were laid by Governour Lovelace before his council, who ordered them to be burnt by the hangman.

The opinions of Lovelace were similar to those Shakspeare puts in the mouth of Richard III. If the people were at ease and had leisure, they were to be "grumbling knaves" and find fault with those Heaven had set over them. To keep them in order, says the governour, "lay such taxes upon them as may not give them liberty to entertain any other thoughts but how to discharge them."*

I will call the attention of my reader to the natives of New York and the neighbourhood. Mr. Gallatin tells us that about this time the Indians of Massachusetts carried on even offensive operations against the Iroquois. Six hundred men marched into the Mohawk country and attacked one of the forts. They were repulsed with considerable loss: but, two years after, peace was made between these hostile tribes by the interference of the English and Dutch at Albany; and the subsequent alliance of the Iroquois with the British, after they had become permanently possessed of New York, appears to have preserved the New England Indians from further attacks.

A brief statement from father Charlevoix† of the affairs of Canada and the Indians of New York, or their neighbours, up to this period appears necessary.

In 1650, M. Lanson was governour of New France. At this time the Iroquois proceeded to Trois Rivieres, attacked the settlement, and carried off the commandant of the place prisoner. Montreal was only saved by the timely arrival of one hundred sol-

* Letter to Sir Robert Carr.

† Hist. of Canada.

diers from France, sent, as the historian says, by a pious virgin and by the mother of God, the particular patroness of the place. This warfare and interchange of murders continued until 1654; when a priest was sent to Onondaga to ratify it. With difficulty the Mohawks were reconciled to this measure, as it gave the more western tribes an advantage to trade, heretofore enjoyed by the eastern, from their vicinity to Albany. They were, however, pacified, and received a French missionary among them, while two were sent to Onondaga. Conversions and miracles followed, as did a colony of fifty Frenchmen sent by the governour of Canada. This intrusion appears to have broken the good understanding of the parties. The Mohawks became suspicious, and in 1656 attacked the Hurons and their French allies: and the intruders upon Onondaga either discovering or suspecting a conspiracy to cut them off, secretly fled: open hostilities immediately followed.

A new governour arrived from France in 1659, and the first bishop that had visited Canada. Still the colony was so weak that the Iroquois pursued and massacred the Algonkins, allies of the French, even under the walls of the fort at Quebec, and held that town in a species of blockade. This febleness, and the hardihood of the Iroquois protected New Netherland from France, while Stuyvesant was striving to avoid the impending blows of New and Old England.

The French were not always worsted in their encounters with the Indians; for in 1661 the Iroquois sent an embassy to Montreal with four French prisoners, offering to exchange them for eight of the red warriors who had been taken captive. The ambassadors were strengthened by a letter from all the French prisoners among the confederates, signed by them, and representing the necessity of complying with the terms proposed, as otherwise they should be all sacrificed. The deputies were received and entertained at Montreal until the governour came from Quebec to meet them, and he succeeded in again making a peace. A missionary is sent to the Iroquois, and a new governour, M. D'Avoujaur, arrives from France.

We are told by the Jesuit that the missionary sent in 1661 was received with great honour by the Onondagas, (who are represented as the chief nation of the confederacy,) and the politeness of Garakonthee, their headman, is set forth at large. The priest harranged the assembled chiefs, and they blamed the Mohawks as being the cause of the late hostilities. Nine French prisoners were sent to Montreal in consequence of this conference, and the release of all the French prisoners, is promised to "Ononthico," the name given by the Iroquois to all the French governours. Garakonthee went to Montreal, but the

other tribes continued their hostilities. The Onondagas and two other tribes consented to receive missionaries.

About this time the French received succours from home and the Iroquois were destroyed by small-pox.

During the years 1664 and 1665, while Nicolls was adjusting New York to the government of James, another Governour took the command in Canada, bringing succours to the Colony. He caused forts to be erected at Trois Rivieres, and at Sorel: but he found that forts would not stop the Iroquois, and their incursions were continued. An invasion of their country was determined on, and preparations made to conquer these ruthless savages. The Iroquois saw the impending storm, and to prevent it sent two of their chiefs to Quebec. While these warriors were entertained by the Governour at a feast, the fate of a French officer, supposed to be killed by the Indians, was inquired into. One of the Iroquois sachems arose, and lifting his naked red arm aloft, cried, "This is the hand that slew him!" "You shall kill no more," said the Governour, and ordered him to be strangled on the spot.

Preparations for overwhelming the Iroquois were ready in 1666, and in the depth of winter, divided into several parties, the troops marched over the frozen lakes and through the wilderness to fall upon the enemy. One body of the Canadian forces lost their way, and after wandering several days without food, approached the lower Mohawk castle by the direction of the river a little above the falls, and in a weak, sinking, starving condition, would have inevitably been cut off, but that a Dutchman, of the name of Corlaer, had advanced beyond civilization into the wilderness, and formed a settlement where Schenectady now is. Corlaer, touched with their condition, furnished them shelter and food, and by repairing to the Mohawk castle, represented this advancing party as only intended to call their attention, while a greater force fell upon their towns and castle from higher up the river. The Indians being thus prevented from destroying the exhausted Canadians, the Dutchman supplied them with provisions, which enabled them again to take to their repaired snow shoes and make their escape to Canada. Corlaer had his settlement in the midst of the Mohawks and in the vicinity of their lower castle. He was a great favourite of the Iroquois, but thought it his duty to save these Europeans, who could not at this time harm his Indian friends, and who very gladly escaped by making the best of their way home. From this man's name, Schenectady has by many been called Corlaer; and from him the Iroquois long denominated the Dutch and afterwards all the people of the province "*Corlaer*." The Iroquois spoke of, and to, the governours of New York by the name of Corlaer, as they called the French of Canada and their governours Onontheo. The go-

vernours of Canada, in gratitude, offered to Mr. Corlaer an advantageous settlement, which he accepted; but in passing Lake Champlain, was drowned.

The result of the first attack upon the Iroquois, was only some skirmishes, in which the Indians lost their deserted wigwams, and the French, one officer and several soldiers. But the main body of their army moved through the wilderness with "all the pride, pomp and circumstance of glorious war," and doubtless felt as if marching to conquest. With 1200 French disciplined soldiers, glittering in gold and its imitation, their white uniforms mocking the snow, and their colours flouting the storm, Mons. de Tracy led the main battle accompanied by the Chevalier de Chaumont, and other officers, equally gay and gallant. An equal number of Canadians accompanied the European troops, as rangers and scouts. One hundred friendly Indians attended them. Mons. de Courcelles led 100 men as the advance. Messrs. Sorel and Berthier commanded the reserve. Tracy was the general of the whole. Two field pieces accompanied this array, which was furnished with all that the province could afford.

But before they could reach their enemy provisions failed, and the French approached the Iroquois towns half famished. Their Algonquins had only served to give the alarm to the nearest town, the inhabitants of which fled. The army entered the first village in order of battle, drums beating, and colours flying. They found some old men, women and children, such as could not fly. These they made prisoners. They however relieved their hunger by plenty of provisions accumulated by the Indians for winter. Magazines of corn were found buried, "enough," says Charlevoix, "for the colony for two years." The Europeans could only admire the Indian dwellings, and burn them. Guided by their Algonquins, they entered a second and a third deserted village, but at the fourth a stand was made by the warriors. It appears that resistance was feeble. The extraordinary force of the French army caused the Iroquois to fly to their swamps, where they could not be followed—at least in battle array. The cabins were given to the flames, and as much destruction spread around as possible; and then M. de Tracy thinking that he had sufficiently displayed the power of France, and thereby could, with the forts on the St. Lawrence and elsewhere, keep the savages in check, retired with his army to Montreal, having lost but one officer and a few soldiers.

Colden, in his history of the Five Nations, says, that M. de Courcelles added to the enmity of the Iroquois by hanging *Agariata*, a chief who had gone to Canada as an ambassador to apologize for the breach of the peace on the part of the Mohawks.

During the year 1667, M. Perot ascended beyond the Mich-

ilemackenac and cultivated the friendship of the Indians in that quarter. The next year found the Mohawk villages renewed, and the Iroquois more determined friends to the English and foes to the French than ever, if possible.

The great preparations for the expedition ended in no advantage whatever. The French court sent out more troops to Canada, and instructions were given to diminish the numbers of the Iroquois as much as possible, and to send such as were made prisoners to France, that they might be made to *serve in the king's galleys*.

A temporary peace, however, was maintained between the Five Nations and Canada, and the rulers of that province sent their priests as spies and missionaries among the Indians, while the Duke of York ordered his governours "to give these priests all the encouragement in their power;" thus assisting the French in the plan of gaining to their interests the people who were the only barrier between them and the colonists of New York, and who, if conquered, removed, or gained over to the French interest, would eventually give them the province James had just seized, and probably all the English colonies.

The governour of Maryland sent Col. Coursey to Albany to gain the friendship of the Iroquois for that province, and Virginia; but while the sachems and the Colonel were in friendly conference, a party of young warriors who were out amusing themselves with burning houses and taking scalps, fell in with some Susquehannahs, friendly to Maryland, killed four of them and brought home six as prisoners. Five of these captives falling to the lot of the Senecas were sent back to Maryland; but the Oneidas kept the one that fell to their share. Another war party of Iroquois attacked the Indians in alliance with Virginia, but a body of colonists from Virginia fell upon the Iroquois, defeated them with slaughter, and took some prisoners. In return, the Indians murdered the Virginia planters, fired their dwellings, and bore off in triumph four scalps and six prisoners. This seems to have interrupted the negotiations at this time.

There appears to have existed a jealousy among the English, particularly the colonists of New York, in regard to the Dutch of Schenectady, who were charged with misrepresenting the intentions of the English towards the Iroquois.

The government of Virginia finding that the confederated
1671 Indians of New York continued troublesome, sent two gentlemen, Messrs. Kendal and Littleton, to Albany, for the purpose of renewing friendship with them, and Gov. Lovelace repaired thither to aid them and regulate the affairs of New York in that quarter. Before leaving the city of New York to embark on this perilous voyage, Lovelace appointed Cornelius Heinwick, who was one of his counsel, to administer the government during

his absence ; but in case of any thing extraordinary, he was instructed to send to the governour. The garrison, by these instructions, is not to be meddled with, "*but left to Capt. Manning as usual.*" The date of these instructions is July 19th, 1671. A pass was given to a young Indian to visit the Maquas, (Mohawks) and a passage was given him with the governour to Albany.

In his speech to the Iroquois, Mr. Kendal complained of the hostilities which had been committed by them ; but, he said, by persuasion of the governour of New York, the government of Virginia would excuse them, provided such injuries were refrained from in future ; presents as usual were given to the Indians and peace promised.

Mr. Littleton died at Albany, and the Indians in token of condolence presented to Mr. Kendal a belt of *black wampum*. Professions of friendship were renewed by speeches and belts ; but neither the Onondagas nor the Oneidas were present at this treaty as it is called. Notwithstanding these ceremonies, the Iroquois were kept at variance with Virginia by the intrigues of the French priests residing among them, particularly with the Onondagas and Oneidas.

To the honour of the Rev. Mr. James, of East Hampton, it is recorded that he received the thanks of Gov. Lovelace for his endeavors to instruct the Indians. The governour likewise requested a copy of the catechism Mr. James had drawn up for their use, with some chapters of the Bible which he translated for their use into their tongue, that these works might be sent to England to be printed. It is stated that the labours of Mr. James had been crowned with great success. As there was no printer in New York, the governour says he had sent for one to Boston, but thinks the effort would be unavailing. In fact it is well known that the policy of the English government discouraged the introduction of printing presses into the colonies ; and it was long afterwards that New York received the first establishment of this kind from Philadelphia.

Richard Nicolls had, during his administration, given permission to the Lutherans of New York to send for a minister to Europe, and in this year Mr. Jacob Fabricius arrived.

1669 The governour by proclamation made known that the

Reverend Gentleman was allowed to exercise his office as pastor, as it was the pleasure of the duke that the Lutherans should be tolerated in New York, and promised his protection to the sect, as long as they "behave orderly ; and as long as his royal highness shall *not order otherwise.*" Governour Lovelace, further *gave a pass* to the reverend gentleman to go to Albany, which he did, but unhappily engaged in controversy with the magistrates of that place, who had authorized the "consummation of a marriage" between *Helmer Otten*, and *Adriantze Arantz*, "his wife according

to the law of the land."* For this offence Fabricius fined *Mr. Otten* 1000 Rix-dollars, and the Governour suspended Mr. Fabricius from the exercise of his ministerial functions in Albany, until his friends should intercede with the magistrates of that place, and they should be willing that he be restored. But in the mean time he is allowed to preach in New York. It appears, however, that Mr. Fabricius was dissatisfied with the province, and his congregation with him, for he only exercised the liberty given by preaching a farewell sermon. He, before departing, installed another minister, Mr. Bernardus Arint, and the governour gave to Mr. Martin Hoffman permission, upon "petition of the minister and elders of the Lutheran church of New York," to go to Delaware for the purpose of soliciting benefactions to assist them in building a place of worship.

It appears that Mr. Bernardus Arint had newly arrived, and the Lutherans accused Mr. Fabricius of certain misdemeanours, which induced the governour to call his council together, with the aldermen, "and other grave persons," who limited the preaching of Fabricius to a farewell sermon, and his functions to installing a successor.

The officers of the Dutch Church petitioned the governour and council, for leave to lay a rate, or tax, on the congregation for the support of ministers, repairs of the church, and support of the poor: permission was accordingly given. The governour had previously, upon application of the elders and deacons of this church "to take some care" for providing them orthodox ministers, offered 1000 guilders per annum, with house and fire wood, to any such as would come over.

By extracts from the minutes of the council, we know that it was composed of Mr. Lawrence, the mayor, with Messrs. Willet, Bedlow, Boone, Whitefield, Delavall, Van Ruyren, and Mathias Nicholls, secretary.

Charles the II. having entered into a war with Holland, orders arrived to Lovelace to put the province in a state of defence. The fort at New York was, as we have seen, intrusted to Captain Manning; and the governour solicited pecuniary aid from the counties for repairing the defences of the city. Measures were taken for the security of Albany, and a small fort was recommended to be erected at Anthony's Nose, or near it on the North River.

* Marriages were solemnized by license from the governour.

CHAPTER VIII.

Holland re-conquers New Amsterdam—The fort—Garrison commanded by Captain Manning—New Orange—Anthony Colve—Again restored to the English, and Andros appointed as the Duke of York's governour—Town meetings on Long Island, and application for a representative assembly denied by James—New Jersey.

1673 THE war of 1672, commenced by Charles the II. against the Dutch, (by order of Louis XIV.) under the most frivolous pretences, produced the surrender of New York to a squadron from Holland of five ships, commanded by Jacob Benkes and Cornelius Evertse, junior, Commodores: and Anthony Colve, Nicholas Boes and Abraham Frederick Van Zye, Captains.*

Ebeling the Dutch Historian, says, when Benkes and Evertson took New York for the states of Holland, they called together the civil officers, and the Dutch conquerors were received with joy. The commissions were renewed, and three Courts of Justice established: at New Amstel, Delaware Bay, or South River; Opland, and Esopus. Lovelace had permission to return to England, where he was not well received, and was punished for the loss of the province, though no provision had been made to enable him to defend it. His goods were seized to satisfy a small claim which the king had on him.†

It will be recollected that the towns of Long Island when called upon to aid Lovelace in repairing the defences of the city, refused. It will be remembered that the fort had forty-six cannon, and was garrisoned by one company of regular soldiers, commanded by Captain Manning. The Dutch squadron came to anchor at Staten Island, probably at the watering place near the present Quarantine ground. Some communications by message or letter passed between the commodores and Manning, after which the ships came up, the troops were landed, and the fort given up to them.

I find an entry in the Secretary's Office of the Corporation of New York, in the following words, "July 30th. being Wednesday

* I will remark of Dutch names, that the termination "se" is used indiscriminately with "sen," and means in English "son": thus the Dutch commodore is called Evertse, Evertsen, or Evertson. The English say in like manner Fitzjames, for the son of James: and General Winthrop in 1691, is called Fitzjohn, being the son of John. Robertson, Watson, etc. are likewise English, as "Mac," is Scotch. The Evertsons of New York, were here before 1673.

† See Ebling's work, published in 1796.

in the forenoon, the Mayor and Aldermen having received a letter from the Admiral and Commander of the fleet, now riding under Staten Island, did thereupon summon the chiefs of the inhabitants to appear at the State House, and communicated the said letter unto them, which was from word to word as followeth.* Here follows the letter or summons of the commodores, in Dutch, signed Jacob Benkes, Cornelis Evertsen d' Jonge,"—A memorandum closes the page thus: "memorandum." "On the 30th day of July, stilo veteri, ano. 1673, was the fort and city of New York taken by the Dutch." In these transactions, the governour's name does not appear. He was permitted to return to Europe with admiral or commodore, Benkes. The city was called New Orange, and Anthony Colve was commissioned as governour of the province, at the fort, now named Fort "William Henderick."†

The magistrates and constables from New Jersey, Long Island, Esopus and Albany, appeared at New Orange, and swore allegiance to the States General, and the Prince of Orange; but Governour Colve ruled a very short time: a treaty of peace was signed at Westminster, between England and the States General, which restored to either party, any and all countries, towns, forts, etc. "that have or shall be taken on both sides since the time that the late unhappy war broke out."

1674 Peace was concluded on the 9th of February, 1674, and

James to remove any question that might arise from the Dutch occupation, obtained a new patent from his brother, and immediately appointed Sir Edmund Andros as the Governour for his province, now again, New York; and he was commissioned to raise 100 men as a garrison for the fort, again called fort James. The qualifications of Andros for carrying in effect the designs of the Duke of York must have been previously known, for two days after the renewal of the patent he was commissioned. This new patent confirmed to the Duke the power to enact all such ordinances as he *or his assigns* should think fit, with appeal to the King and Council. No persons could trade with the province but by his permission; and he could establish such imposts as he deemed necessary. The Duke's instructions to Andros required him, says

* See Appendix, M.

† When Benkes and Evertse arrived at New York, and Manning surrendered the fort, they took an English vessel of New England. The Connecticut government sent messengers to the Dutch admiral, remonstrating against subjecting the English of Long Island; and against the capture of the vessel. The Dutch commander answered, that they were commissioned to do all damage to the English by land and sea; that if the towns of Long Island, did not submit they would reduce them; and wondered that any question was made as to their taking enemies ships: Connecticut raised her militia and sent troops to Long Island to protect the English.

Thomas F. Gordon, "to respect the estates of the colonists," and to distribute justice, in the king's name, according to the forms established by his predecessors.

The province was resigned to Andros by Anthony Colve, on the 31st of October, 1674, according to Chief Justice Smith, and the first records of council after the English government was re-established, are dated on that day, and it was then that the fort was surrendered to Andros. It was at this council ordered that all magistrates, who were in office when the Dutch came, should continue for six months from that time. Orders were likewise issued that the oath of allegiance should be taken by the inhabitants.

1675 In addition to the punishment of Lovelace in England,

Andros had orders to seize the estate of the ex-governour for the benefit of the Duke of York; but Manning had repaired to England, and so far found favour with the king, that the traitor returned to New York and underwent the form of a trial, which (although he confessed that he had treacherously surrendered the fort, and it was proved that his garrison was willing to defend it) resulted in a sentence which spared life, liberty and property—he only suffering the disgrace of having his sword broken, while held by the executioner over his head, in front of the town house at Coenties Slip. May we not conjecture that the needy and profligate Charles was pacified by receiving part of the bribe Manning had taken from the Dutch? for we know that the king was as mercenary as he was debauched and profuse. To satisfy the Duke, it was necessary that the traitor should return to the scene of his treason and undergo the disgrace above mentioned. The punishment must have been ordered to be thus slight, compared with the offence, for it was not conformable to the character of Sir Edmund to be merciful: his pride and cruelty were soon made conspicuous. His orders were to be as humane as was consistent with the Duke's interest, and to use punishment rather as a means of terror than an instrument of cruelty.

On the 17th of October, 1675, "Edmund Andross, Esq., Seigneur of Saumarez," by virtue of authority derived from the Duke of York, appointed Mr. William Dervall to be Mayor, Messrs. Gabriel Minvielle, Nicholas De Meyer, Thomas Gibbs, Thomas Lewis, and Stephanus Van Cortlandt, to be Aldermen. John Sharpe was appointed Sheriff. It was ordered that four aldermen should be a Court of Sessions.

The Council at this time was Mr. Lawrence, Capt. Brockholst, Capt. Dyre, with the Mayor, Aldermen and Secretary.

Nicholas Bayard, with Messrs. Cornelius Steinwick, Johannes Depeyster, Johannes Van Burgh, Cornelius Luyk, Wm. Beekman, Jacob Kip, and Antonius De Mill, had been charged, in the preceding March, with endeavouring to disturb the peace of the province.

Chief Justice Smith, tells us, in his Hist. of N. Y., that James "probably to serve the popish cause," recommended a clergyman of the name of Rensaellaer, to fill one of the churches of New York or Albany; he appears to have chosen Albany, and laid claim to the *colonic* or manor of Rensaellerwycke, a tract of land extending, says Smith, "twenty-four miles upon Hudson's River, and as many on each side." This claim was referred to legal decision, and subsequently decided against the clergyman, and in favour of Kilian Van Rensaellaer. His church preferment was equally unsuccessful, although he was supported by Andros. The congregation of the Dutch Church, among whom appears Jacob Leisler, opposed this *protegee* of the Duke of York, and put forward, as the champion of the classis of Amsterdam, (nominally, but probably of the protestant religion,) Dominie Niewenhuyt who objected to Rensaellaer as having received an episcopal ordination. The magistrates of Albany, as well as his people, sided with Niewenhuyt, who was summoned to New York, and by frequent journeys so harrassed, that the inhabitants of the city took part with him. At Albany the magistrates threw Rensaellaer into prison, on a charge of certain "dubious words" spoken by him in a sermon. Andros released him, and brought a suit for false imprisonment, requiring bail of each magistrate to the amount of £5000, and imprisoning Jacob Leisler for refusing. From this it appears that Leisler was, in 1675, a magistrate of Albany, and a jealous supporter of the liberty of the people and of the protestant cause. The popular voice finally prevailed, and Andros gave up the contest. Smith in his History of N. Y., very justly observes that these popish measures might have caused the violent convulsions in 1688-9, in which Leisler bore so conspicuous a part.

The indication of a determination on the part of the people to assert their rights was as apparent as the disposition of Andros and his master, to subvert both civil and religious freedom. The inhabitants of Long Island called town meetings, and those who had formerly been under the jurisdiction of Connecticut, where Charles had carelessly, or from the whim of the moment, given Winthrop authority to establish a representative government, resolved to adhere to that province; but this James would not allow, and the whole island was subjected to the government of New York. Andros laid the claims of these people (many of whom had settled on the island as Connecticut men) before the Duke, but James replied, "I cannot but suspect assemblies would be of dangerous consequence: nothing being more known than the aptness of such bodies to assume to themselves many privileges which prove destructive to, or very often disturb the peace of government when they are allowed. Neither do I see any use for them. Things that need redress, may be sure to find it at the quarter sessions," (over which

the governour, appointed by the Duke, presided,) "or by appeals to myself."

Andros sent a very civil letter to the government of Connecticut, informing them that he claimed for the Duke of York as far east as the Connecticut River. The messenger was directed to deliver this letter to the general court without hinting its contents until admitted to an audience. Andros foresaw that the claim would be resisted; but nothing daunted he equipped an armed force sufficient to reduce the fort at Saybrook, and proceeded with it to take possession of the river described as the limits of his government: and, on the 9th of July, 1675, he appeared with his vessels and troops opposite the fort. The militia of the neighbourhood quickly repaired to the place, which was ungarrisoned, and Captain Bull promptly took the command, hoisted the king's colours and made show of resistance.

The time for a formal summons, and as formal reply, gave opportunity for hastily convening the general court and sending a protest against Andros's proceeding, and orders to resist the Duke's governour, so that when the hostile summons was made and the king's colours hoisted by Andros, Bull answered by displaying the same standard and refusing to surrender, while Andros lay inactive opposite the fort. On receiving the protest, he asked and obtained permission to land, when he was met by Bull and others. A reference was proposed which Andros refused, and ordered his patent to be read. Bull forbade the reading. Andros's officer persisted, and was again commanded to desist, and in such manner as assured obedience. Andros seeing he must retreat or fight, chose the prudent part, and being accompanied to his boat by Bull and his militia, the governour of New York sailed to the shore of Long Island.

Some of the merchants of New York denied the legality of duties imposed arbitrarily. The grand jury indicted Dyer the collector as a traitor, for encroaching upon the liberties of English subjects. He was sent home for trial; but no accuser followed. Meantime for a few months, the harbour was free—a free port.

The opposition of the people caused Andros to make a
 1678 voyage to England for instructions; he came back with
 to orders to proceed as heretofore, but the duke condescended
 1683 to limit the arbitrary imposts that had been exacted to three
 years. This provoked universal disgust, and the next year,
 upon the increase of the duties, the people showed increased displeasure with a government in which they had no voice. He attempted to reform the Reformed Dutch Church, but was obliged to abandon what he asserted was his prerogative.

New Jersey had been assigned to others, and the assigns of James were vested with powers equal to those granted by patent to him; yet by his countenance, if not instructions, his governour of New

York assumed authority over both East and West Jersey. Philip Carteret had wisely encouraged a direct trade with England, instead of circuitous importations through New York. This Andros endeavoured to suppress by seizing the vessels of East Jersey. These efforts to make his province tributary was resisted by Carteret, upon which Andros had him seized in his place of residence, Elizabeth-town, and borne off prisoner to New York to answer for his conduct. The duke being obliged to acknowledge his assignment, made a pretence that he could not grant full prerogative to Sir George Carteret, but yielded the point as one of courtesy and friendship. Andros made the quakers of West Jersey pay toll on the Delaware, but they applied to England and were redressed. Every where the people struggled for rights and deserved to be free. The representative government of West Jersey which had been established in 1675, was continued, by the good sense of the proprietors. They were free, for they even elected their governour.

CHAPTER IX.

Governour Dongan—The first representative Assembly—Charter of Liberties—Canadian affairs—Fort Frontignac—French Missionaries, Priests and Jesuits among the Iroquois—Dongan counteracts the views of James—The Governours of Virginia and New York meet the Iroquois at Albany—They profess to be, and are, independent: the interpreter represent them as otherwise—Expedition of M. Barre against the Iroquois—His distress—He is reproved by an Indian—Dongan protests against a French fort at Niagara—De Nonville's expedition—Dongan recalled.

1683 GOVERNOUR ANDROS returned to England in the full favour of James, Duke of York; and was soon after sent by Charles to introduce a system of tyranny into New England.

Colonel Thomas Dongan, a professed papist, but a wiser man than his master, was commissioned as governour of the Duke's province of New York, September 30th, 1682, but did not arrive until the 25th of August, 1683; and the records of the New York Common Council inform us, that he was pleased to appoint the magistrates to meet him at the City Hall, (Coenties Slip,) when he read and published his commission; and the magistrates waited upon him to the fort and invited him to dine with them at the City Hall. Dongan was instructed by James, through the advice of William Penn, to call an assembly of representatives.

It appears strange that two men so essentially different as James, Duke of York, and William Penn, should be upon terms of intimacy ; and that the latter should have sufficient influence over the royal papist, to procure an amelioration of the mode of government for the Duke's territories in America. Penn's father, the Admiral, had been in favour with the restored Stuarts ; the more, for having been censured by Cromwell ; and the son, though a quaker and a man of piety, embued with liberal principles, was listened to by James when proposing what was in opposition to the will of his Royal Highness. No doubt the representations made by Andros respecting the turbulent opposition of the province to several of his measures, and the call for a representative assembly, as promised by Nicolls, gave weight to the arguments of Penn, and produced that portion of the instructions to Dongan which yielded to the people a voice in the government of New York, although contrary to the disposition and avowed maxims of James. His brother Charles had proved by the charters he had granted to Rhode Island and Connecticut, that he was indifferent in respect to the management of the colonies, provided his immediate revenue was not touched ; and his opinions and acts added weight to the persuasions of Penn, as being those of the Duke's sovereign. Thus by the persuasion of a Quaker, did a bigotted Roman Catholic prince give orders to a papistical governour for establishing a representation of the people as a portion of that government which he desired to be exercised despotically over them.

Dongan having as just mentioned arrived, been proclaimed, and received with honour, in the month of August of this year, on the 17th day of October following, "twenty years," says Bancroft, in his History of the United States, "after Manhattan was first occupied, and about thirty years after the first demand of the popular convention by the Dutch, the representatives of the people met in assembly."

The assembly consisted of 17 members, and never exceeded 27 down to the commencement of the revolutionary war. It exercised a discretionary power as to the grant of supplies for the support of government. This was a constant source of difference between the assemblies and the governours ; the latter invariably wishing for a permanent provision. Fletcher began the struggle, as we shall see, in 1696 ; and it continued as long as England appointed governours for New York.

The Charter of Liberties declared, "Supreme Legislative power shall forever reside in the governour, council, and people, met in general assembly. Every freeholder and freeman shall vote for representatives without restraint. No freeman shall suffer but by judgment of his peers ; and all trials shall be by a jury of twelve men. No tax shall be assessed on any pretence whatever, but by the consent of the assembly. No seaman or soldier shall be quar-

tered on the inhabitants against their will. No martial law shall exist. No person professing faith in God, by Jesus Christ, shall at any time be any ways disquieted or questioned for any difference of opinion."* But James ascended the throne of England and showed his true character. A direct tax was decreed by 1686 an ordinance. Fees and quitrents were extorted by questioning titles to real estate : and the yeomen of Easthampton having protested against this tyranny, six were arraigned before the Council.†

It will not be uncharitable to suppose, that although James yielded to the advice of Penn, and to what seemed to be present necessity, he had determined to seize the first opportunity for establishing an arbitrary government in New York ; for, Andros the late governour, was deputed by Charles, with powers which subverted all the charters of New England ; and he landed in Boston as governour of all those colonies. Glittering with gold, and surrounded by scarlet minions, he prepared to overthrow the liberties so cherished by the Puritans. He was empowered and instructed by James, upon his accession to the crown, to remove or appoint members of the Council ; and (having created that body) to make laws, levy taxes, and controul the Militia, with the consent of counsellors appointed by himself. To this same Governour Andros, with the same powers, did James, as King of England, consign New York ; although, as Duke of York, he had granted to the province an Assembly of representatives with other privileges.

It was the great desire of James to introduce the Roman Catholic religion into New York, and Dongan was commissioned by him with that view ; but the Deputy Governour proceeded with more caution in America than was pleasing to his master. This caused his removal in 1686, when James succeeded to the throne. We shall see that the artifices of France to gain the Iroquois by the introduction of Jesuits, though seconded by James, were opposed by his governour, who said that the opposition of the Five Nations to Canada was the safeguard of New York. This opposition was one cause for Dongan's removal, though undoubtedly the principal was the desire to make New York and all Upper Canada one government.

To return to the year 1683. Soon after the arrival of Governour Dongan, he summoned the general assembly and made known the duke's instructions for the gratification of the people. During the session, many important enactments were promulgated.‡

On the 28th of November, the Governours of New York and

* Albany Records.

† See Wood.

‡ See Appendix N.

Connecticut settled the boundary line, confining the latter province to the east of Byram River, and of a line twenty miles eastward of the Hudson.*

The transactions of Governour Dongan with the Iroquois, and in opposition to the French of Canada, were of scarcely less importance than the pacification of the people of his province, by the establishment of representation.

I have already mentioned the erection of forts, intended by the French to protect them from the Iroquois. Among these, under pretence of a post for trading, M. de Courcelles obtained permission from the chiefs of the confederacy to build a fort on their avowed territories, at Cadaraqui, or Lake Ontario; which Count Frontignac afterwards completed and called Fort Frontignac. This was on the northwestern bank of the St. Lawrence, where the river receives the waters of the lake. In 1678, M. De la Salle rebuilt it of stone, and it had four bastions: its circumference was a quarter of a French league; in front were several small islands, a harbour, and behind it a morass.

The French introduced their missionaries wherever and whenever they could among the Iroquois, and notwithstanding that express orders were obtained from James to Dongan, the governour found it necessary to counteract them as much as possible. At a council he held with the Indians, he complained of these priests as disturbers of the peace and the instigators of murder. He spoke to the Iroquois with the words and in the tone of a master, and forbade them to entertain the Jesuits and others sent by the French: but the Iroquois were far from acknowledging his or any European authority.

1684 Lord Effingham, Governour of Virginia, travelled four hundred miles to treat with the Indians; and on the 13th of July, 1684, eight sachems of the Mohawks, three of the Oneidas, three of the Onondagas, and three of the Cayugas, met his lordship at Albany, the Governour of New York and the magistrates of Albany being present. Colden gives the speeches on this occasion at length. Lord Effingham, reproached the Iroquois with breach of promise, inasmuch as they had attacked *his Indians* and the Virginia settlers. He attributes to the influence of Governour Dongan the withholding of his vengeance and his not destroying their whole combined nations. The phrase of laughing in one's sleeve, will not apply to an Indian; but I do not doubt that in private they turned into ridicule the "big words" of his lordship. The Mohawks, however, thought fit to exonerate themselves and cast the blame upon the other tribes. They never had broken their en-

* See Appendix O.

gagements ; they would always be obedient to *Corlear*, the Governour of New York.

So said the interpreter : but I doubt if the Mohawks ever thanked, in earnest, the Governour of Virginia for forgiving their transgressions. However, hatchets were buried for the Oneidas, Onondagas, and Cayugas. The Mohawks say that they bury none, as they had never *broken the chain*. Dongan had gained the affection of the Iroquois, and he artfully procured their consent to his putting the Duke of York's arms upon the castles. He meant this as a mark of submission ; they considered it as a kind of charm against French power. The French Jesuits had prevailed upon a portion of the Iroquois to be what they called converts to Christianity. These had separated from the Iroquois and congregated under the protection of Canada, opposite to Montreal, under the title of "praying Indians," or *Caughnawaghas*. The Governour of New York requested the Iroquois to call these stragglers home. The sachems desired Dongan, as he was in friendship with Canada, to call upon the Caughnawaghas to rejoin their proper tribes. In the course of these speeches, the interpreter makes the Iroquois acknowledge themselves subject to New York. Now, the Indians always declared that they were independent. Each man felt, though united to his tribe and to the confederacy, "I am myself alone!" An Iroquois orator had said to Dongan's deputy, "He that made the world, gave me the earth I occupy. I respect both the French and English ; but no one has a right to command me!" Deputies from the Senecas arrived before the speech making was over, and joined with the others in talks and treaties. They agree to stay away from Virginia, for *Corlear's* sake.

While these conferences were going on at Albany, a message arrived from M. De la Barre, the present Governour of Canada, complaining that the Iroquois carried on a series of hostilities against the Miamies and other western Indians, in alliance with the French. Dongan communicated this message to the Iroquois, and they retorted by saying that the French Indians interfered with their hunters ; that the French supplied the Miamies and others with powder ; and acknowledged that the Iroquois hunters took the powder from the French traders. "Onondio calls us children," they said, "and at the same time sends ammunition to our enemies to kill us."

1685 M. De la Barre, however, did not confine himself to complaints. He, at two successive applications to the court, obtained 900 soldiers from France. He projected an expedition which should take vengeance on the Iroquois, if not destroy them. Letters were procured from the Duke of York, commanding Dongan not to oppose the intention of the French general, which was to fall on the Senecas first, and by his spies, the priests,

to persuade the Oneidas and other tribes to remain neutral as friends. His spies informed him that Indians would stand by each other in union, if he approached with an army; and further, that Dongan had promised to support them. Charlevoix says that the Governour of New York had disgusted the Iroquois by talking to them as if they were English subjects, and had been told that Ononthio was the Iroquois' father, and Corlear their brother, but they had no master. De la Barre had marched with seventeen hundred men, French, Canadians, and Indians, and every warlike equipment to fort Frontignac, where he was to be joined by the Indians of Michilimackinac and their friends, with an overwhelming force. He delayed to no purpose, or worse, for he exhausted his provision and his allies failed him. He crossed to the south side of the entrance of the lake, near the present Sackett's harbour, but long called *Port Famine*, from the distress of the French army. Sickness had attacked them on the north side of the St. Lawrence, and starvation was added to it on the south borders. Dongan had given notice to the Iroquois of De la Barre's approach, and they were on the alert. The French governour found it necessary, instead of proceeding to the Indians, to call upon them to send deputies to a friendly treaty. Dongan endeavoured to prevent this; and, accordingly, the Mohawks and Senecas refused to meet the French general: but the other tribes, among whom Jesuits and priests had been received, persuaded the Oneidas, Onondagas, and Cayugas to send some of their chiefs to council. They accordingly came to the French camp, and saw its distress. But De la Barre addressed the deputies as if he was in force and equal to their destruction. He told them that the king had sent him to smoke the pipe of peace with the Five Nations, provided they would give entire satisfaction and reparation for the injuries done his subjects, and promise for the future never to molest them; that they, (the Iroquois,) had robbed and abused the king's children, the Illinois, the Miamies, and the French traders, and he came to demand satisfaction: if denied, he was ordered to declare war. He enumerated the injuries inflicted on the king's children, demanding that the prisoners taken from the French Indians should be sent back, or he threatens vengeance. He addressed himself particularly to an Onondaga chief, venerable from age, and wise from observation, who understood the design on which De la Barre had come, and the cause of his proposing peace instead of wreaking intended destruction. He had seen the distress of the French army, and answered the general in a tone of sarcasm and contempt.

It is not often I shall intrude an Indian talk in my pages, but this as given by Colden, and copied by William Smith,* is too good

* History of New York. Vol. 1, p. 73, etc.

to be omitted :—" Yonnondio, you must have believed, when you left Quebec, that the sun had burnt up all the forests, which render our country inaccessible to the French, or that the lakes had so far overflowed the banks, that they had surrounded our castles, and that it was impossible for us to get out of them. Yes, Yonnondio, surely you must have dreamt so, and the curiosity of seeing so great a wonder has brought you so far. Now you are undeceived, since that I and the warriors here present, are come to assure you, that the Senecas, Cayugas, Onondagas, Oneidas, and Mohawks, are yet alive. I thank you, in their name, for bringing back into their country the calumet which your predecessors received from their hands. It was happy for you, that you left under ground that murdering hatchet that has been so often dyed in the blood of the French. Hear, Yonnondio, I do not sleep, I have my eyes open, and the sun, which enlightens me, discovers to me a great captain at the head of a company of soldiers, who speaks as if he were dreaming. He says that he only came to the lake to smoke on the great calumet with the Onondagas. But Garrangula says, that he sees the contrary, that he was to knock them on the head, if sickness had not weakened the arms of the French.

" I see Yonnondio raving in a camp of sick men, whose lives the Great Spirit has saved by inflicting this sickness on them. Hear, Yonnondio ; our women had taken their clubs, our children and old men had carried their bows and arrows into the heart of your camp, if our warriors had not disarmed them, and kept them back, when your messenger, Ohguesse, came to our castles. It is done, and I have said it. Hear, Yonnondio, we plundered none of the French, but those that carried guns, powder, and ball to the Twightwies and Chictaghicks, because those arms might have cost us our lives. Herein we follow the example of the Jesuits, who stave all the kegs of rum brought to our castles, lest the drunken Indians should knock them on the head. Our warriors have not beaver enough to pay for all these arms that they have taken, and our old men are not afraid of the war. This belt preserves my words.

" We carried the English into our lakes to trade there with the Utawawas and Quatoghies, as the Adirondacks brought the French to our castles, to carry on the trade, which the English say is theirs. We are born free ; we neither depend on Yonnondio nor Corlear.

" We may go where we please, and carry with us whom we please, and buy and sell what we please : if your allies be your slaves, use them as such, command them to receive no other but your people. This belt preserves my words.

" We knocked the Twightwies and Chictaghicks on the head, because they had cut down the trees of peace, which were the limits of our country. They have hunted the beavers on our lands : they

have acted contrary to the customs of all Indians ; for they left none of the beavers alive, they killed both male and female. They brought the *Satanas** into the country to take part with them, after they had concerted ill designs against us. We have done less than either the English or French, that have usurped the lands of so many Indian nations, and chased them from their own country. This belt preserves my words.

“Hear, *Yonnondio*, what I say is the voice of all the Five Nations. Hear what they answer—open your ears to what they speak. The *Senecas*, *Cayugas*, *Onondagas*, *Oneidas* and *Mohawks* say, that when they buried the hatchet of *Cadaracqui*, (in the presence of your predecessor,) in the middle of the fort, they planted the tree of peace in the same place, to be there carefully preserved, that, in place of a retreat for soldiers, that fort might be a rendezvous for merchants ; that in place of arms and ammunition of war, beavers and merchandize should only enter there.

“Hear, *Yonnondio*, take care for the future, that so great a number of soldiers as appear there do not choke the tree of peace planted in so small a fort. It will be a great loss, if, after it had so easily taken root, you should stop its growth and prevent its covering your country and ours with its branches. I assure you, in the name of the Five Nations, that our warriors shall dance to the calumet of peace under its leaves, and shall remain quiet on their mats, and shall never dig up the hatchet till their brother *Yonnondio*, or *Corlear*, shall either jointly or separately endeavour to attack the country which the Great Spirit has given to our ancestors. This belt preserves my words, and this other, the authority which the Five Nations has given me.”

The old chief then addressed the French Interpreter, telling him not to be afraid to explain his words : and, giving him a beaver as a present to *Yonnondio*, he invited him to feast with him.

Discomfited even in words, the French general led back the remnant of his starving army to Montreal : ending an expensive and disastrous campaign, as *Colden* observes, in a scold with an old Indian.

The Jesuit Missionary who remained as a spy upon the Iroquois, sent word to *M. De la Barre*, that the *Senecas*, apprehensive that the French would fall upon their castles, had remained at home all the last winter, but still refused to restore the spoil or prisoners they had taken ; that the *Miamie*'s had insulted and killed several of the *Senecas*, relying upon support from Canada : and that the Iroquois generally were preparing for war, and had been supplied with arms and ammunition by the English of New York.

* By the French called *Sauonnons*.

But this summer De la Barre was superceded by the Marquis de Nonville, who arrived with a re-inforcement of troops. He proceeded to fort Frontignac to be near and observe the Iroquois; and the result of his intelligence from the spies was, that he must chastise the offenders. He wrote to the king that the colony was in a deplorable condition, that the Indians who mingled with the French, did not become French; but the Frenchmen who mingled with the Indians became altogether savages. He proposed erecting a stone fort at Niagara, for at least 700 men, to exclude the English from the Lakes, and aid in subduing the Five Nations, by thus having a garrison at each end of Lake Ontario. By these strong places in the midst of the country of the Iroquois, fort Cadaraqui, or Frontignac, commanding the lower pass, and fort Niagara the upper, he thought to prevent the Indians from carrying their peltry to the traders of New York, and the command of the Lake be complete.

1686 On the 26th of May, 1686, Governour Dongan wrote to De Nonville, from New York, saying, the Five Nations were convinced by the accumulation of stores and provisions at Cadaraqui, that an expedition against them was intended; and as these people were subjects of England, an attack upon them would be considered as an infraction of the peace between France and Great Britain. The Governour of New York further expressed his astonishment, that the French should think of building a fort at Niagara, a place within the territory of New York.

The noble marquis, according to Charlevoix, jesuitically denied the intended expedition against the Iroquois, in his answer. He said, these Indians were fearful, as they knew that they deserved chastisement; that the stores carried to Cadaraqui were necessary to that post; that ill-disposed persons gave Dongan false intelligence; and as to the sovereignty over the country, France had taken possession of it before the English arrived at New York; the kings, their masters, were at peace, and it was not for the lieutenants to disturb them.

Dongan was not deceived by the professions of De Nonville; but, in a council at Albany, advised the Iroquois to be prepared, and to have the first blow, by striking the French and their allies, the Miamies, and other tribes. He likewise endeavoured to draw the Caughnawahgas from Canada by offering them lands, and promising to protect them in their religion, as his master was a good Catholic. The Iroquois attacked the Illinois and Miamies as advised; and the French missionaries informed De Nonville of all Dongan's movements and those of the Indians.

This information, and a visit from the missionary, determined the marquis to hasten his grand expedition: and, in the meantime,

his scouting party intercepted the English traders, seized their goods, and imprisoned them. This was contrary to the treaty between France and England, in which it was stipulated that the Indian trade in America should be free to both nations. Of this Dongan complained loudly, as if his aggressions by means of Indians claimed as English subjects, were not equally infractions of the peace and treaty.

1687 The plan of the Marquis de Nonville was to destroy the Senecas first; for this purpose, he threw troops into Cadaraqui, and at the same time advanced a detachment up the Sorel to hold the Mohawks in check. But, in obedience to the orders of the most Christian king, to diminish the numbers of the Iroquois by every means, two villages that were within a few leagues of Lake Ontario were surprised while in perfect security, and the inhabitants carried off by a body of three hundred Canadians. These people were, in part, doomed to the torments of the stake, and the remainder, to prevent intelligence of the movements of the French, and in obedience to the express orders of Louis le Grand, were sent to France for his majesty's gallies.*

Further to blind the Iroquois, the Marquis sent back the missionary (who had visited him with intelligence,) to the Onondagas with assurances of friendship and presents in token of good will. He found them prepared for war by the messengers of Dongan, who had *taken advantage* of his absence, to put them on their guard against the French. But, says Charlevoix, "the missionary soon changed the face of affairs." The Onondagas were quieted and prepared by the Jesuit spy to become the victims of the sword and the king's gallies.

This business being accomplished to his mind, the priest returned to De Nonville for further instructions, leaving his brother at Onondaga. The principal emissary was sent back with directions to entice the chiefs of the Iroquois to a pretended friendly council at Cadaraqui, and to send his brother to Canada to be in safety when the hostile designs of the marquis should be apparent.

The professions of the Governour of Canada, made through his spy, the missionary, and the presents which were always given to the Indians, enticed a number of the chiefs of the Five Nations to the fort at Cadaraqui, where they were seized, sent in chains to Quebec, and embarked for France, to become galley slaves.

The designs of De Nonville could no longer be concealed. This last act of treachery made the Iroquois irreconcilable foes to all Frenchmen. The secondary missionary had remained too long

* Hist. of New France.

at Onondaga: he was secured and doomed to the torture. Bound to the stake, the priest had already felt the flames and the knife, when a woman, who had probably experienced those doctrines he professed, and prompted by those feelings of the sex which are recorded by Ledyard as existing in Africa, and by Captain John Smith, in the Pocohontas of Virginia, interceded for him and he was spared.

Lamberville, the priest who had been the instrument of De Nonville in sending the chiefs and others to the trap prepared for their destruction at Cadaraqui, was still found at Onondaga and brought before a council of their wise men. A chief thus addressed him: "We have cause to treat you as an enemy; but we cannot resolve to do it. We are willing to believe that you were deceived, and were not a party in the treachery of your countrymen. We are willing to believe you innocent, and that you detest the treason of which you have been made the instrument. However, it is best that you depart from among us. When our young men have sung their war song, some among them may look upon you as a traitor, and we may not be able to restrain them. Go! we will send guides to see you in safety to your friends." Such was the contrast between the savage and the civilized man, on this occasion.

At length the preparations of the Governour-general of Canada seem to have been completed. The Chevalier De Tonti had been sent among the Illinois to lead them down on the south side of Lake Erie to the neighbourhood of the Senecas, that being ready to co-operate with the army from Canada, they might cut off the retreat of the women and children. M. De Luth was ordered to entrench himself near Detroit, and collect the Indians of that quarter, who were enemies to the Iroquois, and had suffered from them. M. Durantaye was ordered to collect the Indians of Michilimackinac, and to march to Niagara.

On the 11th of June, the French army moved from Montreal and its neighbourhood, in batteaux and canoes. Of the king's troops, there were 832. Those who have seen the discipline, the uniform, the equipments of the French officers and soldiers of the old regime: the brilliant white and gold, the nodding plumes, the flaunting colours, and the seducing music of the military band, may form some idea of this dazzling parade as it passed through the untamed wilderness, or over the bosom of solitary rivers and sea-like lakes.

One thousand Canadians, as rangers, and 300 Indians, accompanied this main body, besides the usual array of attendants and camp followers.

From Cadaraqui the army entered Lake Ontario the 23d of June, and, in two divisions, passed up the north and south sides of

this wood-enclosed sea. The whole landed at Tyrondequai, and forming in battle array, marched in all the pride of irresistible power to crush the Seneca nation. In front was the main body of European soldiers, accompanied by the Canadian rangers: the Indians and camp followers brought up the rear.

All was silence on the part of the Senecas, and the French, imagining that the warriors had fled, pushed on to overtake the fugitives or their women and children. But suddenly from the trees and bushes, the thickets and high grass on either side of the gallant host, a deadly fire was poured from an invisible enemy; but before the first confusion of surprise was past, the war-whoop arose on all sides. The front and rear were instantly charged by the Iroquois. The order of march was broken; the battalions sought the cover of the woods, and fired on each other. This blind discomfiture was only remedied by the rangers and Indians of the French, who met the Senecas in their own mode and caused them to retreat. When order was restored, the marquis was so much discouraged by this reception, that he advanced no further that day.

This gave the Iroquois time to burn their village and remove what they deemed most precious. The army marched into a scene of desolation, but found two old men, who were delivered over to their allies.

After destroying the corn of the neighbourhood, the marquis led his troops back to the banks of the lake, erected a fort, with four bastions, on the south-east side of the straits of Niagāra, where he left 100 men, with eight months' provisions, to be blocked up by the Iroquois, and finally, all but eight, to perish by famine.

Soon after this fruitless and disgraceful expedition of De Nonville, a council of the Five Nations met Governor Dongan at Albany. He told them that the losses of the Senecas were entirely owing to their making treaties with the French without his consent, and not avowing themselves for England; for if the French considered them as such, they would not dare to invade them. He spoke to them as English subjects, and tried to persuade them that their safety could only be assured by their acknowledging the King of England as their master. He advised them, as they were at war with Canada, not to kill any of the French who might fall into their hands, but to keep them for exchanges to release their own people. He advised them to make peace with the western Indians, and thereby weaken their French enemy, and, for the same purpose, to call home the Caughnawaghas; but, if they would not come, he hints that the Iroquois *know what to do with them*. He wishes them to assign a place on Lake Ontario, where he may build a fort at which he may keep stores—evidently pointing to Oswego. He points out a way to secure their corn from their enemies, by burying it in the

woods far from their villages. He tells them that the French priests were spies upon them and him, and congratulates them upon having dismissed such inmates, at the same time offering to send missionaries for their instruction. He reminds the Iroquois that the French now have forts at "Oniagara," Cadaraqui, Trois Rivieres, and Montreal, and required them to guard against the frontier fortresses.

Charlevoix says that Dongan threatened De Nonville that he would openly support the Iroquois, if the Governour of Canada attacked them: but the marquis laughed at the threat. He sent Mohawks, gained to his views—probably Caughnawahgas—among the Iroquois, and by his arts kept them from committing hostilities for a time. Chambly was, however, soon after beset, several houses burnt, and captives carried to Albany. The Onondagas surprised some of the garrison of Fort Frontignac, or Cadaraqui, and avowedly kept them to exchange for the warriors sent to the French gallies. The Jesuits tried to persuade the Indians that their friends were not sent to the gallies, but were still at Quebec, though they knew the contrary, and in token of friendship, presented them with two belts of wampum. These, however, were sent to New York, and Dongan wrote to De Nonville for an explanation. He pretended he did not know, and sent a priest to New York as a spy, with orders to return home by the way of the Mohawk country: but he was sent back to Canada by another route.

16SS This spy-priest was the *Perc Vaillant*, who came here early in 16SS. By him Dongan informed De Nonville that the only terms on which the Five Nations would make peace with France, was the return of the chiefs, treacherously seized and sent to the galleys; the demolition of forts Cadaraqui and Niagara; satisfaction to the Senecas for their losses; and giving up the Caughnawahgas that they might be again received by the tribes they belonged to.

James II counteracted the efforts of Dongan for the good of his province, and ordered him to prevent the Iroquois from attending a council in Canada, to hear the proposals of De Nonville for a peace. Accordingly, a cessation of arms was agreed upon, and an exchange of prisoners. Twelve hundred of the Iroquois attended the council at Montreal. When this army of deputies arrived at Cadaraqui they demanded an officer to conduct them to Montreal, and the commandant sent his lieutenant, who, upon embarking, found himself in the midst of a host of Indians. At Montreal, De Nonville met them. The orator of the Iroquois told the governour that the confederates were in condition to exterminate the French, or drive them into the sea. "But I," he said, "have obtained permission to give you warning, that you may avoid this vengeance

by accepting the terms of peace offered by *Corlear*. I give you four days to resolve."

This speech, says Charlevoix, and 1,200 Iroquois ready to fall upon Montreal, threw the Canadians into consternation. De Nonville proposed peace, if the Indians in his alliance should be included and suffered to supply Cadaraqui with provisions. Niagara he agreed to abandon. These terms were accepted, and he wrote home to solicit the return of the Indian galley slaves.

While these negotiations were going on, a chief of the Michmackinacks contrived to enrage the Iroquois by seizing some of their ambassadors, and pretending that he did it by order of De Nonville. The consequence was, that in July a large body of Iroquois fell upon the Island of Montreal when the *habitans* were in perfect security, murdered men, women, and children, destroying every thing to the very gates of the fort. They slew one thousand persons, and carried off twenty-seven prisoners, who were burnt alive.

Never was Canada so weak. The French colonists had assimilated themselves to the Indians around them, and becoming *Courcurs de Bois*, married squaws, and their children became savages.

The Iroquois, flushed with success, and enraged at the real and supposed indignities offered them, again, in the following autumn, laid waste the lower part of the Island of Montreal, and seemed only to lack in knowledge of the art of attacking fortified places, to effect the overthrow of the French in Canada.

In the mean time, Dongan was recalled by James, and De Nonville departed for France, fully persuaded that the only way to subject or destroy the Iroquois was by the conquest of New York. Charlevoix says, that he stated that Andros, the successor of Dongan, not being a papist, would be more inimical than his predecessor. He said 1,300 French soldiers, and 300 Canadians, led by himself, would pass by the Sorel and Lake Champlain under pretence of attacking the Iroquois; but to them he would profess friendship, but enmity to the English. Albany, he said, had only a defence of palisades and a small fort of four bastions, defended by 500 soldiers, (an estimate far too great,) and 300 inhabitants, (meaning, I suppose, fit to bear arms.) New York was represented as having a force of eight companies, half horse and half foot; the town not enclosed, and with a fort of four bastions, mounted with cannon. This port taken, would give his master the best situation in America. The inhabitants, he said, were principally Dutch, conquered by the English, who would join with the Prince of Orange, and revolt from James II.

The Court of France approved the marquis's plans, and appointed Count Frontignac to put them in execution.*

* It is calculated that 500,000 Huguenots escaped from their butchers and executioners, to enrich other countries by their virtue and industry. In America, South Carolina is supposed to have had more than any other colony, but New York was enriched by the Jays, and thousands of her best citizens.

In the year 1686, James II, and his friend Jeffries, enriched Maryland by the victims of Monmouth's rebellion, who were not hanged. James fixed their price at not less than £10, and prohibited their being set at liberty until they had served out the time for which they were condemned to slavery—at least ten years. James rejoiced that hundreds were hanged, and that hundreds would be sold to fill his coffers. But James and Jeffries had a rival in the Mayor of Bristol, who made a trade of convicting the accused, that he might sell them to the plantations. This, Jeffries would not permit. Kidnapping, too, was another source of population for the colonies, and Bristol had a full share in this trade.

1684 In July, the Governours of Virginia and New York met the agent of Massachusetts at Albany, and held council with the Iroquois. New York became the bond of New England and Virginia.

"After the fort was built by the Dutch," says Mr. Abeel, "persons who came over from Holland to settle in America, for the purpose of trading with the natives for furs, etc. and who could not reside in the fort, built houses under the walls of the fort, and formed the first street, which they called Pearl street."

1686 The city had extended to a number of streets. The following sixteen are mentioned:—*Pearl, Broadway, High street, Low street, Brewer's street, Prince's, Exchange, Stone, King, New, Beaver, Market-st, Bridge, Broad, Smith, Queen, or Smith's-oly.* The members of the Dutch church, in 1686, were 354 adults, and 702 children."

"We are informed" says the same MSS., "that the Dutch, in imitation of what was done in Holland, built dykes in Broad street, nearly as far up as the City Hall," or where the Custom House is now, (1839) erecting. "The posts were found standing about ten or twelve feet from the houses on each side of the street, not long ago," (that is, when Mr. Abeel wrote) "when the street was new paved." Mr. Abeel speaks of the city as he saw it in 1744. The wall, or rather palisades, from "the North River, near Trinity church," extended along Wall street to the East River. "In 1744, it had palisades, with block houses, surrounding it from river to river; from near the air-furnace to the ship yards, at the edge of what was called the meadows on the west side. Not long before this, the water out of the Fresh-water Pond, now called *Kollic*," at the time he wrote, "ran down to both rivers, frequently increased so wide as to require logs to be laid across to walk over."

CHAPTER X.

The bigotry of James—Favours the French views, religious and political—Doctrines of Rome in opposition to self-government—Success of James in introducing these doctrines—Alarm and resistance in England: in New York—Jacob Leisler raises the standard of William III—Opposition made by the officers of James—Convention of Albany—Bayard—Van Cortlandt—Phillipse—Schuyler—Letter from England, authorizing the present ruler to govern till further orders—Leisler, Lieutenant-Governour—Robert Livingston—Leisler's proceedings—Bayard's petition.

1685 JAMES II, succeeded his brother Charles, in 1685. The people of New York rejoiced in the change ; but soon found that as king, he had forgot, or violated with impunity, that which as Duke, James pledged himself to perform. Under the titles of York and Albany, he had promised the people of his province a constitution ; but, jesuitically might think or profess, that the king was

1686 not bound by the promises of the subject. He invested Dongan with a new commission, by which, (with his *Council*, and the governour's council were his friends, favourites, or creatures,) he might enact laws and impose taxes. The governour was expressly enjoined to suffer no printing-press, (the dread of tyrants,) to be put up. There has always existed, as if by instinct, in the breasts of the usurpers upon the rights of man, a fear that he should be instructed.

The bigotry of James was such, that he gave facility to the political views of the French, by his orders to Dongan. Among the other modes of introducing popery into the province, which was the aim and wish of James, he ordered Governour Dongan to favour the introduction of priests and jesuits among the Iroquois : but the governour, although himself a papist, and willing to aid in bringing over the colonists to the religion of himself and master, was too prudent, as a politician, not to see that the intention of the French was to gain the Five Nations from the English interest, by pushing their emissaries among them, under pretence of propagating the Christian religion. Dongan saw that the jesuits acted as spies for the governours of Canada, and counteracted the efforts of the English to introduce and increase the trade of the province he governed, as well as to overcome, in the Iroquois, that jealousy of France, which made them a frontier rampart to New York in time of war.

Though active in otherwise promoting the king's religious views, he had too much good sense to be blinded, whatever his master might be, by the pretence, which only covered (in the eyes of the bigot king,) the designs of France for the extension of her dominions. The governour insisted that the French should not hold conferences, under the pretence of making treaties, with the Iroquois, without his intervention ; and in this persisted, although his conduct was offensive to these proud confederated republicans, who declared with manly dignity, that they were free to negociate with whom they pleased, without consulting either French or English.

The Iroquois were, however, attached to the inhabitants of New York — an attachment commenced with the Dutch — besides, they never forgave the alliance of Champlain with their enemies, nor the treacherous seizure of their sachems by order of Louis XIV. They likewise considered the supplies of arms, ammunition, and necessaries which the French of Canada carried to the ancient enemies of the Five Nations, as injurious and amounting to acts of hostility.

The governour of Canada prepared to chastise this interference of Dongan, who solicited permission to support the Iroquois in their hostile demonstrations towards Canada. But the French Government at home had sufficient influence with James, to counteract the prudent measures of the governour of New York. They concluded a *treaty of neutrality*, by which neither England nor France was to assist such Indians, as were at war with the other.

These successful negotiations of France, with the continued preparations of the government of Canada, under Frontignac, all served in the sequel, to inflict those misfortunes on New York, which were attributed to Jacob Leisler.

Dongan did not give up the point, but continued his exertions among the Iroquois, whose alliance he saw was so necessary to New York. This, with his continuing in other respects, not to press the arbitrary measures of James, caused the king to add New York, to the other dominions already entrusted to the more compliant, or more tyrannic disposition of Sir Edmund Andros, and thus to supercede Dongan, at a time when the discontents of the people, and their fears of popery were ready to break forth in England, to the overthrow of James ; and in America, to the suspension of both his governours, and annihilation of his government.

The *genius* of popery is well known to be altogether favourable to kingly power ; and, of course, ever in opposition to civil liberty. Submission without consideration, or any reference to reason, is the doctrine of Rome. Obedience to the dictates of reason, was a creed early introduced into America, and remains the safeguard of her prosperity.

I am aware that at the present day, the fears entertained of popery by the people in 1688, and the actions of Leisler and his friends in consequence of these apprehensions will appear, the *first* unfounded, and the *second* disproportioned to the alleged cause ; but the Smithfield burnings of Good Queen Mary, the massacre of St. Bartholemew on the 24th August, 1572, and revocation of the Edict of Nantz in 1685, were all at that time comparatively recent events. The Huguenots, who fled to Holland, after the bloody and complicated treachery and murder performed by the papists under Charles IX, had remained among their Dutch brethren until many of their descendants had become in language and manners, assimilated to the Hollanders, and emigrated to this country more Dutch than French. Such were the Duryes, Cortelyous, Mercereaus and many others, while the refugees from the Dragoonades of *Louis le Grand*, the Jays, Aimars, Guyons, De Lancys, Goclets, Gouverneurs, Hamerslys and others, had yet scarcely found themselves in safety from papistical persecution ; but when we look back to the History of England, without going to that of other countries, we see the evils that men had to dread from the introduction of a system, which had destroyed, not only religious, but civil liberty ; and inflicted miseries to which mankind now cannot be subjected. We must remember that James II, of England, (whose servant Dongan was, and who was appointed by James because as a Roman Catholick, he was supposed to be bound to second his views,) had evinced his determination to make the popish religion, and the tyranny congenial to it, the governing principles of all his dominions. We are to remember the influence which the ruler of a kingdom or a province—the dispenser of honours and riches—possesses over men generally, and particularly over the ambitious, who form his court ; those who, already possessed of riches, the more eagerly thirsted for more ; and forming, what they consider the first rank of society, are the more desirous to exclude others from the benefits they enjoy ; such men for offices of trust and power, will, more or less (from motives of interest, or the love of dominion, or desire for distinction,) conform to the views, whether political or religious, of the persons who dispense these gifts.

It is well known, that James endeavoured to make every institution bend to his arbitrary will, and to his intention of making the religion of Rome predominant, within his territories. He exercised what is called the *dispensing power*, to establish, contrary to existing laws, papists in offices of trust ; by which many men were induced to adopt, or profess, the creed which led to preferment.

Hume* says, “the whole power of Ireland, was committed to Ca-

* History of England, Cha. 70.

tholicks." The king entrusted the government of Scotland chiefly to converts from the Protestant to the Roman Catholic religion. He dismissed from their employments even his brothers-in-law, Rochester and Clarendon, because they adhered to protestantism. The doors of the church and the universities were attempted to be thrown open to papists. The king assumed the power at will of dispensing with the tests, which had been established to exclude men from office, who professed the faith of Rome, and among other promotions of persons of that creed, he brought four Lords, Powis, Arundel, Bellasis and Dover, into his privy council.

This promotion of Romanists on one hand, and exclusion of Protestants on the other, without doubt, induced those who had no religion, to profess the creed which was profitable; and others would follow in their train, to swell the power of tyranny. By this, I do not mean to assert that all who resisted James in England, or took part with Leisler in New York, did so from religious, or even honest motives; and far be it from us now at this distance of time to impugn the motives of Schuyler, the worthy Mayor of Albany, and others, who might consider it their duty to oppose the government of Leisler, although confided to him by the people of New York, until the final determination of William III should be known.

Although the university of Oxford was bound by oath not to elect any officer of the faith of Rome, yet James expelled the Fellows of Magdalen College, for refusing to elect a popish president of his appointing. And when we know that Sir E. Hayes, and Lord Sunderland, with the Scotch Earls of Murray, Perth, and Melfort, *did* change their religion, (or profession) to accomodate themselves to the views of the king, and that many inferiours did follow their example, shall we suppose that Dongan, James's servant, had less influence over the Phillipeses, the Courtlandts, the Bayards, and other aspiring men of the province of New York?

We know *that contrary to law*, the chief officer of the customs, and many others in office were avowed papists, (not to mention Dongan himself) and that the known intention of James, was, to introduce that religion. We likewise know that the governour of New York, was more likely to accomplish these views than his master; as being more prudent, and having adopted means more likely to succeed; and we know the dread which both Dutch and English at that time, if not biassed by private and selfish views, had of the introduction of the faith and dominion of popery; and that they who were not of consequence enough to be purchased by office, money, or titles, and received into court favour, must suffer all the evils of slavery and perscution. The gentry, the people of figure,

as they were then termed, were either already in office, or in the way of promotion. James had recalled the Charters of the colonies; sent out governours with absolute power; and refused by himself or servants to permit a printing press to be introduced, and had decreed that the Jews should not exercise their religion in public. Dissatisfaction and jealousy prevailed throughout among the people. The collector of the revenues and several principal officers threw off the mask, and openly avowed their attachment to the church of Rome. The people of Long Island were disappointed by a failure in performance of promises made by Dongan, which added to their discontent with his measures generally, and to their fears for the protestant religion.

1689 In this state of alarm for their civil and religious liberties were the inhabitants of the province of New York, when the news reached them of the movements in England, by which James was subsequently overthrown, and William of Orange substituted as king. It was soon known that the people of Massachusetts had risen and put down Andros. Dongan had embarked for Europe,* and left the government of New York in the hands of Nicholson, the lieutenant-governour deputed by Andros, who was governour of both New England and New York. Nicholson was less popular than the governour; and he was, with the council, implicated in the previous measures of James and Dongan.

Colonel Francis Nicholson, the lieutenant-governour, had been an officer in the army of James II: and by the testimony on oath of Nicholas Brower, aged 73, who had been a soldier in the same service, Nicholson had frequently joined in the popish or Roman Catholick religious ceremony, at the mass, in the king's tent. The members of the council left by Dongan, were Nicholas Bayard, colonel of the city militia, Frederick Phillipse, Mr. Van Cortlandt, (who was likewise mayor, by Dongan's appointment,) and Mr. Dudley.

* Smith says "Dongan returned to Ireland, and it is said, succeeded to the Earldom of Limerick." I lose sight of him from the moment of his departure, but think Chief Justice Smith is mistaken, because the descendants of Dongan continued in my time to possess the estate on Staten Island, which he had secured by grants from both New York and New Jersey; and they continued to bear the same name undeformed or disguised, by title. The last of the race dissipated the property, lost all respectability of character, and was a recruiting sergeant during what was called "John Adams's war." *Ebeling* says that Governour Dongan delivered up his command in April, 1688, and retired as a private citizen of New York to his estate; but soon after went to Ireland, his native country. Notwithstanding this, it may be considered as certain that he sailed for Europe, on being superseded; and it is established by the records of 1692, that he was not in New York at that period.

Dongan resigned his command to Nicholson, who was deputed by Andros, the governour of both New England and New York. This was in 1688; consequently Bayard, Van Cortlandt, Phillipse, etc., were commissioned under Andros.

The fort, which was considered the safeguard of the city, was in a ruinous condition, and garrisoned by a few soldiers commanded by an ensign known to be a papist. On the land side, the city was fortified by the palisado or wall, extending through what is now Wall street, from the North River to the East, where in Smith's Valley, (by common usage called Smith's Vly or Fly,) was a block house without garrison.

That the people suspected Nicholson and the council of being opponents to William of Orange, is certain. They feared some attempt to seize the fort for King James. And sometime late in May or early in June, a report being spread that the papists would next Sunday attack the people while at church in the fort, massacre them, and declare for James; and at the same time the inhabitants of Long Island having sent messengers to express their fears to the people of the city; the latter, in a tumultuary manner assembled in arms, on the second of June, and some went to the house of Leisler, and requested him, as a captain of the train bands, and probably the oldest officer, to lead them to the seizure of the fort. This, it appears, he at first declined; and in the meanwhile, others led by Ensign Stoll, proceeded to the fort. In the mean time, Leisler, having armed himself, marched with others of the people, entered the citadel as Stoll's superior officer, and was joyfully received.

The reader will recollect Jacob Leisler has appeared in these pages before; *first*, as the friend of the widow and fatherless stranger; and *then*, as the opponent of Governour Andros, with the other magistrates of Albany, denying admission to the altar of the church of which he was a member, of an Episcopal clergyman sent out to the province by an avowed papist. As such, he suffered imprisonment; and finally with his brethren triumphed over the deputy tyrant supported by the Duke of York.

Nicholson and his council, alarmed at this commotion of the people, assembled the aldermen and such justices of the peace as could be brought together, to this meeting. He appears to have given it the name of a *Convention* for keeping the peace. The people chose a Committee of Safety.* The public money was in the fort, and the convention, not thinking it safe, ordered it to be

* It will be remembered that all these magistrates held their commissions from Andros, Governour of New England and New York, under James.

The committee of safety was composed of the following freeholders of the city: viz. Richard Denton, Samuel Edsall, Theunis Roelofse, Peter Delanoy, Jean Marcet, Mathias Harvey, Daniel Le Klerke, Thomas Williams, Johannes Vermulle, and William Lawrence. And on the 8th of June, 1689, they issued an order, constituting Captain Jacob Leisler, "captain of the fort" "until orders shall arrive from their majesties," and they further order that the said Leisler shall have all aid from the city and county to suppress external and internal enemies of the

removed to the house of Frederick Phillipse, who is described as a man of honour "and very rich." Stoll, who first went to the fort, on the contrary is represented as "not worth a groat;" and this is uniformly the distinction made between the two parties, except as to Leisler.

The public money, £773 12s, was not, however, given up, and in the evening, Captain Lodowick and his company, arrived to take possession of the fort, which appears to have been resigned to him by Captain Leisler, on an understanding that each captain should hold the citadel in his turn.

The train-bands of the city consisted of five companies, of which Nicholas Bayard was the colonel. But *this turning out*, under arms, was not with the consent of the colonel, who, with Nicholson and others, were devising means to prevent or counteract the movement of the people. The captains, however, acted in concert, and, without doubt, with the approbation of the citizens.

Colonel Bayard repaired to the foot of Broadway, and found the militia assembled on the parade in front of the fort, where the bowling-green now is. He ordered them to dismiss, after placing the necessary guard in the fort; but he was himself ordered to depart, and his authority set at nought.

The council of Nicholson made an effort to retain the receipts of the customs, by sending Nicholas Bayard and three others of

peace, and preserve the order of the province:" and he is authorized by the same committee, on the 16th of August following, "to use the power and authority of commander-in-chief, until orders shall come from their majesties; and he is authorized to do all such acts as are requisite for the good of the province, taking council with the militia and civil authority, as occasion shall require."

There is a letter from Leisler to Major Nathaniel Gold, on file at Hartford, by which it appears that Gold had been informed of the seizing the fort, and had approved of it. Leisler further informs him that Nicholson and his council had caused many of the inhabitants for fear to fall off from the revolutionists; that on the 2d of June, Leisler entered the fort with fifty men, and learnt on the 3d, that three ships had entered the Hook, when he alarmed the town, and called all the train-bands to the fort, where five captains and about 400 men unanimously signed an agreement to hold the fort "for the present protestant power that reigns in England." Notwithstanding which, the lieutenant-governour, Nicholson, continued to issue orders, and intended to send a messenger to England to "act against" the revolutionists. To counteract this, the writer says they will send an address to his majesty, signed by the captains of militia and the inhabitants. And on the 13th of June, 1689, the general court of Connecticut sent a letter, addressed to Captain Jacob Leisler and the rest of the captains in New York, approving of the seizure of the fort and the declaration they had put forth, advising them to keep the fort, to "suffer no Roman Catholic to enter the same" with or without arms, nor any such to keep arms within the government. They send Major Nathaniel Gold and Captain James Fitz, appointed to visit and advise them. These gentlemen, on the 26th June, address a paper to the captains, approving the necessity of what they had done, and the truth of their representations; that the fort was out of repair and without ammunition. They call the commandant "noble and loyal Captain Leisler." They repeat the advice to hold the fort and disarm papists, and promise assistance, if required, from Connecticut.—MSS. in N. Y. Hist. Soc. collection.

their number to take the place of the officer, Matthew Plowman, to whom payment of duties was refused, on the ground of his being an avowed papist, and therefore not legally qualified. These gentlemen repaired to the custom house, but found it guarded by militia, and were ordered away. The committee of safety appointed another collector, whose name was Green, and on the arrival of vessels, they sent armed men on board.

Captain Lodowick sent his sergeant, with a file of men to demand the keys of the fort from Nicholson, whose quarters were at a tavern; but they found him with his council at the city hall, (at the head of Coentie's slip,) to which place Bayard had returned. Nicholson refused to give the keys to Churchill, the sergeant; but on the appearance of Lodowick, resigned them to him. It was known that the five captains agreed to keep the fort each in his turn, and Lodowick was then in command. It was in imitation of the citizens of Boston that the inhabitants had elected a *committe of safety* for the immediate government of the province; and they signed an agreement to adhere to the Prince of Orange, and with their lives support the protestant religion. The captains of militia formed part of this committee, and it appears that Jacob Leisler was looked to as the principal in point of age, standing, and mercantile credit.

Nicholson had, in the meantime, dissolved his council or convention, by getting on board ship, and sailing for England, with Mr. Ennis, the Church of England clergyman. Bayard, who had been very violent, and was exceedingly unpopular, soon after fled to Albany, where Colonel Schuyler, the mayor, and Mr. Livingston, though willing to declare for William and Mary, would not submit to the government of Leisler and the people of New York.

In the city of New York, Stephanus Van Cortlandt, the mayor, and the aldermen who had taken the oath of allegiance to James, kept up a show of opposition to Leisler; and when the government of Connecticut sent two deputies, (Major Gold and Captain Fitz,) to learn the state of affairs in New York, they, of course, went to Leisler, at the fort, and to him communicated the intelligence that the Prince and Princess of Orange had been proclaimed King and Queen of England. Van Cortlandt, hearing this, assembled the common council at his house, and despatched Alderman Merritt to the fort to request the gentlemen from Connecticut to come to Mr. Van Cortlandt. They came accordingly, and being asked if they had come to New York to proclaim William and Mary, answered, no; but having brought the proclamation, as issued in England, with them, they had given it to the commander-in-chief at the fort.

Leisler lost no time, but immediately proclaimed the king and

queen at the fort ; and proceeding from thence to the city hall, there repeated the proclamation, by sound of trumpet, to the rejoicing people.

Van Cortlandt, the mayor, and the aldermen of his party, repaired to Coentie's slip, to be present at the proclamation, but were too late. They were told by the officers of militia that the people were incensed against them. It appears, however, that Leisler invited them to the fort to drink the king and queen's health, but their fears made it an uneasy visit, and they soon retired, not thinking themselves safe. Indeed, it is said, Leisler advised "a short visit," as he could not be answerable for their safety.

Things continued in this state, awaiting news from England and orders from William's government, to which Leisler wrote, giving an account of the situation of affairs. In a private letter which Leisler sent to the king, he stated the repairs he had made to the fort, and other matters in detail, but not with the clearness of an accustomed writer of the English language.* On the 25th of August, Milbourne, the son-in-law of Leisler, arrived from England, and being an Englishman, acted as secretary to the commander-in-chief.

The mayor, Stephanus Van Cortlandt, appointed by Dongan, and the common council, who had been elected the preceding year, continued in New York, but without authority from William's government or without the obedience of the people, and in opposition to them ; and on the approach of the customary time for the election of a common council and the appointment of mayor, the people assembled in their wards, elected their aldermen and assistants, and for the first time, their mayor, also.

On *Sunday*, the 29th September, 1689, "at a common council held at the city hall, (Coentie's slip,) the following aldermen and assistants were returned for the ensuing year :†

For the West Ward,	Hendrick Van Veurden,	Alderman,
	Swartwout Offerts,	Assistant.
Dock Ward,	John Spratt,	Alderman,
	Garret Duykinck,	Assistant.
South Ward,	Robert Walters,	Alderman,
	Johannes Provoost,	Assistant.

* The £773 12s. publick money, with that derived from customs and other sources of revenue, I do not doubt but Leisler employed in fortifying, and other expenses for the government ; though his enemies, (and they were the only persons who published by means of the press,) charged him with appropriating all monies to his private use ; but there is neither proof nor probability in the charge. He is accused of paying his soldiers 18d a day — that is, perhaps, 9d sterling.

† See Records in the Clerk's Office of the city of New York.

North Ward,	Cornelius Pluvier,	Alderman,
	Hendrick Ten Eyck,	Assistant.
East Ward,	John D. Brown,	Alderman,
	Peter Adolph,	Assistant.
Out Ward,	John Couwanhoven,	Alderman,
	Wolfert Webbers,	Assistant.

We see by the above, that the common council elected by the people, had taken possession of the city hall; and on the 5th of October, (six days after,) the mayor and common council of the preceding year, (under Dongan's government,) met at a private dwelling, the house of Alderman William Merrit, and passed decisions on accounts presented; and again the same persons met at the same place in the afternoon, and continued the business. These were, Stephanus Van Cortlandt, the mayor appointed by Dongan, with Messrs. Merritt, Lawrence, Rombolts, Kipp, and Richards, of the common council; likewise Colonel Nicholas Bayard, and Mr. Dekay. They again met on the 7th of October, and immediately afterwards dispersed, Bayard and Van Cortlandt going to Albany. Nicholson had some time before sailed for England, and with him Mr. Ennis, the Episcopal clergyman, as has been mentioned.

On the 14th of October, the following proclamation was issued by Leisler: "Whereas, by order of the COMMITTEE OF SAFETY, it was ordered that the mayor, sheriff, and clerk, *shall be chosen by the majority of votes* of the freeholders, &c.," accordingly Peter De la Noy had been chosen Mayor, Johannes Johnson, sheriff, and Abraham Gouverneur, clerk; which choice had been confirmed by the commander-in-chief: and "whereas, the committee of safety have appointed me to confirm the civil magistrates and officers of the City of New York, chosen by the PROTESTANT freemen of the city, &c." "I accordingly confirm," as above "according to the true intent and meaning of said committee." Accordingly the common council, as given above, were sworn in and confirmed, and in the words of the proclamation, "all inhabitants are required to give due obedience to said magistrates." "Done at Fort William, the 14th of October, 1689, in the first year of their majesties' reign."

On the same day, the common council met at the city hall, then at Coentie's slip, when the oaths were administered, and they proceeded to business.

They sent a written order by the high constable, directed to Van Cortlandt, demanding, as they had done by a verbal message before, the city's charter, seals, books, and papers. But Mr. Van Cortlandt was not to be found, and his wife, receiving the paper, threw it out of doors. We will now see what was doing at Albany.

On the 24th day of June,* the corporation of the city of Albany, assisted by the military officers met, and required the sheriff and constable to assist Robert Livingston, collector, in gauging certain hogsheads, said to be molasses, but suspected to be rum.

On the 28th, Marte Gerritze and Kilian Van Rensaellaer were present, and the common council resolved that all publick affairs should be managed by the mayor, and civil and military officers, until orders should come from William and Mary—Robert Livingston signed as clerk.

On the 21st August, the common council resolved to make public, the news of the hostilities of the French and Indians.

On the 4th September, at a convention of the mayor and others, they resolved to send an express down to Captain Jacob Leisler and the rest of the military officers of the city of New York, for the assistance of 100 men or more—600 weight of powder and ball, cannon, and £200 out of their majesties' revenue "which we understand is daily collected by them." A committee is appointed to meet deputies from New England respecting the Indians. They hear from Schenectady that the officers there cannot agree among themselves, "how to behave" in case of attack; therefore Dirk Wessells and Johannes Wendell, are sent to convene the people and advise them "at their peril."

On the 17th September, the convention asked their messenger who carried the above letter to New York, if "he received any answer from said Leisler," and he told them, that he delivered the letter "to Captain Leisler, but had no letter in answer, but that directed to Captain Wendell and Captain Bleecker." He heard Leisler say he had nothing to do with the civil power. Upon this the convention resolved, that "not the least answer to the convention" had been given, "but in the letter to the Captains signed by Leisler alone," the purport of which, chiefly is, "to induce the common people to send two men to assist them in their committee," that he sends them "40 pounds of match, out of their majesties' stores, and 200 pounds of powder, belonging to the merchants of Albany, and 4 small guns, but as for money, they received none." Leisler alledged that they cannot send any men, in consequence of the "great slight their people received when in Albany," and earnestly insisted on deputies coming from Albany, to "consult with them, for the public good."

The convention resolved to apply to New England for assistance, and means were devised to raise money. The following persons

* See minutes of the Albany Convention, in MSS., in library of Historical Society of New York.

subscribed the sums opposite their names, the money to be repaid by a general tax. P. Schuyler, £15—Killian Van Ransaellaer, £15—Gab'l. Thomson, £10—Marte Gerritze, £10—Jan Lansing, £12—Johannes Wendell, £12—Lev. Van Schaick, £10—Robert Livingston, £50. The others are small sums, and the total was £367 6s.

On September, the 28th, the Albany convention resolved, that "since sundry members of the convention" had signed "a bond, for reimbursing Robert Livingston, such disbursements as he shall make, the said bond shall be recorded." The signers are, Peter Schuyler, Dirk Wessells, Claes Ripse Van Dam, Gab'l. Thomson, Dirke Teunise, Alexander Ryckman and David Schuyler.

On the 25th of October, the convention resolved, that the magistrates should take the oath of allegiance to William and Mary, and it was so done. It was resolved likewise to administer such oath to the military officers and soldiers.

The convention, on information that Leister intended to send men to assist them, resolved that it was with the view to take the fort, and make the magistrates prisoners; and that a letter be written to Alderman Schaick and Lieutenant Joachim Staats, to make inquiry "of the business," and to signify to Leisler that 95 men from New England are sent for, and others are ready in Ulster, and that Leisler's men shall by no means be admitted to have command in Albany.

On the 4th, November, Alderman Levinus Van Schaick, to whom the protest against Leisler's sending armed men to Albany, was sent, arrived from New York, and says, that he spoke to Staats, who replied, that he knew not what to do, as it was intended he should be captain of the company for Albany, to lye in the fort, and if he did not accept the command they would send Churchill, and he thought he had better go. Upon this they went to the committee and delivered the protest from Albany; on which Milbourne said that he would go to Albany and see the fort there better secured. Schaick informed the convention that he heard Leisler call certain officers in Albany papists, and say that Albany should bring its charter to New York, if the city had one.

The convention resolved to acquaint the citizens in their respective wards, that a company of men were coming up from New York, who intended to turn the government of the city up-side down, make themselves masters of the fort and city, and in no manner be obedient to any orders of the convention. The next day accordingly the people were convened at the City Hall, and certain articles being proposed to them they agreed to them all, as desired by the convention, and fully resolved to maintain the present government, until further orders came from their majesties.

On the 8th of November, the convention appointed Col. Schuyler commander of the fort; who was to obey the convention: and he took possession accordingly.

On the 9th of November, a portion of the convention, the convention being met, and the recorder presiding, at the city hall, in Albany; and hearing that three sloops were in sight, "whereof one had the king's jack aboard," and that "soldiers" were in them, four of the convention were sent to know "upon what account they were come." Milbourne replied, by asking if the fort was open for his men to march in that night? He was answered "No;" that the mayor of the city had possession of the fort, and was then the commander. Milbourne was desired to come ashore for further conversation. He accordingly came with the deputies to the city hall, and was bid welcome. The hall being full of people, Milbourne addressed them, and told them they had now an opportunity of freeing themselves from King James — that the charter of the city was null, as being granted by a papist king and his servant Andros, a popish governour. That now the people had the power to choose their officers, both civil and military, and stating that the present officers, holding by an illegal tenor, ought to be subjected to a free election; "and much such like discourse," say the minutes of this convention. Staats and Bogardus, who came up with Milbourne, asked why the magistrates did not speak? Upon which, the recorder replied that there was time enough yet; for that Milbourne had shown no commission; that the convention was met for the purpose of billeting Milbourne's men, and with good intent; that "he was not authorized at that juncture to make him answer to such discourse; they had seen no commission that he had *yet*."

It will be here remembered by the reader, that the civil and military officers in the Albany Convention were all officers commissioned under James II, by Sir Edmund Andros. Milbourne, and the rulers at New York, were commissioned by the people.

The recorder remarked, that "Milbourne addressed himself to the wrong people, since there were no arbitrary powers in Albany: God had delivered them from that yoke by their majesties now upon the throne, to whom they had sworn allegiance." Milbourne desired that the mayor might be present. He was twice sent for, but answered that he could not leave his post. The recorder stated, "that he represented the mayor in his absence," and to him was delivered a letter "signed by twenty-five persons," which was read, but referred to a fuller meeting next day. The recorder then offered quarters, by billets, for Milbourne's men, which he declined, only asking provisions, "which was granted; and so parted that night."

The letter purports to be from the committee chosen by the

“free and open elections of the freemen” in the respective counties, stating that they (the signers,) had sent Jacob Milbourne with fifty men suitably armed for the use and defence of his majesty's, (King William's,) forts and subjects, that the enemy may not take advantage of any disputes or differences among the people of the province. It is signed by 25 of the committee, among whom I find Jacob Leisler senior and junior, Peter De la Noy, Peter De Milt, John Beekman, Hendrick Ten Eyck, J. De Reimer, Jean Desmorest, Gerardus Beekman, Richard Panton, Adrian Van Schaick, Gerret Duyking, John De Peyster, William Churchill, Myndert Corten, and a few English names.

The convention, however, receive letters from Schenectady, written to the people of that place by Jacob Milbourne and Henry Cuyler, from which they infer that Milbourne designs to subvert the present government, as he invites the people to choose magistrates independent of those commissioned by James II.

On Sunday, the 10th of November, the convention being met, sent for Milbourne, and the recorder told him that the letter from 25 persons in New York had been read, saying that 51 men were sent to the assistance of Albany; and asked him, upon whose charge they were come. Milbourne answered, that Albany must pay them. The recorder said, that was contrary to a letter from New York, of September 4th. Upon which, Milbourne appealed to the people standing by, and asked if the county of Albany would be able to pay that charge. The people said, “no.” Then Milbourne showed his commission to the convention, saying, “We shall find a way for it.” The recorder told him that a commission signed and sealed by private persons, was of no force.

Here was the point of difference between New York and Albany or the convention and the committee of safety. The committee were men chosen by the people. The Albany Convention were officers of King James II; and though they disclaimed that king, they would not cease to act by his authority, in opposition to the people.

The recorder told Milbourne that as he had no commission from the King of England, Albany would obey no other. Milbourne addressed the people; and the secretary of the convention, Robert Livingston, records the address in his own way. Milbourne insisted that the charter and commissions of James were void; that the people should choose their officers until orders from King William arrived.

Milbourne was desired to desist from such discourse: for that he and his commission should not be acknowledged; but Albany would give quarters for his men. It was then agreed to meet next morning to settle the quarters for the New Yorkers. The magis-

trates of Albany told Milbourne that they did not acknowledge him to have any legal authority.

The *people* of Albany are represented, by the journal of the convention, as agreeing with *them*; but on the 11th of November, the convention were deterred from meeting at the City Hall, on hearing that the citizens were there assembled, and wished to appoint a person to take charge of the fort, who should be independent of the mayor.

Milbourne declared, in writing, that he was authorized by the committee of safety of the province "to order the affairs at Albany," and insists that there shall be a fair election for the officers of the city, both civil and military; that the commander of the fort shall be chosen by the people: and demands of the convention an account of the arms and stores in the fort fit for the king's service.

On the 12th, the convention met at a private house, and unanimously resolved not to "accept of the fifty men" from New York on any other terms than that they should be under the command of the convention. Certain articles were agreed upon with Milbourne, and his soldiers, who had lain at "Marte Gerusties Island," were marched into town, and received by a portion of the inhabitants into their houses without billeting, or, says the record, "lawful authority."

Peter Schuyler found it necessary to come from the fort to the City Hall, to appease the people, and declared that he had taken possession of the fort from knowledge of the designs of the committee of New York. It is plain that the convention and Milbourne could not agree. They denied his authority, or that of the people of New York. And an entry is made on the minutes, by order, that on the 15th day of November, Milbourne, with a company of armed men, came to the fort, and that a messenger was sent to warn him not to come "without the gates of the city." He came, notwithstanding, to the fort, and demanded the place. The mayor answered that he kept the fort for their majesties, William and Mary; and commanded Milbourne and his men away. Milbourne attempted to enter, having "one foot in," says the record, but was thrust out; upon which himself and company retired to within the gates of the city, "and there put the king's jack, facing the fort." Milbourne, *then*, after charging his men to load with bullets, came to the gates of the city and read a paper.

The Mohawks, whom Schuyler had at hand, offered (according to the minutes,) to fire upon the New Yorkers; but the convention drew up and read a protest against Milbourne, and sent Doctor Delius and the recorder to pacify the Indians, and a messenger to tell Milbourne that if he came out of the gate, the Mohawks would fire upon him. Upon which he marched *down the town* and dismissed his men.

The city of Albany, at this time, and long after, consisted principally of two streets. One, the longest, ran parallel to the river, and under the hill on which the fort was situated. The hill rose steeply about the middle of this street, and another, still wider, crossed the first, from the foot of the hill, running towards the river.

It appears by the minutes of the convention, that many of the people of Albany, and some "private, but extreme active men," coincided with Milbourne; who, having procured Joachim Staats to be elected captain of the New York soldiers, left them in Albany, and returned.

William Smith says, in his history of New York, "that Jacob Milbourne was commissioned for the reduction of Albany." No such thing is pretended by the secretary of the convention, Robert Livingston. Smith further says, "In the spring, he (Milbourne,) commanded another party upon the same errand, and the distress of the country, on an Indian irruption, gave him all the desired success."

Captain Bull arrived with 87 men, from Connecticut, on the 25th November, and was gladly received by the convention: nor does the captain of the New Yorkers seem inclined to any adverse action. On the 29th, twenty-nine of Bull's force, under Ensign Talmadge, marched to Schenectady to keep that post, as it was agreed upon by the convention and the captain. How well they kept guard, we shall see by and by. Staats refused to send any of the New York men to this outpost.

Colonel Bayard, although he had seen the irritation of the people of New York against himself, sent an order from Albany, directed to Captains Abram De Peyster and John De Bruyn, of the New York trained bands, the tendency of which could have only been to increase the enmity of the people, to himself and his associates. It was dated the 20th of October, 1689, and is in the following words: "whereas Jacob Leisler, and some of his associates, have in a hostile and illegal manner, invaded his majesties fort at New York, and subverted all government by law established, I, as Colonel of the Regiment, do strictly require you, and each of you, to desist aiding and abetting said Leisler, and his associates, and not to suffer your soldiers to obey him, but to obey the civil government established by Sir E. Andros, which is in full force, notwithstanding the imprisonment or death of said Andros." This is dated at Albany, in the first year of the reign of William III. Andros had been put down in Boston, as the tyrant appointed by James, to enslave the colonies. De Bruyn, upon the death, or resignation of Van Veurden, had been elected Alderman of the West Ward.

Long Island, which at this time was a most important and po-

pulous portion of the province, was friendly to Leisler's government. The inhabitants of the east end of the Island, would willingly have placed themselves under the jurisdiction of Connecticut, but finding *that could not be*, they joined with their neighbours of the western counties, and with the city and county of New York, as well as the counties of West Chester and Orange, in cheerful attachment to Leisler: but the magistrates of Albany refused to be governed by the Burghers of the Manhattan City, though declaring for William and Mary.

Peter Schuyler, the mayor of Albany, possessed and deserved the confidence of the people of that neighbourhood, as well as of the Iroquois. He was friendly to the revolution in England, and promptly declared for the Prince of Orange. It would have been happy for the province, and for Schuyler if he had acted with the people of the city of New York, and joined with the friends of Leisler, until advices arrived from England. But Schuyler was one of the "people of figure," and the influence of Bayard, Van Cortlandt and Livingston, determined him to declare himself in opposition to Leisler.*

While thus a portion of the people of Albany, Schenectady, and the immediate frontier of the north, was stimulated to hostility against their friends of the south and east, the province was involved in war with France and Canada, by the adoption of the government of William and Mary.

The government of Connecticut sent men to aid Leisler in keeping the fort at New York: but in October, (of this year,) 1689, they

* Theodore Sedgwick, Esq., in his very interesting and highly valuable biography of William Livingston, the patriot governour of New Jersey, during our revolution, has very properly sought and given information, respecting the first American Livingston, the opponent of Leisler. He says, that Robert Livingston, had probably acquired the Dutch language while with his father in Holland, and came to New York, early enough to be employed in the affairs of Albany, while that place was not yet a city, that is, as early as 1676. That he married the widow of Patroon Nicholas Van Rensselaer, about 1679. That she was the sister of Peter Schuyler, (the hero of New York in those days, as his grandson Philip, was, in the days of the revolutionary contest,) and daughter of Phillip Pieterse Schuyler. Consequently, Robert Livingston was the brother-in-law of Peter Schuyler.

Albany was made a city in 1686. The charter was granted by Dongan, who a papist himself was urged by his master, the bigot James, to introduce the religion of Rome into the colony. Peter Schuyler was the first mayor of Albany; Livingston was an officer of the city, appointed by the same governour. They were both officers under James. Schuyler placed himself at the head of what was called the Albany Convention, and as Mr. Sedgwick says, Robert Livingston was his secretary.

On the 15th January, 1690, the sheriff of Albany wrote to Milbourne, saying, "about the beginning of April last past," that is, in 1689, "Robert Livingston told me that there was a plot of robbery gone out of Holland into England, and the Prince of Orange was at the head of it, and he might see how he got out again, and should come to the same end as Monmouth did. This I can testify." This letter was signed by Sheriff Pretty. Upon this charge, Leisler issued a warrant against Livingston as a rebel.

informed him that in consequence of their great expenses, "by reason of the Indian war," and distresses by reason of sickness and short crops, they can no longer afford him that aid. "But if any foreign force should invade you, we shall be ready to relieve you according to our ability," and they at this time subscribe themselves his "affectionate friends, the general court of Connecticut."

That Bayard, Van Cortlandt, and their associates should feel an enmity to Leisler and the people of New York, bordering upon madness, is what we might expect; but that they should have sufficient influence over Peter Schuyler, to induce him to risk the ill consequences which might flow from the active hostility of the French, rather than join in supporting the New York government for the short space of time that would probably intervene, before specific instructions arrived from England, is to me surprising, and appears at variance with his character for judgment.

From Leisler's letter to William and Mary, I gather the following facts. That, relying upon the good understanding between James II, and Louis, of France, Governour Dongan had suffered the fort at New York, (which commanded both harbour and city,) to go to decay: that the well which supplied water, was filled up, and the ammunition for defence very limited: all which, when Captain Leisler was chosen by the freeholders to keep the place until orders arrived from England, he knowing that war with France must ensue, had repaired, and put in a state of defence; besides causing a battery of seven guns to be erected to the west of the fort, where State street and the walk now called "the Battery" exists. That about the time of his taking command, an incendiary, (always at that time supposed to be a papist) had endeavoured to burn the church which was within the fort, and which seems to have been used as a powder-magazine, as well as for preaching and prayer. That the city was "fortified on the land side with good palisades, and in several places there were guns." That there were fifty men in the fort, whom the country had promised to pay, besides a company of the train-bands that mounted guard every night. That great apprehensions were entertained from Governour Andros, who was supposed to have escaped from the Bostonians; and that Leisler was determined to hold the city and fort for their majesties, William and Mary, until further orders.

The dissensions and divisions at Albany and Schenectady were such, that although notified of their danger, they would not permit the forces from Connecticut to keep regular guard: at the same time, Leisler, misapprehending the intentions of the Connecticut men, wrote to Governour Treat, (as I find by his letter in the Secretary of State's office, Hartford,) complaining that Captain Jonathan Bull and his troops, aided and supported the Convention of Albany, who had set themselves in opposition to his majesty and

the laws of the province. He, therefore, requests the Governour of Connecticut to appoint Mr. Fitch and others, who knew the state of affairs at New York, as commissioners to agree with commissioners from Leisler, upon proper measures for the defence of the frontiers.

In consequence of this application, Messrs. Gould and Fitch were appointed with authority to agree upon the number of men to be furnished by Connecticut. This letter of Leisler's is dated February 14th, 1690, and the next day he again wrote to Treat, that in the short interval he had received the melancholy news of the burning and massacre at Schenectady, (of which particular account will be given in the next chapter,) a misfortune which he attributes to "that convention, and Colonel Bayard's faction, who have asserted that the commissions of Sir Edmund Andros remain in full force."* And we are told by the historian of Connecticut, that the people of Albany and Schenectady, notwithstanding Captain Bull's remonstrance, would not permit the Connecticut officers to keep regular watch.

It is evident, that although Milbourne carried a force with him that might have assisted in defending the frontier, he certainly did not lead troops enough for the reduction of Albany by arms, if he could not persuade the people to join with New York and all the southern part of the province in yielding obedience to the person who had been elected to the command. We know to certainty that the transaction is recorded by the enemies of Milbourne and his father-in-law; and we know that he returned disappointed to New York. We have already seen the minutes of the Albany Convention on that head.

The discomfiture of Milbourne appears to have encouraged Bayard to visit New York, and he was there in private when some very important dispatches arrived from England in the beginning of December, 1689.

It appears that before Nicholson and Ennis arrived in England, the government of William III, in the latter part of July, 1689, wrote to Francis Nicholson, Esq., *or in his absence, to such as for the time being, takes care for preserving the peace, and administering the laws in his majesty's province of New York, in America.* Thus the person at the head of the government in the province was empowered to take the chief command, and to appoint for his assistance as many freeholders as he should think fit until further orders. This important packet was entrusted to Mr. Riggs, and was between four and five months on the way.

Riggs arrived the 8th or 9th of December, and might have presented himself and letters at the governour's house, in the

* See Hartford MSS.

fort, with propriety; for it was notorious that Jacob Leisler had administered the laws, and been cheerfully supported as chief of the government, for William and Mary, nearly seven months, except by the adherents of Dongan's administration, and by the leading men at Albany and its environs; but it seems that Riggs hesitated, and unfortunately Nicholas Bayard had clandestinely arrived from Albany, for the purpose, as he says, of visiting his son who was sick,* and was at this time secreted in his own house. Another of the council of Dongan and James was likewise in town, Frederick Phillipse, a man only distinguished for his riches. To him, Bayard, ever restless and on the watch to get himself or others into trouble, or power, sent notice of the arrival of Riggs, and persuaded Phillipse to seek the king's messenger and bring him to the place of Bayard's concealment.† Riggs was accordingly brought by Phillipse, on the night after his arrival, to the house of Colonel Bayard, who in conjunction with his fellow kings-counsellor, and officer of James II, a passive instrument in his hands, endeavoured to persuade the bearer of despatches, that although the government of the province was in other hands, and the governour's council had not met for months, the letter belonged to such of the council as were to be found, *viz*, Bayard and Phillipse. For, says Bayard, although the Lieutenant Governour had departed, and the council had not officiated for some small time, yet, since the justices of the peace had been continued in their offices, by virtue of the present king's proclamation, the letters addressed as above, were intended, and ought to be delivered to such of the governour's council as could be found. He averred, that he would hold the despatches until Stephanus Van Cortlandt could be sent for, and on the meeting of the council deliver them to the presiding officer.

Happily for Riggs, this reasoning did not prevail with him, and the next day the Commander-in-chief demanded the letters as belonging to him who administered the government in Nicholson's absence. The messenger was convinced, and the despatches with the powers they authorized, were delivered to Jacob Leisler.

This attempt of Bayard and Phillipse to seize papers directed to the person who administered the law by the choice of the people, evinces the notions prevalent in what were called the "gentry" and "people of figure," and which governed them, not only at that time, but long after. These notions were derived in part from superiority of riches, but more from their being received as associates

* MSS. Petition of Bayard: New York Historical Library.

† The writer of the Pamphlet published in Boston, in 1690, entitled "A Modest and Impartial Narrative," says, that Nicholson left Phillipse and Van Cortlandt in trust for him when he departed for England.

by the immediate officers of the king's government—the governours, lieutenant governours and military leaders *born in Europe*, and bearing commissions emanating from his *sacred Majesty*. To be the favourites of these supposed favourites of royalty, surrounded the provincial gentry with rays which distinguished them, and separated them from the people. They were *provincial nobles*: deriving splendour, though at second hand, from the fountain of honour, whether a licentious Charles, the hired tool of France, or a bigoted James, the worshipper of Rome and the pope.

It would at first sight seem to require great assurance in Bayard and Phillipse to demand letters addressed to the person *in power*, when they knew they had *no power*; and one of them, at least, was skulking from public observation, and knew himself to be the object of popular detestation: but that halo derived from Dongan and Nicholson, that distinction flowing from king James's commission, constituting them members of his majesty's council, was a medium through which they saw, and which misled them in an attempt that must have been resisted by those who at that time held the power of the province in their hands, administered the laws, and were supported by the people, except in Albany.

Leisler received the letters and instructions as addressed to the head of the government in Nicholson's absence. He exhibited them to the committee of safety. By their advice, he assumed the style of lieutenant governour, and a portion of those who had acted as the committee of safety with others, freeholders as directed, were sworn in, as their majesty's, or the governours council. This was done by those who had sworn to maintain the government of William and Mary, and had officiated as the advisers of the commander-in-chief to this time.

On the 11th of December, 1689, the following freeholders were constituted the lieutenant governour's council: Peter De La Noy, Samuel Staats, Hendrick Jansen, and Johannes Vermilye, for the city of New York; Gerardus Beekman for King's County; Samuel Edsall for Queen's County; Thomas Williams for West Chester; and William Lawrence for Orange County.*

The attempt made by Bayard to gain possession of the letters from England, had the effect of making known his presence in the city of New York, and I presume some measures were taken by Leisler to cite him before the council, which failed; for on the 17th of January, 1690, a warrant for his apprehension was issued; is headed "by the lieutenant governour and council," and signed, "Jacob Leisler." It directs the apprehension

* Besides these I find enumerated as active friends of Leisler, Benjamin Blagge, Henderick Cuyler, and John Couenhoven. Milbourne was secretary to the Council.

of Nicholas Bayard for high misdemeanours committed against his majesty's authority, and for certain libellous writings, containing "execrable lies and pernicious falsehoods," contrary to the peace of the province and his majesty's government. It directs that he shall be seized wherever found; and authorizes search to be made for him by breaking open places suspected of concealing him: and to use violence in case of resistance. This order is directed to "William Churchill and his company."

Leisler likewise made known, by proclamation, the additional authority under which he acted, and required, in conformity to the act of assembly of 1683, entitled "a bill for defraying the requisite charges of government," which, as was said, was still remaining in force, that all persons should obey the same, and that the collector and other officers should do their duty in the premises.

Churchill and his company entered the house of Nicholas Bayard, and as directed, broke open doors that were barred against them: Bayard fled to a neighbouring house, but was followed, and seized by the assistance of Abraham Brazier and several other citizens.* We have sufficient evidence that the Colonel was imprisoned, and treated rigorously. The jails of New York were several apartments and dungeons in the City Hall, at Coenties Slip, and from one of these prisons Bayard petitioned for release.

On the 28th of December, 1689, Leisler wrote to the military and civil officers of the city and county of Albany, thus: "I, having received orders from his majesty, King William, for taking care of this government, have commissioned Joachim Staats to take into his possession Fort Orange, and keep the soldiers in good order and discipline." He further orders, that free elections be forthwith made for a mayor and aldermen, and calls upon those he addresses to assist for his majesty's interest and the good of the city.

The convention, on receiving this letter, resolve to send the high sheriff of the city and county to Joachim Staats, informing him of the secret of such letter, and to demand of him if any such orders from the king had been sent to him, they being desirous to behave accordingly. The high sheriff, at whose house the convention was sitting, returns, and says, Staats will come to them. On the appearance of Staats, the convention insist upon knowing whether the king has constituted Leisler lieutenant-governour; as, if so, they were willing to obey; otherwise, not. Staats tells them that they know well enough that the letters were directed to Nicholson, and, in his absence, to such as for the time being, administered the government. "Let the bell ring, and call the people together, and then I will show what authority I have."

The convention reject this; but say, if he is to make proclama-

* "Modest and Impartial Narrative"—Boston, 1690.

tion to the people of the accession of the king and queen, they, the convention, would call the companies together in array, and do it with due solemnity. In the afternoon, Staats came and showed an order from Leisler for him and the freeholders and people of Albany to proclaim William and Mary, if it had not already been done; as Leisler had received letters from the ministry so to do. Staats insisted that the gentlemen, (says the secretary,) should declare whether they acknowledge Jacob Leisler to be lieutenant-governour, and whether they would obey him. The gentlemen require him to show copies of the letters to Leisler. Staats replied, "If I show such copies, you will say they are Milbourne's writing." He showed a commission from Leisler to take possession of Fort Orange, and an order for a day of thanksgiving. The gentlemen require to see orders from King William, directed to Jacob Leisler, but desired copies of the papers Staats showed, and they would give him their answer in writing; and, in the meantime, they would write to Captain Leisler about it. Staats, however, departed without leaving copies.

The same afternoon, the convention met again, to resolve whether or not Leisler is to be acknowledged as commander-in-chief. P. Schuyler, who had been present at all the previous meetings, says, that he cannot acknowledge Leisler until he shows lawful authority from the king. Weissells, Van Schaick, and a majority, accord with the mayor. They forbid the beating of drum, to call the people together, and agree upon a protest against Leisler, declaring that the letters from the ministry do not apply to him. Captain Wendell and Captain Bleecker are in a minority. The protest was published with great parade. The mayor marched at the head of the procession, from the fort, accompanied by the convention and a guard of fifty men armed. As soon as they entered the city gates, the mayor and officers, "went with their swords pointed, with drums beating; they came to the plain before the church!" The bell rang thrice; the mayor made a speech, and the protest was read. The procession passed through the "principal streets of the city, then returned to the fort, and the protest was sent by the mayor to be affixed to the church."

This display would not have been made, we may suppose, if they had not received faithful intelligence from their zealous friend, Livingston, and the government of Connecticut. Accordingly, appeared Captain Bull with his one hundred soldiers on the opposite banks of the river: he crossed, and reported himself and forces to the Albany Convention. The soldiers were drawn up in the main street, and, as if in defiance of the Lieutenant-governour of New York, they fired a *feu de joi*. As before mentioned, the New York troops refused to go to Schenectady, and the troops which Capt. Bull sent, only added to the security of the inhabitants, derived from the distance of Montreal and neighbourhood of the Mohawks.

As soon as Leisler heard of the massacre at Schenectady, he sent a sufficient force to the frontier, and the Albany Convention immediately dissolved.

According to the minutes, it was not until the latter part of February, 1689--90, that a man from Schenectady brought the tidings of the destruction of that place. The fugitives say, that the French and Indians, after murdering the inhabitants of Schenectady, were marching to Albany. Messengers were sent down the river for assistance, but the snow and ice impeded travelling, and with difficulty an Indian was sent towards Schenectady to discover something of the enemy; others were despatched to the Mohawk castles. On the 10th, the mayor and convention, having learned the retreat of the French, order Captain Bull, with five men out of each company, to Schenectady, to bury the dead; and, if the Indians had come down, to join them in pursuit of the enemy. There is a list of 60 persons killed, and 27 carried off prisoners.

Measures for defence were taken at this time, and for offence, against Canada. On the 15th February, the convention sent messengers to the governours and civil authorities of the colonies, to act in concert against the French, and among others, to New York.

On the 24th of January, 1690, Bayard directed a prayer 1690 to the Honourable Jacob Leisler, Esq., Lieutenant Governour of the province of New York, and the Honourable Council, which, in the most ample manner, acknowledges the authority of the man he had attempted to injure, and asks forgiveness. The petition "*humbly showeth* that the *petitioner* and *prisoner* craves commiseration," acknowledging his great error in disregarding the authority which he hereby owns. He prays for pardon and release from "dismal detention." He promises to behave himself from henceforth with all submission. He says, he will "perform whatever their honours, the lieutenant-governour and his council, shall adjudge."

This address did not obtain his release; and was followed by a second; in which, he labours to excuse his conduct in respect to the endeavour to obtain the papers brought by Riggs.

He says that he wrote to the English government, from Albany, when Nicholson left New York, the last of May, and again in June; and having come to town, in consequence of his son's sickness, and hearing of the arrival of Mr. John Riggs, with despatches from the king's ministry, he supposed these despatches were intended as answers to his letters, and therefore, in the absence of Nicholson, belonged to *him*, (Bayard) as a member of the king's council: and *that* his intention was, as soon as Mr. Stephanus Van Cortlandt should come to town, and the council should meet, to deliver the said letters to them; "but the next morning, *before the council could meet*, your petitioner was informed that the said packets were, upon demand, delivered to your honour."

From the above expression, and some others, it would appear that Van Cortlandt had come to New York about the time that Bayard did, and was secreted and at hand; but upon the arrest of his companion, again fled to Albany.

Bayard goes on to confess that "he has been so unhappy" as to be of opinion that the packets did not belong to his honour, Captain Leisler; and further, that in his letters to John West, he "has most unadvisedly and in his foolish passion, uttered his opinion in such severe and unbecoming expressions, to the degrading of your honour's authority;" but he asserts that he never had a thought, directly or indirectly, to remove Leisler's "authority by force, or with any the least danger of bloodshed," but had determined to remain passive, until further orders from England. He begs Leisler not to remember "any of the particular disputes" which had been between them; asks forgiveness and compassion upon his state, as he suffers from fever, and asserts that he shall ever pray, as in duty bound, for his honour, the lieutenant-governour, Jacob Leisler. How far these assertions comport with the unrelenting persecution which brought Leisler and Milbourne to the gallows, the reader will judge. Bayard was at this time sick in prison, and in irons; and the remembrance of these sufferings would not allay his passions, when his party was triumphant.

Already, part of the evils resulting *from the opposition* to Leisler's government, and from the neglect of England, had been experienced: and Bayard condoles with Leisler on the news of the destruction of Schenectady, and laments that he, the petitioner, should be accused of being the cause of Schuyler's opposition. He avers, that since leaving Albany, he had only written to Mr. Peter Schuyler and Mr. Livingston to thank them for civilities. He asserts, that the magistrates of Albany were zealous friends to William and Mary; but considered themselves as in no way subordinate to the city of New York. He acknowledges that this had been his opinion likewise; for which, if he has done amiss, he craves pardon. He states that he and Van Cortlandt were called upon by the convention at Albany, for their contribution towards the defence of the province, and insinuates that he had no further agency in Schuyler's opposition; but intended to remain quietly in Albany until the arrival of a governour, or some specific orders from England.

The accession of William of Orange to the throne of his father-in-law, at once involved England, and, of course, her dependencies, in a war with Louis XIV, and the adherents of James; thus popery was arrayed against liberty and the protestant religion. The attention of William was principally directed to the war in the Netherlands. The American provinces shared little of his attention. The consequences of this state of things cannot be understood without again referring to the history of Canada.

CHAPTER XI.

Hostilities in America, notwithstanding the peace declared in Europe—Affairs of Canada—Destruction of Schenectady, January 1690—Other French and Indian Wars—The open opposition to Leisler put down—Leisler and the Governour of Connecticut plan an Expedition against Canada, which fails—Causes—William Phipps.

WE have seen that England and France had concluded, in 1687, a treaty, by which a peace was stipulated between *the subjects* of those countries *in America*. But neither the government of Louis, in Europe or in Canada, chose to consider the Iroquois as subjects to Great Britain. The Court of James II, was perfectly indifferent on that head, appeared ignorant of the bounds of the English Colonies, cared nothing for their interests, blind to the designs of France on the western continent, and willing to promote the scheme of gaining power over those warlike tribes, by means of presents and Jesuits.

The New England Colonies had been engaged in hostilities with various tribes or nations of the aborigines, which gave rise to a deputation of commissioners from the east, who met a council of the Iroquois, by appointment, at Albany, in September, 1689. The New England delegates wished to engage the Five Nations to defend them against the eastern Indians. *Tahagudoris*, a Mohawk sachem, the day after receiving the propositions, made answer. He repeated, by means of the Indian artificial memory, (a bundle of sticks, one of which is given in charge to the individual who is to remember one particular proposition,) the whole speech of the delegation, and then replied to each part. The Iroquois would not engage in hostilities to protect New England, but assured the deputies that the tomahawk would be lifted against the French.

Dongan had seen the necessity of holding the confederated Indians of the Five Nations in the interest of his province. He had opposed the introduction of the Jesuits among them, and claimed them as *subjects of England*. To this the savage republic objected—declaring that they were *subject* to no power; they were free, and would maintain their liberty. But the injuries they had received from France, and their former friendly intercourse with the Dutch, made them a frontier wall between New York and Canada, impeding the progress in the great project of conquest commenced by France.

Father Charlevoix, the historian of New France, or Canada,

represents Dongan's opposition to the introduction of the Jesuits among the Iroquois, as a measure hostile to France; and as these nations were not included by name in the peace between James and Louis, the Governour of Canada, M. De Nonville, had carried on a war against them, very little to his honour or the benefit of Canada. The revolution in England, and accession of William III, placed the two mother countries in a state of war; and in 1689, M. De Nonville sailed for France, convinced that the only way to conquer the Iroquois was by the previous conquest of New York. Frontignac succeeded him, and immediately reinstated the fort of Cadaraqui.

1690 This mode of subduing the confederates was adopted; and M. De Frontignac, an accomplished soldier, and active as he was enterprising, being in the government of Canada in 1690, determined to attack the English in their settlements, and prove to the savages that their safety depended upon the power of France—that the English were too weak to protect themselves. By carrying fire and scalping-knife into the English settlements, both to the east and west, he was resolved to secure the confidence of the Indian nations, and fix them in the alliance of Canada, for the purpose of future conquest. Unfortunately, the dissensions in the province of New York, aided the plans of the French governour.

M. Durantaye had command of the fort at Michilimackinack, and to strengthen that post and communicate to the commander intelligence of his accession to the government, M. De Frontignac sent a large convoy, with ammunition and arms, to be distributed to the Hurons and Ottawas, and such other presents as would secure their fidelity to him and arouse their propensities to murder, to be directed by his will.

Three war parties were prepared for three attacks upon the English settlement. Each party was composed of Indians and Frenchmen, equipped for the purposes of destruction, and commanded by officers of the regular army. The first was directed against the province of New York. Father Charlevoix, whose account I will first follow, tells us that the leader hesitated whether to fall upon Orange, (by which name the French called Albany,) or upon Corlear, (Schenectady,) first.

The people of Schenectady appear to have been in a state of perfect security, although they knew of the existence of war between France and England, and of the previous attempts made by the Canadians to gain the alliance of the Five Nations. Perhaps the knowledge of the latter may have tended to lull them, as negotiations under the influence of Jesuits who acted as spies, were constantly going on; and in January of this year the Iroquois sent a messenger to Quiddor, (Peter Schuyler,) Mayor of Albany, with assurances of their hostility to the French. They forwarded to him,

as tokens, three tomahawks; but this was understood only to pledge the Mohawks, Onondagas, and Senecas: the other two nations were still negotiating with Frontignac, who, by means of *Milet*, a Jesuit, residing for the pretence of religious instruction among the Oneidas, had so far caused a want of unanimity among the confederates, that only three, instead of five tomahawks had been sent to Albany. The distance of Schenectady from Montreal, and the neighbourhood of the friendly Mohawks, may have caused the security which proved so fatal. But a part of Captain Bull's Connecticut troops were in the place as a guard, and were prevented from keeping watch.

The force intended against the frontier of New York, was entrusted to the conduct of M. D'Ibberville, who, having determined to fall on Schenectady, advanced with his French soldiers and Indian allies over the frozen lakes and deep snows, through a silent wilderness, for twenty-two days, with great sufferings, but a perseverance worthy of a better end. It appears from Charlevoix, that the French Indians were led or accompanied by an Iroquois chief, called the "Great Mohawk;" and when the red and white savages had arrived within two leagues of the town, this Mohawk harangued the Indians. He had great influence, says the Jesuit, not only with the Indians, but the French, in consequence of service, character, and *religion*. He exhorted them to forget their fatigues and sufferings, in the prospect of revenge on the perfidious English, (the same term which the English have always made use of, when speaking of the French,) and added, that "they could not doubt the assistance of *Heaven* against the enemies of *God*." Thus it is, that men in all ages blasphemously enlist the benevolent Deity, in their projects of ambition, blood, and murder.

As they approached the devoted village, they met four squaws, who instructed them in the best way of arriving secretly at the place. When within one league, a Canadian and nine Indians were sent to reconnoitre, who, on their return, reported that the inhabitants were resting in security, and unprepared for defence. The excessive cold determined the commander not to defer the attack, but to push on immediately.

The Jesuit, Charlevoix, describes Schenectady as having, then, the form of a parallelogram. It was entered by two gates; from which I infer that it was enclosed by a palisadoed wall. One gate opened upon the road to Albany, and the other on the side from which the French and Indians were advancing. It was determined that Messrs. *Mantet* and *Sainte Helene*, with one division, were to enter by the nearest gate, which the squaws had informed them was never shut. D'Ibberville and Repentigny, with their party, marched to the left, to render themselves masters of the Albany gate; but,

losing their way, they returned : so that the village was entered but at one place.

It was now midnight—the gate open—no watch set, and the invaders found their way into the town undiscovered, about eleven o'clock on Saturday night. The leaders separated to reconnoitre all parts. Perfect silence was observed. They passed through the village without perceiving any movement. Returning, the war-whoop, “*a la maniere des sauvages*,” says the priest, was raised, and the work of destruction set about. *Mantet* found some resistance at a *kind of fort*, where the men were under arms. These may have been the New England men, sent by Captain Bull. But, forcing the door, all the English, except the commander, were put to the sword. A Frenchman of the name of *Martigny* was wounded, in attempting to enter one of the houses ; but his companions, says Charlevoix, revenged him, by forcing the door and putting all within the house to death. All was massacre and pillage for two hours ; and then the French officers placed guards at the avenues to prevent surprise, and passed the rest of the night in regaling themselves and men.

Mr. G. F. Yates, of Schenectady, in his account of this tragedy, says : “ The slumbering inhabitants started from their sleep, bewildered, frantick. Some hid themselves, and remained secure, until the flames drove them from their lurking places ; when they fell beneath the tomahawk, or were taken prisoners. Others ran half naked and barefoot into the adjoining woods, whence a few escaped, after extreme sufferings, to Connestigiuna and Albany, and others perished miserably on the way. Surprised, unarmed, and defenceless, resistance was in vain. Courage and cries for mercy were alike unavailing. The same fate awaited the craven and the brave. To some of the inhabitants, however, this assault was not altogether unexpected, and they had for some time previously taken the necessary precautions to prevent surprise. Among those who made a successful defence, and kept the foe at bay, was Adam Vrooman. Being well supplied with ammunition, and trusting to the strength of his building, which was a sort of fort, he formed the desperate resolution to defend himself to the last extremity ; and if it should prove to be his fate to perish in the flames of his own domicil, to sell his own life, and that of his children, as dearly as possible. His house was soon filled with smoke. His wife, nearly suffocated with it, cautiously, yet imprudently, placed the door ajar. This an alert Indian perceived, and firing through the aperture, killed her. In the mean time, one of his daughters escaped through the back-hall door, with his infant child in her arms. They snatched the little innocent from her arms, and dashed out its brains ; and, in the confusion of the scene, the girl escaped. Their triumph here was,

however, of short duration; Mr. Vrooman succeeded in securely bolting the door, and preventing the intrusion of the enemy. On witnessing Mr. Vrooman's courage, the enemy promised, if he would desist, to save his life, and not set fire to his building. This promise they fulfilled, but carried off two of his sons into captivity."

Charlevoix says, that the French commander ordered that the clergyman of the place should be spared, as he wished to make him prisoner; but he was killed, and all his papers burned. "Le Sieur Coude, major de la place," (which I am obliged to translate, Captain Alexander Glen,) had saved himself by crossing the river, (where, by the bye he resided, at a place now called Glenville,) and prepared to defend himself with the aid of his servants and family; but the French commanding officer sent him a summons by the "Great Mohawk," with a promise of protection, if he would surrender — no harm being wished to him — but friendship in return for kindness shown by him to several Frenchmen, on a previous occasion, when they had been prisoners to the Mohawks. Glen accepted the terms, which were strictly adhered to.

The French historian says, that the officers destroyed all the rum or brandy, to prevent the Indians from drinking; and that the houses were all burnt, except Mr. Glen's and that of a widow, where the wounded Frenchmen had been placed. There were forty well built and furnished dwellings. Such plunder as could be carried off was preserved from the fire, and about sixty old men, women, and children, such as had escaped the first fury of the onset, were spared from the slaughter, as were about thirty Mohawks, found in the town, who were unharmed — to show, says Charlevoix, that the French only warred with the English.

The Mohawk nation had four towns located in the valley of the Mohawk, besides a small village about one hundred miles west of Schenectady. These were called by the whites "castles," or fortresses, as they were all fortified. They were numbered according to their distances from Schenectady, the nearest being called "the first Indian castle." The aboriginal names were as follows: — Cahanniaga, (probably the same as Caghnawaga,) Canagora, Canajoria, and Tionondaga. The Indians of the three first castles were, during the enactment of the dreadful tragedy we have attempted to describe, absent on a hunting expedition to their western territories. Several days necessarily elapsed before the Tionondaga band was notified of the massacre by the messenger despatched for the purpose. On hearing the news, they hastened to Schenectady; whence they sent a hundred of their young warriors in pursuit of the enemy, who overtook them, and killed or made captive twenty-five of their number. The old chiefs re-

mained to comfort the inhabitants, and assist them in burying their dead.

I have, from the Albany minutes, detailed the movements of the convention, when the news of this event reached Albany. Schuyler, as quoted by William Smith, says: "Those who escaped, fled naked towards Albany, through a deep snow which fell that very night, in a terrible storm; and twenty-five of these fugitives lost their limbs in the flight, through the severity of the frost."

Such was this dismal Sunday in Schenectady. About noon, the French departed with their plunder, on forty of the best horses they could find. The others, with the cattle, and human dead bodies, of every age lay slaughtered in the streets.

The nearest Mohawk castle* was not apprised of this event until two days after, owing to the messengers sent from Albany being impeded by snow. They promptly joined a party of young men from Albany in pursuit of the murderers, fell upon their rear, and killed or made prisoners five and twenty of them. The sachems of the Iroquois repaired to Albany, and persuaded the terrified inhabitants, who thought of abandoning their homes, to remain; for their defence, promising their assistance against the French.

Father Charlevoix informs us that the French forces were too near *Orange*, (Albany,) to remain long; and at noon of the day following the massacre, the army departed, carrying their wounded companion, their booty, and forty prisoners. The same hardships and sufferings were to be encountered in their return through the snow-covered wilderness, and the want of provisions added to their misery, and retarded their retreat. Several died from hunger; and we may suppose that the wretched prisoners did not fare better than their triumphant captors. They were obliged to separate into small parties, some of which were attacked by the pursuers, and the historian acknowledges the loss of three Indians and sixteen Frenchmen; whereas at *Corlaer*, (Schenectady,) they only lost one of each.

Such is the Jesuit father's account of the massacre of Schenectady. The victors reached Montreal on the 26th of March, after a

* The Mohawks had four towns or castles and one small settlement on the banks of their river, which, as we know, flows through a valley of almost unparalleled beauty and fertility, until it falls into the Hudson. In 1677, Colonel Coursey estimated the Iroquois thus: Mohawks, 300 warriors; Oneidas, 200; Onondagas, 350; Cayugas, 300; and Senecas, 1,000; making a total of 2,150 warriors. During the revolutionary war, the British rated them, Mohawks, 300; Oneidas, 150, (part of this nation being with the United States;) Tuscaroras, 200; Onondagas, 300; Cayugas, 230; Senecas, 400. In 1794, an annuity of \$500 was distributed to the Iroquois who remained in the United States, and the nations were thus numbered: Oneidas, 628 people; Cayugas, 40; Onondagas, 450; Senecas, 1,780. The Mohawks, 300, were in Canada, as were 460 Oneidas.—(De Witt Clinton's Discourse before N. Y. Hist. Soc.)

march of forty and odd days, enduring hardships and privations of the severest kinds — suffering miseries almost equal to their guilt. But the whole transaction is related with the applause of the priestly historian. He says it raised the French in the opinion of their *allies*.

Before I return to the sequel of Jacob Leisler's story, (to whom, of course, every misfortune of the province was attributed by the party in opposition,) I will continue the Indian war of the frontier a little further, taking Father Charlevoix as my guide.

In May following, some Frenchmen and French Indians, led by the "Great Mohawk," ascended the Sorel, and taking their course for the country of the Iroquois, fell upon some wigwams, and made forty-two prisoners, among whom were four Englishmen; and hearing that a party of English and Iroquois were approaching, they made off on their return. They stopped at the River of Salmon to make canoes, and in the evening, "while at prayer," says the Jesuit, they were discovered by a party of Algonkins and Abanagues, (likewise French Indians, but unconverted,) who were going against the English settlements; and mistaking these praying gentlemen for enemies, they fired upon them, killed "the Great Mohawk" and seven Caughnawagas, besides wounding two "English slaves," before they found their mistake.

The other expeditions sent out by Frontignac were successful, though not in so great a degree as that which destroyed Schenectady; and the New England settlements suffered from his warlike enterprize. He likewise strengthened the fort at Michilimackinack, gained the Indians of that neighbourhood to his part: and the French, to keep alive their enmity to the Iroquois, and gratify their taste, having taken some of the Five Nations prisoners, gave one of them to their allies to be burnt.

The Iroquois, however, continued faithful to New York, and obliged Frontignac to be incessantly on his guard against their war parties, showing their long established superiority in the art of man-killing, with other kinds of destructiveness, and the deep rooted enmity to Frenchmen implanted by M. Champlain and Louis le Grand. They attacked even the Island of Montreal: and, though repulsed, left their traces in blood and ashes.

Frontignac, receiving intelligence from a half-breed, that the English and Iroquois had embarked in canoes upon Lake George, with an intent, again with greater force to attack Montreal by the way of Lake Champlain, prepared to receive them, by gathering great numbers of Indians on the island to aid his soldiers and the inhabitants. Again he repulsed his enemies; but not before they had ravaged the settlements on the island, and in an attack upon his encampment, killed ten soldiers, eleven *habitans*, and retreated with

their prisoners, after slaughtering the cattle, burning the houses, and leaving other evidences of their prowess.

The Iroquois having withdrawn, the French governour dismissed his allies with presents, and the gratifying assurance that he will exterminate their enemies, the confederates of the Five Nations. But the governour soon after received tidings that the Iroquois had attacked the French post above the *Sault de St. Louis*, and put to death the commander and his garrison. Another party had killed two officers, and letters arrived, informing him that thirty vessels had sailed from Boston with troops destined for the siege of Quebec. This was the expedition commanded by Phipps, of which more hereafter.*

I will now return to the affairs of the southern portion of the province of New York, and the story of Lieutenant-governour Leisler.

Jacob Leisler had been called to the direction of the province at a time, and under circumstances which required all the knowledge, address, and firmness of a veteran statesman; and as we have seen, he brought to the task only the experience of a merchant of that day, and an honest desire for the welfare of New York, and the success of the protestant revolution of 1688.

After the destruction of Schenectady, in February, 1690, it appears that the magistrates of Albany saw the necessity of acting in conjunction with Leisler for the defence of the province. Bayard and Van Cortlandt were in New York city, one in confinement and the other secreted. Livingston fled to Connecticut, and resided at Hartford, probably in consequence of the warrant issued by Leisler. But before the dispersion of the Albany Convention, Leisler wrote to the governours of several of the colonies, representing the situation of New York, and urging a combination against Canada. On the 21st of February, 1690, soon after the letters by which the person in power was confirmed in it, Leisler sent Johannes Vermilye, Benjamin Blagge, and Jacob Milbourne, as commissioners, with

* Chief Justice Smith, in his History of New York, gives an account of the measures of the Iroquois and the war-parties of Frontignac, which nearly agrees with the above. He says that the Indians gave up the French messengers to the English; that their scouts harrassed the Canadian settlements; attacked the convoy going to Michilimackinack; and that one of the Iroquois prisoners taken by the French was delivered to their Indians, who did not burn him, merely, to show their determined hostility to the Five Nations, but *cut him*. The destruction made by the Iroquois at the Island of Montreal is given principally from Colden. Lieutenant-governour Colden gives high praise to the warlike and statesman-like abilities of the Count De Frontignac. He says the French Court chose the men best suited to govern their colonies: "the English seemed to have little regard to the qualifications of the person they sent" to rule "but to gratify a relation or a friend, by giving him an opportunity of making a fortune; and as he knew that he was recommended with this view, his councils were chiefly employed for this purpose." Here we have the testimony of one who saw the *actors* behind the scenes.

power to agree with the commissioners of Connecticut on any measures for the public good; and these gentlemen having proceeded to New Haven, addressed the Governour and Council of Connecticut, "and having a deep sense of the danger which Albany and the adjacent parts are in," requested that whatever men should be sent from Connecticut hereafter to Albany, might receive orders to obey the Lieutenant-governour and Council of New York in conjunction with the government of Connecticut, and pay no regard to the convention at Albany. They further request a consideration of the number of men to be sent and their maintenance—whether Massachusetts should not be consulted—and that persons be appointed to treat with the Iroquois.

To this address, the Governour and Council of Connecticut answered that they sent Captain Bull and his soldiers to Albany in compliance with Captain Leisler's wishes and those of the people of Albany, for the security of his majesty's subjects against the French. That being ignorant of any factions or divisions, which they now with sorrow learn, they decline any further interference or assistance, except to advise "the Honourable Captain Leisler and the governour at New York in present power" to take the most peaceable measures for a reconciliation with the Albanians, for the safety of the place, least it undergo the fate of "Shenegdage." And further, as Connecticut considers those "at Albany in present power well acquainted with the Five Nations, and greatly interested in them," they advise "as little altercations" with the Convention of Albany or interruption to their proceedings as is "meet," for fear of disgusting the Iroquois and prejudicing the public peace.* They desire Leisler to send to Albany his 120 soldiers, which he says are ready, as the occasions of Connecticut require the recall of her troops from thence speedily. They tell Leisler that as to the number of men wanted to protect Albany, he must judge for himself; "it lies in your province to do it, not ours." They tell the New York commissioners that if they want the assistance of Massachusetts, it is their "work to obtayne it. They give their advice, "which at present may be sufficient." As to presents or treaties with the Five Nations, it is not convenient for Connecticut to appear in the business, but the New York gentlemen may "act therein according to the order and instructions in the king's letter." This is concluded with prayer, and signed, "John Allyn, secretary." A postscript is added in these words: "Gentlemen: having seen his majesty's letter, in your hands, we do not see but the Albanians may find sufficient reason to comply with you in the same, when they shall receive due information therein." "These for the gentle-

* Letters on file at Hartford.

men commissioned by Captain Leisler, of New York, Commander-in-chief."

To this, a reply is filed in the Secretary of State's office, at Hartford, as "*Leisler's scolding letter.*" It is dated March 1st, 1689, (which means 1690, New Style,) and addressed to the Honourable Robert Treat, Governour of Connecticut. It is from the Governour and Council of New York, and signed by Milbourne, as secretary. They say that the commissioners, (naming them,) having been to Connecticut, and made proposals for the good of his majesty's provinces, they were not received in a manner either friendly or neighbourly; but, on the contrary, their courtesy was answered "with coldness, contempt, and disdain." They accuse the Governour and Magistracy of Connecticut with having abetted and encouraged the rebellion of the people of Albany, by placing forces under the orders of the convention — so called — and having refused to forbid their further proceeding. They state that they are assured that Connecticut, and especially John Allyn, had aided Sir Edmund Andros, to the injury of New York; and formally declare the Governour and Magistrates of Connecticut the upholders of rebellion, *unless* they order their forces at Albany not to obey the Albany Convention; otherwise, they shall esteem said forces as enemies, and treat them accordingly. They require Allyn to be secured and proceeded against for his offences.

On the 5th of March, an answer is made to this, which they call an "angry letter." And the Governour and General Court of Connecticut say said letter is "stuffed with unjust calumniating charges;" that they utterly abhor the thought of abetting rebels. That they did last summer send "commissioners and soldiers to York, to countenance King William and the protestant interest," and not knowing of any division, complied with his, Leisler's request, and the urgent call of the people of Albany, and the Five Nations. They call the behaviour of Leisler and his council ungrateful. They say that they have advised the people of Albany not to contend, but to submit "to the present power in the province of New York, and unite as one man to oppose the common enemy." Allyn is ready to answer the charges made. They decline controversy, and subscribe themselves, "Your neighbours."

On the same day on which the above is written, Leisler wrote to Governour Treat, or any other person in authority, saying that he is informed that Robert Livingston, "who by his rebellion hath caused great disorder in the province, by maintaining that the commissions given by Sir Edmund Andros and Colonel Dongan were good and still in force: and by opposing the forces sent by the government to defend the frontiers," had gone eastward, on pretence of raising soldiers for the frontiers, but in reality to obey the Albany Convention, — that Leisler has, there-

fore, sent Lieutenant Daniel Ternair to pursue him with a warrant, and desires the Governour of Connecticut to assist in securing said Robert. He further requests assistance by sea and land for the conquest of Canada and the encouragement of the Iroquois.

Soon after the flight of Livingston it appears that the Albany Convention submitted. Leisler and Schuyler, with the Government of Connecticut, made strenuous preparation for the invasion of Canada, the Iroquois promising assistance. We shall see that this project of conquest was encouraged by the efforts which Massachusetts was making to attack Acadie, and afterwards Quebec, with a fleet and army under Sir William Phipps.

On the 11th of April, 1690, the government of Connecticut informed Leisler that volunteers should be raised for his majesty's interest. They had ordered 135 Englishmen and 80 Indians, if they could be raised, to be sent to Albany. They request Leisler to provide ammunition and provisions for them.

Trumbull, the historian of Connecticut, informs us that on the 6th of May following, Gould and Pitkin met commissioners at the city of New York, and the plan of an expedition against Canada was ultimately formed: the quotas of the several colonies were fixed, and rules agreed upon for regulating the army. A vessel had previously been sent to ask succour from England; but no attention was paid to the request, although it is evident that the conquest of Canada, at this time, could with ease have been effected by the aid of Great Britain, and her colonies by that means relieved from French and Indian depredations.

Leisler had returned thanks to the Government of Connecticut for their offer of 135 Englishmen and 80 Indians, and informed that colony that he had already sent up to Albany 300 barrels of pork, 200 bushels of peas, 600 "skippel" of Indian corn, 20,000 pounds of bread, 100 bushels of salt, 150 deer-skins, for shoes, 2,000 yards of osnaburgs, for tents, 3,000 pounds of lead, 105 pounds of powder, and 260 men. He sent to Connecticut three letters of encouragement from Maryland, and informed the governour that two sachems of the Mohawks had been to New York, and promised him more than 1,000 of the Iroquois to join with 400 of the colonial troops for the purposes of the war. He details a successful expedition of the French and Indians near Albany, which had encouraged the enemy; but promises every exertion on the part of New York to procure success, calling upon Connecticut for every possible assistance. He says, he has a man-of-war ready, with 20 guns, and 120 resolute men, "commissioned for Canada."

Among the letters of encouragement and friendship from Maryland, is one from John Coodee, commander of his majesty's forces in that province, in which he tells Leisler that a great design was on foot to betray and ruin the protestant interest in America, and

that of William and Mary: one proof of which, was the attempt to disarm the protestants of Maryland, in the spring of 1689, and the treacherous combinations of the late governour with the Indians; which had caused the people of that province to stand to their arms, against the papists. He sends to Leisler a paper, in which King James commands the Marylanders to keep in union with the French of America, with other suspicious circumstances. He asserts his opinion that the "great men" of Maryland, with some of New York and New England, were engaged in a plot against the protestant interest, "as it was and is the endeavours of all the popish world."

By these letters, which exist on file at Hartford, the reader may see the dread of the people of that day in respect to the designs of Rome, and the fears entertained of the influence of Louis, James, and the popish priests. Coodee mentions orders sent from William to Virginia, Maryland, and Pennsylvania, to resist the attempts of the French. He promises to assist New York in the war, if he can, but says Virginia declines doing any thing, without orders from William; and that Nicholson is on his way, as Governour of that province.

Milbourne, who was at Albany, on the 27th of May, 1690, writes to Leisler, desiring him to "stay the ships," (apparently ready to sail for England,) for that he cannot come down (from Albany) "within so short time." He says, "yesterday, Jannetie and Christagie came with an express from Arnout, and a sachem from Onondaga, that the French send four of their own people, and four of their praying Indians, as emissaries." They bring with them "two of our Indians (an Onondaga and a Cayuga) which were returned from France," meaning, as I suppose, the French of Canada. The Indian council, by messengers, have desired the different nations of the Iroquois to send deputies to meet two or three men who understand French, for they will not listen to these emissaries until such men from the colonists arrive. "Whereupon, Messrs. Peter Schuyler and Robert Sanders, MM. Gawsherén and Jean Rose, and two more, are this day despatched, with instructions that they hasten with all possible speed," and instigate the Indians to treat these emissaries as enemies, either by securing them and bringing them to Albany, "or by slaying them outright;" which Christagie and Jannetie are resolved, on their parts, "and hope the rest" (of the Iroquois) "will agree to." He further writes, that "the French captain, who attacked Schenectady, is one," of these emissaries, "with some more noted persons,"—"we have sent to the Scaticock Indians also to be ready and resolute"—"we this day double the guards, and place Capt. Johnson's men without the town, at Renslaer's Mill." A band of Mohawks are sent to watch upon the lake. He laments that no forces from Ma-

ryland or New England had arrived, "so that it is impossible to know the time of marching, unless we go without them."

This letter of Milbourne's is forwarded, on the 30th, to Connecticut; and, at the same time, a letter from the Governour and Council of Connecticut is on the way to Leisler, dated the 28th, informing him that they have intelligence from Albany that there is great sickness among the people, soldiers and Indians; that dysenteries are supposed to be caused by bad pork, and that the Indians are dying with small-pox. It is suggested whether the expedition shall not be stopped, until the issue of these distempers be seen. About the same time, Leisler wrote to Governour Treat, urging the preparations against Canada, hoping the Connecticut troops would be ready to march with those of Massachusetts and Plymouth. He says, that he has been forced to seize all the pork found in New York, and appropriate it to the army. He encloses a copy of the proposals made to the Indians and their answer. He says, that the gentlemen commissioners, on their arrival at New York, urged the government to "make up the number of 800 or 1,000 men, by land," saying they had 800 by sea already, and that they would make it up 1,400 or 1,500. They calculated, New York, 400 by land, and 240 by sea; Connecticut, 300; Maryland, 100; East Jersey, 50. This force was announced to the commissioners at Albany. But, subsequently, the gentlemen from Boston would not engage that their fleet should go to Quebec, unless successful at Port Royal, whither they were bound; in that case, they *believed* they might be sent to Quebec. He says, he shall give orders that none march but such as have had the small-pox.

The fleet from New York sailed the 26th May, 1690, with orders to stop at Cape Ann, and send to Boston notice of their intent, and "if possible, to stop at Port Royal, to invite the Boston fleet along with them." The next day, Leisler writes to Treat, hoping that Major General Winthrop may be obtained for the command of the forces, and saying, he had sent a blank commission to Albany, to be filled up by the commissioners, but recommends Milbourne. He mentions the successes of Sir William Phipps, to the eastward, rejoices in them, and says he has intelligence that the French were fitting out eight ships of war, to conquer New York. Of the Indians mustering at Albany, one half were to march to Cadaraqui, to make canoes; the remainder to go "the Canada path," and that the news of Phipps's victories will hasten them.

The fleet, despatched by Lieutenant-governour Leisler from New York, was commanded by Captain William Mason. It consisted of a ship, a brigantine, and sloop, commissioned against the French, generally, but ordered to make the best way immediately to Quebec, and there remain, doing all possible injury to the

French, for a month, to co-operate with the land forces advancing by the lakes.

It will be seen by the reader, that all these preparations for the attack of Canada by land, were encouraged by, if not founded upon the great armament fitted out by Massachusetts, and commanded by Sir William Phipps. I shall make use of Mr. Francis Bower's biography of Phipps, and likewise of Charlevoix's history.

William Phipps, a native of Maine, was born on February 2nd, 1651, at Woolwich, on the Kennebec River. Left at an early age, without education, to his own guidance, he apprenticed himself to a ship carpenter, and, in 1673, removed to Boston and worked at his trade. His leisure hours were employed in learning to read and write, and he thus laid the foundation of future fortune on the sure basis of industry and the acquisition of knowledge. He was at this time an English baronet.

Port Royal, the capital of Acadie, was the place from whence supplies flowed to the Indians, and where the French privateers found shelter. Thirty years the French had possessed this country, and Port Royal was defended by a fort. A blow was meditated by Massachusetts against this place. Forces were raised, and Sir William Phipps appointed to the command. With a small fleet, and seven hundred men, he undertook the conquest of Port Royal, and arrived there on the 11th of May. The French were unable to resist, and surrendered by capitulation. Before he returned from Port Royal, the House of Deputies resolved on the armament for the conquest of Quebec, and appointed Sir William the commander. A fleet of thirty-two vessels, with twenty-two hundred men, was ready by the middle of July. Disappointed in not receiving munitions of war from England, and destitute of pilots or seamen, acquainted with the navigation of the river, the fleet sailed from Nantasket on the 9th of August. It was not until the 5th of October that they appeared before Quebec.

Frontignac had been actively engaged in preparation to meet the forces advancing from New York, and arrived at Quebec, from Montreal, barely in time to prevent the capture of the place by "Gnillaume Phibs," as the Jesuit calls him. The Massachusetts squadron, according to him, anchored before Quebec on the 16th of October, and the governour only arrived on the 14th.

Phipps summoned the town to surrender, giving as the cause of his hostile approach, the barbarities of the French and their Indians, and demanded that every place and thing in Canada should be delivered to their majesties of England, William and Mary. Frontignac replies, that he does not know William as king; but only as Prince of Orange, as an usurper, a violater of the rights of his father-in-law, &c., and defies Phipps. Charlevoix then says, the English attempted to land, but were repulsed. They cannonaded

the town without effect. Phipps then effected a landing, and after several skirmishes, re-embarked in the night, leaving his artillery.

La Hontan, a French writer, who was on the spot, says, that had Phipps effected a landing before Frontignac arrived at Quebec, "or even two days afterwards, he might have taken the city without striking a blow—there being but two hundred regular troops in the place, which was open and exposed in every direction."

Phipps delayed, and Frontignac actively prepared for defence. The messenger who carried the summons, was introduced blind-fold; and the letter being read, the French general threw the paper in the face of the bearer, and gave as answer, that "Sir William Phipps, and those with him, were heretics and traitors;" adherents "to that usurper, the Prince of Orange;" but for whom, "*New England and the French had all been one*;" and that no other answer was to be expected, but "from the mouth of his cannon."

Another day was lost before attempting to land, which was effected three miles below the town. The River St. Charles was to be crossed before they could advance to the attack. Major Walley was entrusted with the command on shore; Phipps was to second him by a cannonade from the ships, and more men were to be landed, under cover of the guns, for an assault on the lower town. The next day a tempest baffled the plans of the assailants, and one of their vessels was driven ashore and exposed to the fire of the enemy. From this peril she was, however, rescued by the other ships.

The Massachusetts force was now so far reduced by sickness, that they could only land, on the succeeding day, thirteen hundred men, and some of them unfit for the service. The weather was already cold, and the troops had to wade from the boats to gain the shore, chilled and dispirited. Near the place of landing, Frontignac had stationed a detachment of Rangers and Indians, in a bog, covered by a thicket; these suffered Walley and his men to approach, and then poured in a fire which disconcerted them for a time; but the assailants charged and drove the enemy from their covert with some loss. As the landing had not been effected until two o'clock in the afternoon, Walley found night approaching before he had gained the neighbourhood of Quebec, and the ammunition of his men nearly expended before the intended assault was commenced. He, therefore, halted for the night at a house and barn, near a village, which appeared on his right. By accident, the barn was burnt, the house could only shelter a few of the troops, night came on with a premature frost, and the soldiers were without shelter or food.

While the land forces were thus suffering at a distance from the city, the ships were brought up, and again opened an ineffectual fire upon the lower town, where they expended the powder which Walley wanted for his troops on shore. The French returned the

salute of Sir William gallantly, and forced him to drop down the river.

When morning arrived, Major Walley found his men dispirited, starving; some of them sick, and others frost bitten; and, to add to his discouragement, received intelligence that the New York army having abandoned the enterprize, all the French force of Canada was concentrated in Quebec. That three thousand men were in the town, besides a large detachment posted in a swamp near his encampment, and that a battery had been raised which commanded the crossing place of the St. Charles.

Walley neither attempted to force the passage of the river nor retreated to the ships; but having received a very scant supply from them, continued skirmishing with the French Rangers that day, and the next, and leaving his men in their encampment, he went on board the commander-in-chief's ship, to consult on further measures. The major's account of obstacles, produced an order to return, and withdraw his men to the beach, to be ready for re-embarkation. The military operation of another day was defending the encampment against the enemy, (now the assailants,) and in the night the invaders silently retreated to the beach where they had landed.

The next day Frontignac pursued his disheartened adversaries to the water's edge, and Phipps did not dare to hazard bringing them off until night; but withdrew the boats, after sending reinforcements to check the French advanced force. At night the discomfitted troops were conveyed to their ships, leaving five field pieces in the hands of their triumphant opponents.

Some more days were spent in contemplations respecting further attempts, which, if ever seriously intended, were prevented by a storm that drove the fleet out of the St. Lawrence.

The return of the armament was as disastrous, as all the preceding operations were imbecile or unfortunate. The fleet was scattered by tempests. One ship was never heard of—another was wrecked—a third was burnt at sea, and four ships were blown so far from their route, that several weeks elapsed, after the arrival of Sir William at Boston, before they were seen or heard of.

Louis XIV was so pleased with this repulse of the Massachusetts armament, that he caused a medal to be struck, which is engraved for Charlevoix's work. On one side is the head of the conqueror, *Louis le Grand*, with the inscription, "Ludovicus Magnus Rex Christianissimus;" and on the other, a figure representing France, seated on trophies, and surrounded by the words, "Francia in Novo Orbe Victrix;" at the bottom, "Kebecca Liberata."

Let us now return to New York, from whence, on the 20th of June, Leisler wrote to Treat, upon hearing of the success of Phipps, at Port Royal, urging "the gentlemen of Boston" to undertake the conquest of Quebec, and offering Mr. John Winthrop the com-

mand of all the troops prepared for the land service. Ten days after, no troops had arrived from Massachusetts or Plymouth, at Albany, neither had Major General Winthrop arrived. Report said, that Frontignac was advancing by the lakes, and had fitted out a French fleet, destined for New York. The latter threat was not performed, and the Governour of Canada awaited his enemies at Montreal, until he was called to Quebec, by the arrival of Sir William Phipps.

On the 31st of July, General Winthrop's instructions are given him by the Commissioners of New York, at Albany: they are signed by J. D. Browne, Johannes Provost, and Jacob Milbourne, in which, the due distribution of plunder is not forgotten.

Leisler wished to command the allied forces himself; but the influence of the Albany Convention prevented. He then wished Milbourne to command; but Livingston and the Government of Connecticut prevailed: Winthrop was appointed, and the Lieutenant-governour of New York was obliged to thank him. Schuyler had the same influence over the Iroquois. Thus Leisler and Milbourne were completely in the hands of their enemies.

It was late in August when Winthrop came to a full pause, at Wood Creek. By the letter of the Governour of Connecticut, dated, 23d of August, 1690, we learn that the general had written, informing the governour that he was then retarded by the failure of the Indians to accompany them and furnish them with canoes. Dissentions existed in the army. Treat seems to have had little hope from the expedition, except that it might distract the attention of the enemy, and aid Phipps, who had sailed from the bay with a great fleet. Mason had joined Phipps, and brought in several prizes.

Charlevoix says, that sickness was one of the causes of Winthrop's failure; certain it is, that he returned with his army to Albany — the men disheartened, discouraged, and discontented.

CHAPTER XII.

Great Discontent in New York and Connecticut—Arrival of Captain Ingoldsby, with troops—He joins the party of Bayard, Van Cortlandt, Livingston, etc.—His claims properly denied by Leisler—His outrageous proceedings—Slaughter arrives—Leisler is seized, and after a mock trial, is executed, with his son-in-law.

1690 THE retreat of an army is, at all times, pregnant with disorder and suffering: the retreat of the provincial army of Winthrop, which had marched with the prospect of conquest, and retreated without seeing an enemy, or coming within many miles of the country intended as the scene of fame, subjugation, and plunder, was peculiarly deplorable. Sick, and scantily supplied with necessary food, to toil through such a wilderness as lay between Wood Creek, flowing into Lake Champlain, and the frontier town of Albany, in 1690, was evil enough, without the aggravation of disappointed hopes and sectional dissensions. The two secretaries of New York and Connecticut, Milbourne and Allyn, had long been at sword's points. The officers of the allied forces threw the blame of failure, of course, on each other. Both would join in censuring the Iroquois, who again felt contempt for the boasting white men, and proportional reverence for the power of France. Yet France had failed no less, in her intended conquest of New York, than the Colonies of England had done, unaided by the mother country, in the attempt upon Canada.

Leisler had fitted out a fleet — had sent to Sir William Phipps the first ship of war fitted out by New York — had raised and provisioned an army, considerable for that day, and the resources of the colony he governed. To do this, taxes had been imposed, collected with rigour, and private property seized, perhaps from necessity; and had the expedition been successful, the advantages to the province would have been incalculable, and the plaudits of all men would have crowned the government of Jacob Leisler. But all had failed; the province was exhausted; the enemy triumphed and threatened: and every ill was attributed to his dishonesty or incapacity.

With an honest intent to remedy these misfortunes and grievances, as I see no reason to doubt, the Lieutenant-governour of New York proceeded to Albany, there to meet the discomfited army of the Connecticut general, who arrived on the 27th of August.

It appears, that Leisler was biassed by the representations of Milbourne and others of New York; and although Winthrop had, as commander-in-chief, with the advice of his officers in council, retreated, the Governour of New York arrested him and the Connecticut commissary, and put both in confinement. This drew from the Governour and Council of Connecticut a letter, dated September 1st, 1690, addressed to "the Honorable Jacob Leisler, Esq.," without addition, or other title, in which they say, that the tidings of these arrests are very grievous to them. That the knowledge and confidence in Mr. Winthrop's many virtues, caused that intercession which induced him to accept the command of the army; which confidence is not impaired by Leisler's suspicions of him. That if the retreat from Wood Creek "be the matter" which offends the Lieutenant-governour of New York, they think the commission given by Leisler justified that retreat, made with the advice of Winthrop's council of war. That this conduct of Leisler's, will prevent Connecticut from joining with New York, in the measures necessary for future operations. That, by this act, he has disoblged all New England; nor is a prison "a catholicon for all state maladies, though so much used by" Leisler. They attribute Leisler's proceedings to Milbourne. They advise an immediate release of Winthrop and the commissary, and threaten to make Massachusetts acquainted with Leisler's proceedings.

On the next day, the 2d of September, the Governour and Council of Connecticut address another letter, of the same import, to Leisler, but in a more gentle style, and direct it to him as "Lieutenant-governour of the Province of New York." They require to know the reasons for the major general's confinement, "if any such be," that they, as confederates with New York, may assent or not to Leisler's proceedings. They say all New England is concerned in his vindication, and, by arguments, enforce their first request or demand.

Without detracting from the high character of Mr. Winthrop for virtue, I am of opinion that there had been at that period, and have been since, men, who, having led an army to Wood Creek, which falls into Lake Champlain, and is the commencement of water communication, leading directly to the enemy, would have found some means, by building batteaux, or otherwise, of accomplishing the intended attack. One-third of August, and all the fine autumnal months were before him for action. He knew that the armament of Phipps and that of New York were to co-operate, by distracting the attention of the French; that Frontignac, with an inferiour force, awaited him at Montreal, and having there concentrated his powers, Quebec was left with weak defence. If the land army from New York had been successful, or only occupied Count Frontignac, and the French and Indians up the river, Quebec might have fallen

into the hands of the Massachusetts armament, and a junction of the English provincial forces would have wrested Canada from France.

The success of the expedition against Canada would have exalted Leisler in the opinion of America and England. His enemies, the rich and influential men of New York city and Albany, would have been proportionably cast down. These men almost commanded the Iroquois; and, by their intrigues with the Indians, relied upon the means of ruining the expedition, which, though of immense benefit, if successful, to the province and all English America, was death to their hopes and predictions. Upon the failure, Leisler returned to New York, to meet obloquy, discontent, and the accumulated evils which the faction had it now in their power to heap upon him.

On file, at Hartford, will be found the Lieutenant-governour's answer to the Governour and Council of Connecticut, dated, the 30th of September, 1690. In this, he asserts, that violent dissensions had arisen between the New England captains and the New York officers before the arrival of General Winthrop; which he attributes to the friends of the Albany Convention, and enemies of his government. He accuses Winthrop with siding with Secretary Allyn and Robert Livingston, and proving himself a very different man from the representations which induced him and the commissioners of New York to place him at the head of the army. He says, Winthrop was directed by Connecticut not to proceed to Canada without the Iroquois, and more than insinuates, that they were rendered unfaithful by the intrigues of Livingston, and that faction. He accuses Winthrop of declaring his army unequal to the intent, without the troops of Massachusetts and Plymouth, (which did not join,) and, after arriving at Wood Creek, of influencing the council of war to their return, only sending forward a small detachment, with a party of Indians. He says, the success of this detachment (of 30 whites and 150 Iroquois, in destroying the enemy's cattle, taking or killing 28 of the French, burning dwelling houses and barns,) proved, that with only 150 more men, they could have taken Montreal. He accuses Winthrop with being influenced by Allyn, Livingston, and the faction opposed to the established government, and expresses his surprise, that such a person should be considered an honour to New England. And in a second letter, dated January 1st, 1691, calls for a trial of Winthrop, by the colonies of New England. In this letter, he reiterates his charges, and says, he has long waited an answer to his proposal, that Connecticut should empower commissioners, to meet those of New York, at Rye, to consult on the means of defending Albany.

Trumbull, the historian of Connecticut, tells us, that Winthrop had been released from his confinement by a party of Mohawks, who bore him off in triumph to his own troops. Yet it was the

failure in performing the promises of these Indians that was the ostensible reason given for Winthrop's retreat.

That it would have been of great service to the Colonies if this expedition against Montreal had succeeded, is very apparent; but it is no less apparent that success would have strengthened the lieutenant-governour of New York, made him popular with the province, and raised his credit in England; while those who had opposed him, under the name of the convention of Albany, would have sunk in proportion; the representations sent to England by Livingston, Bayard, Van Cortlandt, and the rest, would have been contradicted, Leisler's ruin prevented, and their nomination to the council prevented, perhaps their ruin sealed. Such being the consequence of success, it is, perhaps, not too much to believe, that the gentry, "the people of figure," though no longer acting as the Albany Convention, did, by thwarting Leisler's measures, and holding back the Iroquois, defeat the expedition, and turn back General Winthrop.

There is a letter on file at Hartford, dated from New London, October the 6th, 1690, from General John Winthrop to Governour Treat, calling for vengeance on Leisler for the insult of the arrest; in which Winthrop plainly says, that when he accepted the command and went to Albany, he was referred for advice, by Treat's instructions to the gentry who had formed the Albany Convention. He says, "the most considerable gentlemen of Albany accompanied him as counsellors to the whole management of the design." These were the persons to whom he was referred by Governour Treat, and these were the persons whose credit depended upon Leisler's scheme, and the expedition failing. These gentlemen guided the Iroquois, and could thwart every effort of Leisler. The Iroquois "demanded delay," says Winthrop. Canoes were not ready. Livingston repaired to Winthrop's camp, and had, without doubt, seen and conferred with him before he went to Albany. The gentlemen of Albany concurred with Winthrop's council, that the army could not proceed to Canada; he marched back, and Leisler was rendered the disgraced and unpopular thing that the "people of figure" wished to represent him.

That General Winthrop was deceived by the Albany Convention, to whom he was recommended by Treat, and by those persons whose importance, credit, and perhaps safety, depended upon thwarting the measures of Leisler and Milbourne, is my opinion: not that the general, the son and grandson of the two distinguished John Winthrops, was a traitor to the expedition he had consented to lead. He was exonerated by Governour Treat and the New England provinces, and afterwards governed the province of Connecticut. But *that* Jacob Leisler, who was ruined by the retreat, and could not penetrate the councils of those who thwarted

him, should be enraged against the commander, was natural, though perhaps not commendable.

Peter Schuyler was a brave soldier, and honest in his intentions. It is much to be lamented that he did not see that the welfare of the province demanded his co-operation with Leisler.

From an early day in June, 1689, Leisler, first by the call of the people of the city of New York, and the inhabitants of Long Island, which then constituted in itself the greater part of the province, ruled with unquestioned authority, until Captain Ingoldsby arrived, with a company of foot, from England, in the latter days of January 1691, and demanded the surrender of the fort to himself.

I must here remind the reader, that the gentry, consisting of Nicholson's council and the leading men of Albany, as soon as they found that Andros had been put down in Boston, and William and Mary proclaimed in England, likewise declared for the revolution: and whatever might have been the event, if James had remained on the throne of England, and his creature, Andros, had succeeded in subverting the charters, and carrying into effect the bigot-tyrant's will, in the colonies, the convention at Albany, and the governour's (or his majesty's) council, loudly declared for the protestant religion, and King William III. But they declared still louder against the freeholders of the province, for taking up arms and putting their trust in a merchant of the city of New York, a mere captain of militia, who had, with them, placed himself in opposition to Andros, Nicholson, and the sworn council, under James' government.

The two parties awaited the decision of William's ministry. A governour, appointed by *that king* whom the people of England had chosen, was expected. The arrival of orders, and a ruler from England, was needed, that the province might be united. But William of Orange had the great game of war to play on the continent of Europe, against the usurpations of popery and Louis XIV, as well as in Ireland to subdue the adherents of James, assisted by the French king. We cannot then wonder, that a distant province was neglected. Yet, the commission of Sloughter was dated the 4th of January, 1689; but still, in January, 1691, Lieutenant-governour Leisler knew nothing of the appointment, and was only notified by Ingoldsby, a captain of foot, in a peremptory demand for a surrender of the fort and province *to him* — bearing no commission but that which authorized him to discipline and command his company.

The arrival of Ingoldsby, and his information that Sloughter had been appointed, was hailed with joy by Bayard, Van Cortlandt, Livingston, Phillipse, and their party. They rallied around

the English captain of foot, and brought forward all the discontented in their train.

During Leisler's administration, war had been felt throughout the province. His efforts against the enemy on the frontiers, and the expedition against Canada, had been paralyzed by the opposite party. He had been obliged to raise money, by taxes and loans, which had turned many of the people against him; and, in the general joy at the approach of a *king's governour*, as announced by Ingoldsby, Leisler was blamed for not surrendering his government, at the first summons, from a man who bore no letters or orders from the ministry.

The residence of the lieutenant-governour was in the fort. The fortifications in every part of the city had been repaired by Leisler; and within the fort was the governour's house, the Dutch Church, (then the only place of worship,) and the barracks. In this fortress the families of the commander and of his son-in-law, Milbourne, (we must presume,) resided. Notwithstanding the general peace of the southern portion of the province, and some successes at sea against the French commerce, the government of Leisler was now unpopular; and the accession of Ingoldsby, with his audacious behaviour, countenanced by the former mayor and council, was approved by the people—who now wished a change, and were willing, generally, to be guided by the leaders of the party who were again coming into power.

1691 It appears, that Captain Richard Ingoldsby arrived at New York, in January, 1691, in the ship *Beaver*, the same vessel which carried over to England, Nicholson and Ennis. Immediately seized upon by the gentry, with whom an officer, bearing the king's commission and livery naturally assimilated, Ingoldsby demanded the surrender of the fort, under pretence, in the first instance, of finding quarters for his soldiers. He was made acquainted with the posture of affairs; and having announced the appointment of Colonel Sloughter, as governour of the province, Leisler requested to see his commission, or order, from the ministry or the governour: at the same time, the mayor tendered to Ingoldsby quarters for his majesty's troops. This did not satisfy the "people of figure," and, in the captain's name, the magistrates, or justices of Long Island, were called upon to assist his majesty's officer in enforcing his commands.

Whereupon, Leisler published a proclamation, to this effect: "Forasmuch, as Major Richard Ingoldsby, without producing any order from his majesty, King William, or from Governour Sloughter, has demanded possession, etc.,—not being satisfied with the accommodations for himself and the forces under his command, twice tendered to him, (in the City Hall,) until further orders shall arrive, but has issued a mandate, dated the 30th January, 1691, to

the magistrates of Long Island, calling upon them to assist in fulfilling his commission, I do, by and with consent of my council, military officers, and others, in behalf of the king and queen, protest against the proceedings of said Ingoldsby. And further, the governor warns him, at his peril, not to attempt any hostility against the king's city and fort."

This proclamation is headed, "By the Lieutenant-governour and Council;" but it is plain, that though in possession of the fort, power had departed from Leisler: otherwise, his majesty's lieutenant-governour would have shown it otherwise than by words. In fact, Ingoldsby, directed by the party, and his feelings of superiority over a Dutchman and a provincial, had landed his soldiers, and besieged the fort. He likewise blockaded Leisler by sea, with the armed ship in which he had arrived with his troops from England.

The fears of the introduction of popery, which might honestly have influenced the conduct of Leisler and the people of New York, at the commencement of the revolution of 1688, had ceased; but the resentment of those who had been suspected or accused of being papists or favouring the designs of Dongan, Andros, and James, was increased by recent disgrace and suffering.

It has been observed by Robertson, the historian, that popery, in its very genius, is "averse, at all times, to toleration," and that it was, in the early stages of the reformation, "fierce and unrelenting;" and no less fierce and unrelenting was the enmity of the aristocracy of New York, on the return of power, towards Jacob Leisler. He must have known his peril, and that it proceeded from "the gentry," the "people of figure," who had cut so poor a figure since the flight of Andros and Nicholson. His hopes must have been placed on William, whose cause he had advocated, and whose standard he had raised against James. The arrival of Slaughter must have been looked for anxiously, as that which would relieve him; for, as yet, he could not know that the expected representative of majesty was even more likely than Ingoldsby, to fall into the views of, and be directed by his enemies. Slaughter was a man, described by a king's officer, as, "licentious in his morals, avaricious, and poor."* He was one of those governours who, according to Lieutenant-governour Colden, were sent hither "to gratify a relation or a friend, by giving him an opportunity of making a fortune." Slaughter was the very man that Leisler's opponents might wish for: ignorant, brutal, needy, and vicious; — yet to his arrival Leisler must have looked for safety.

On the last day of January, the besieged lieutenant-governour issued an order to the civil and military officers of the colony, for-

* Chief Justice Smith, of Canada.

bidding them to heed the proclamations of Ingoldsby, but, according to their oaths, or their commissions, given by him, the lieutenant-governour, as authorized by King William, to call forth all the forces under their respective commands, both horse and foot, and to be in readiness, completely armed, to obey the orders of the lieutenant-governour aforesaid.

The next day, Ingoldsby answers, by proclamation, Leisler's protest and order, of the day before, which, he says, is "pernicious and dangerous to their majesties." He professes, that what he does, is to prevent outrages by those persons Leisler "calls" his soldiers. He says, "I know not how you will answer the firing a shot at my men last night, when they were coming on board."*

By this, we see that Ingoldsby's soldiers, although landed by day, and probably keeping a watch by night on shore, still had their quarters on board the ship *Beaver*, in which they had crossed the Atlantic.

On the second day of February, Leisler sent a letter to Ingoldsby, saying, that he had examined into the circumstance of the shot fired at the king's soldiers, and finds that it is a fact. He adds, that if the captain will point out any injury done, justice shall follow. "None," says he, "under my command shall be countenanced in an ill action." He likewise desires to know, in what manner he can better accommodate Captain Ingoldsby. But, on the same day, February 2d, Ingoldsby issued a proclamation, assuring the inhabitants that he had come to protect them, all reports to the contrary, notwithstanding.

On the 3d of February, the lieutenant-governour notified the inhabitants, by a proclamation issued from fort William, that Colonel Slaughter had been appointed governour of the province of New York; and that, on his arrival, the fort and government should be cheerfully surrendered to him. "In the meantime, his honour, Major Richard Ingoldsby, having a considerable number of his majesty's soldiers under his command, for the service of the colony, which, at the present, cannot be otherwise accommodated than in this city, until his excellency appears," therefore, the inhabitants are commanded to receive Major Ingoldsby, and all his people, with "respect and affection."

To show the distinction which Leisler made, and wished to impress upon the people, between this officer, commissioned by King William, and the former council and magistrates, who had been commissioned by Dongan and James, he addressed the inhabitants again on the following day, saying, that Ingoldsby having demanded possession of his majesty's fort, without showing any order from

* MSS. in Historical Society's Library, for all the documents quoted.

king, queen, or governour, therefore it is not to be surrendered; but that several offers have been made to that officer, for the accommodation of himself and his followers, which have been refused, he still continuing to demand the surrender of the fort. The lieutenant-governour then continues thus—"The Major, by flagitious counsellors, who to carry on their accursed designs of mischief, and gratify their revengeful spirits, (depending upon his majesty's gracious indemnity for their said crimes, which already have been, and may be, committed before the arrival of his excellency,) the said Major Ingoldsby, by such pernicious instigation, hath presumed to levy forces by his own authority, pretending commisssion from his majesty, (and likewise has dignified himself by the sovereign title of us,) by which means, sundry outrages are committed by persons who have been instigators, ringleaders, and promoters of mischief; who have opposed the necessary taxes for supporting the present war, (against the French,) and do encourage the inhabitants to take up arms, to the disturbing his majesty's peaceable subjects." Therefore, he, the lieutenant-governour, again declares that Ingoldsby shall have accomodation for himself and soldiers, and for others who may come, until the governour shall arrive, or orders be received for surrendering the fort; which he promises to do, on the arrival of Slaughter, or such orders as shall justify him in the act; but he commands all persons, on their peril, not to obey said Ingoldsby, and warns him to desist from his illegal proceedings.

These paper-shot made no impression upon Ingoldsby and his advisers; but, by them, we learn that the former council, the former mayor, and their other adherents, were prevailing; and that Capt. Ingoldsby was arming the people, under pretence of authority so to do from the king's government: for again Leisler, on the 5th of February, repeats his warnings to the captain, and strictly forbids all persons, pretending any authority from Ingoldsby, to raise forces and quarter the same upon his majesty's subjects, or to commit any violence. Such forces as had been raised, are commanded to disperse and return to their homes.*

During this time, Leisler was besieged in the fort by the troops Ingoldsby brought with him, and such as the faction could prevail upon to take up arms against him. A portion of Leisler's men, about one hundred, who had possession of a block-house, (two or

* On the 6th of February, at a meeting of the worshipful mayor and common council, in the City Hall, (Coenties slip,) present, P. De la Noy, Mayor, Major de Brown, (or Bruyn,) Captain Duyking, Cornelius Pluvier, Johannes Provoost, Captain Silurtolpherts, Lieutenant P. Van Brugge, Lieutenant Paul Turk, Ensign de Mill, Ensign Peter White, and David Provoost, with the Secretary, Jacob Milbourne; certain resolutions were passed, stating many of the facts already recounted, viz., permitting the troops to be quartered in the City Hall, provided that thereby there should be no hindrance to the usual courts of judicature, &c.

more of which strengthened the palisadoed wall, which extended across from river to river, on the north side of what is now called Wall-street,) were several times summoned to surrender, and finally did so, upon promise that they might retain their arms. They were, however, disarmed and dismissed.

On the 5th of March, which was probably seven weeks after the arrival of Ingoldsby, Leisler held a meeting of his council at Fort William, the proceedings of which are before me. There were present, the lieutenant-governor, Jacob Leisler, Peter De la Noy—the first man that ever was elected by the freeholders and freemen of New York to the office of mayor—Thomas Williams, Hendrick Jansen, Johannes Vermilye, Samuel Staats, Johannes Provoost, Jacob Mauriz, and Robert La Cock. The paper begins thus—“By the lieutenant-governor and council, in pursuance of his majesty’s letter, bearing date the 5th of July, 1689, for governing this province until further orders,” &c., “their majesties’ interest hath been asserted and defended, the peace of the province preserved, until the arrival of certain ships, with soldiers and ammunitions, under the direction of his excellency, Colonel Sloughter,” appointed to govern the province, “but separated at sea;” by which, it would appear, that Ingoldsby’s ship, or ships, were part of a fleet which sailed at the same time with Sloughter, and that he had been wandering on the high seas seven weeks longer than the commander of his land forces.

The lieutenant-governour’s council go on to state the demand of Ingoldsby for the surrender of the fort, though he bore no commission but that of a captain of foot, “with orders to obey the governour for the time being.” They state, as above recited, the acts of Ingoldsby, by which the city had been disturbed, the inhabitants insulted, by “papists and other profligates:” and that Ingoldsby had undertaken to call out, command, and superintend the militia of the city, and had otherwise insulted the lieutenant governour, although cautioned and warned against such practices. The council finally protest against Ingoldsby and his confederates, and order them to desist from their attempts to destroy the peace of the city and province.

On the file at Hartford is found, a note to Colonel Robert Treat, from M. Clarkson, the secretary of the pretended king’s Council of New York, saying, that being “directed by the gentlemen named of their majesties’ council of New York, to give you account of the present state of affairs here, and to desire the advice of your honour and others of the government of their majesties’ colony of Connecticut,” he forwards a certain order, not to be found; “and because it hath been thought by many prudent persons in this city, that Capt. Leisler hath had very particular advices from your parts, I am the

more hopeful that nothing shall be wanting within your power, for their majesties' service, etc."

Upon the receipt of this note and the order, Mr. Treat summoned a council, and they addressed a letter for Captain Jacob Leisler, in the fort, at New York, dated Hartford, 11th of March, saying, that hearing from Mr. Clarkson by order of the six gentlemen named, of the troubles between him and Ingoldsby, and asking their advice, they accordingly, inasmuch as Governour Sloughter is expected daily, advise Leisler so to demean himself, "as may noways violate their majesties' subjects peace," and to refer all matters in dispute to his excellency on his arrival. And they hope to hear of his dutiful compliance, "which will prevent any further trouble" to them. On the same day, the governour and council of Connecticut, wrote to "the Honourable Mr. M. Clarkson, secretary of his majesty's province of New York," "for his majesty's special service." They tell him that they have been "much rejoiced in the news of their majesties' pleasure," to make Colonel Sloughter governour of New York. That they are grieved to hear, "that those honourable persons named of his excellencies council, with the soldiery, obtain no better treatment with Captain Leisler." That they have advised Captain Leisler, as by the letter to him, which they enclose open, and desire may be sealed and delivered as may be ordered, "by the honourable gentlemen of the council." They apologize for being mediators, as Leisler's late dealings with them, had not found "acceptance with them." They apologize, likewise, for former connection with Leisler, and hope they shall not be called upon by his rashness, but shall do their duty.

Again on the 16th of March, the lieutenant-governour and council, address the people by proclamation, and recapitulate Ingoldsby's demands, asserting the intention to resign the fort and government to any one authorized by the king to receive them. They assert, that Ingoldsby and his ringleaders had interrupted, and contemned the mayor's court — had controlled the city militia — had endeavoured to provoke the governour of the fort to hostilities, by eight several times in one night, causing soldiers to pass and repass the works — that he had misrepresented the words and acts of the government, and had imprisoned and beaten inhabitants, for doing lawful acts — that he had entertained declared papists in arms, who insult the inhabitants, and put them in fear of their lives, when doing their duty in the king's service — that he interrupted and forbade the lieutenant-governour's officers "to proclaim an order by beat of drum, as was customary, or to pass by the City Hall, being the usual place for the same." The order so prevented was for several persons, as well officers as others, deserters from Albany and Esopus, to show cause for quitting their posts. They state, that

Ingoldsby entertains the said deserters, to the injury of the king's service — had caused spies to enter the fort for the purpose of betraying the place by night — had made prisoners of certain sentinels, and had prevented wood and other necessaries from being carried to the fort, and otherwise conducted as in time of war.

They further declare, that certain gentlemen, calling themselves of the king's council, have encouraged Ingoldsby in all these things, "directing *their orders* unto officers commissioned by the authority of the late King James," which officers have, in consequence of such orders, levied forces for the designs of Ingoldsby and the said nominal council, who call such as oppose them, rebels. They assert, that Ingoldsby, having demanded *the keys of the gates of the city*, and being refused, had burst the locks, and proceeded against the block-house of the city, as if he was waging war with his majesty's subjects. Other hostile acts are detailed, as well as preventing the receipt of monies granted by the house of assembly for paying the forces on the frontiers, by which, the soldiers placed at Albany might be constrained to desert that post.

The council conclude this, the last proclamation issued by them, with asserting that their opponents, who, in the reign of the late King James contributed to the encouragement of papists and priests, acting by the authority of the said king until he was dethroned, were the same who now endeavour to injure those who prevented their designs, "WHEREFORE, we, not being willing to deliver ourselves and our posterity to such slavery, do hereby resolve, to the utmost of our power, to oppose the same, by joining and assisting the lieutenant-governour, and one another, to the hazard of our lives."

They assert, that they will not be turned from their duty to God and the king, by fear of the term "rebels" hurled against them, for fairly offering that all things should remain until the arrival of the governour, or further orders from England.

And they feel themselves constrained to declare, that the said Ingoldsby and his confederates are "enemies to God, the present magistrates, and the peace of the province," while they continue their present proceedings. They, therefore, command them to disband the forces they have raised; and all persons are ordered, at their peril, to keep the peace.

The gentlemen of the former council assembled "at the State House," (meaning, I suppose, at the City Hall,) on the 17th of March, and issued a proclamation, signed "M. Clarkson, secretary," denying the assertions of Leisler and his council. They say, that "they are desirous that there be no manner of hostilities" nor bloodshed between their majesties' subjects, but that "the people in arms, which have voluntarily assembled themselves in defence of their majesties' forces" should remain in peace until the arrival of his excellency, or further orders. They say, that if this proposal is

not accepted, they attribute all mischief to "the said Captain Leisler," or such as shall commit hostilities.

From this, it appears that the confederates were somewhat daunted by the last proclamation of Leisler, and the long detention which Sloughter experienced, of whom they made sure as a friend and ally: but all their anxiety was relieved by his arrival, and the publication of his commission, on the 19th day of March, 1691.

I have before me the copy of a minute of Sloughter's Council, held on March the 19th, "*upon the arrival of Henry Sloughter,*" governour, etc. — at which were present, with said Sloughter, Joseph Dudley, Frederick Phillipse, Stephen Van Cortlandt, Gabriel Monville, Chudley Brooke, Thomas Willet, and William Pinborne. It is here stated, that Sloughter repaired to the Town Hall, where he published his commission, and took the oaths appointed by act of parliament to be administered to him.

From this, we see that he was received by the party, (probably on ship-board,) and immediately embraced the measures of Ingoldsby and the confederates. As soon as he was installed, he forthwith ordered Ingoldsby, with his foot-company, to demand entrance into the fort: he returned, and brought with him one of Leisler's officers, (the same Ensign Joost Stoll, who had, in 1689, been the first to take possession of the fort, in the name of William, and had subsequently borne Leisler's despatches, with the account of the revolution in New York, to the English government,) and this officer was admitted to the governour's presence. The minute of council informs us that Ensign Stoll brought a letter from Captain Leisler, and was told by his excellency that he was glad Stoll "had seen him in England, as well as now in New York," adding, that Major Ingoldsby should now go with his company a second time to receive the fort into possession; and that the soldiers, laying down their arms, might go every man to his house. Further, "that he expected Leisler, Milbourne, and such as called themselves the council, to immediately attend; and that Colonel Bayard and Mr. Nichols be dismissed from their imprisonment to attend his majesty's service — being appointed members of the council."

By this, we know that Bayard, who had most humbly petitioned Lieutenant-governour Leisler for release from the prison at the City Hall, had been removed to the fort, and was still in confinement.

The copy of the minute proceeds: "Major Ingoldsby, at his second return, brought with him Milbourne and De La Noy; and being inquired of for Colonel Bayard and Mr. Nichols, informed that Leisler refused to make any attendance himself, or to dismiss the said gentlemen."

"Whereupon, Milbourne and De La Noy were ordered to the guard, and the major again sent to demand the said gentlemen's

dismission, with Leisler's surrender of the fort, and attendance upon his excellency — all which was peremptorily and with contempt refused." Upon which, the governour "directed the sitting of the council" next morning.

It will be remarked, that this refusal to obey, "with contempt," is the report of Ingoldsby: and it will be seen that on the re-assembling of the council, so called, next day, Bayard and Nichols are present and are sworn in.

Before I proceed with the record which the king's or Slaughter's council have left of their summary proceedings, I will call the attention of the reader to the letter from Leisler to Colonel Slaughter; only premising that Leisler was a Dutchman, and that he attempted to write to the acknowledged governour in English — a language he did not understand — as is very apparent in this offer to surrender the fort, and apology for holding it after the arrival of Slaughter. It will be recollected that the English secretary, Milbourne, was not with Leisler. It is well known, that the Dutch of New York, most of them, knew no schoolmaster, but such as was sent from Holland long after this.

The letter is dated March 20th, 1691, at Fort William, and is as follows: "May it please your excellency, this, his majesty's fort, being besieged by Major Ingoldsby, so far as that not a boat could depart, nor persons conveyed out of the same, without to be in danger of their lives, which has occasioned that I could not be so happy as to send a messenger to you to give me certainty of your excellency's safe arrival, and an account of what was published, of which I am ignorant still; but the joy I had, by a full assurance from Ensign Stoll, of your excellency's arrival, has been somewhat troubled by the detention of the two of my messengers. I see here well the stroke of my enemies, who are wishing to cause me some mistakes at the end of the loyalty I owe to my gracious king and queen, and by such ways to blot out all my faithful service till now: but I hope to have cause not to commit such error; having by my duty and faithfulness being vigorous to them.

"Please only to signify and order the major, in releasing me from his majesty's fort, delivering him only his majesty's arms and all the stores, and that he may act as he ought with a person who shall give your excellency an exact account of all his actions and conduct; who is, with all the respect, your excellency's most humble servant, Jacob Leisler."

According to appointment, Slaughter and his friends met on the 20th. The minutes say nothing of the above letter. His majesty's letter was read, ordering the council to be sworn as such, and in the order above written, which was done: *consequently*, they had acted at the previous meeting without taking the oath to the king's government.

Then, twenty-nine papers were delivered to the secretary, from their majesties, relative to Leisler, which had been *sent to England from Albany*. Bayard and Nichols appeared, were sworn of the council, and took their seats; and then Jacob Leisler was brought in *prisoner*, and ordered to be committed to the guards, and the king's letter, directed to Francis Nicholson, or the person administering the government, was taken from him.

Likewise were brought in prisoners, and committed to the guards, "Abraham Gouverneur, Gerardus Beekman, William Churcher, Cornelius Pluvier, Henrick Janse Van Boerton, William Lawrence, Thomas Williams, John Coe, Mynders Coerlen, Robert Leacock, and Johannes Vermille."*

Thus we see Jacob Leisler brought in to his enemies a prisoner, and turned over to the guards, on the same day that the above letter was written.

The Honourable William Smith, late Chief Justice of Lower Canada, in his History of New York, says, "if Leisler had delivered the garrison to Colonel Sloughter, as he ought to have done, upon his first landing, besides extinguishing in a great degree, the animosities then subsisting, he would, doubtless, have attracted the favourable notice both of the governour and the crown. But being a weak man, he was so intoxicated with the love of power, that though he had been well informed of Sloughter's appointment to the government, he not only shut himself up in the fort with Bayard and Nichols, whom he had before that time imprisoned, but refused to deliver them up, or to surrender the garrison. From this moment, he lost all credit with the governour who joined the other party against him. On the second demand of the fort, Milbourne and De La Noy came out, under pretence of conferring with his excellency, but in reality to discover his designs. Sloughter, who considered them as rebels, threw them both into gaol. Leisler, upon this event, thought proper to abandon the fort, which Colonel Sloughter immediately entered. Bayard and Nichols were now released from their confinement, and sworn of the Privy Council. Leisler having thus ruined his cause, was apprehended, with many of his adherents, and a commission of Oyer and Terminer issued to Sir Thomas Robinson, Colonel Smith, and others, for their trial.

"In vain did they plead the merit of their zeal for King William, since they had so lately opposed his governour. Leisler, in particular, endeavoured to justify his conduct, insisting that Lord Nottingham's letter entitled him to act in the quality of Lieutenant-governour. Whether it was through ignorance or sycophancy, I

* I transcribe these names, which are evidently mis-spelt or mis-written — as names at that time generally were.

know not : but the judges instead of pronouncing their own sentiments upon this part of the prisoner's defence, referred it to the governour and council, praying their opinion, whether that letter 'or any other letter, or papers, in the packet from White Hall, can be understood, or interpreted, to be and contain, any power, or direction to Captain Leisler, to take the government of this province upon himself, or that the administration thereupon be holden good in law.' The answer was, as might have been expected, in the negative ; and Leisler and his son were condemned to death for high-treason. These violent measures drove many of the inhabitants, who were fearful of being apprehended, into the neighbouring colonies, which shortly after occasioned the passing an act of general indemnity."

I fear that it would appear as an insult to the reader, to point out the fallacy of this statement, after laying before him the above documents. Sloughter published his commission, by outcry, at the City Hall, Coenties' slip, on the 18th of March — Leisler being besieged in the fort — and immediately on being installed, the governour sent Ingoldsby, the man who had illegally blockaded the fortress, to demand entrance. Leisler promptly sends an officer to ascertain the report of Sloughter's arrival and assumption of the government. This officer is sent with a peremptory demand for the surrender of the fort to Major Ingoldsby and his soldiers.

Leisler now saw that Sloughter acted by the prompting of his inveterate enemies, and like a prudent man wished to obtain a promise from Sloughter of at least personal safety ; he therefore sent his son-in-law, Milbourne, and the mayor of the city to the governour, who immediately makes them prisoners. Upon Leisler's refusal to surrender the fort, (and as he then knew, his life,) into Ingoldsby's hand, Sloughter adjourned his friends to the next day, and when they met, appointed them, and swore them into office as his council. This same day Leisler, by letter, and personally, surrendered the fort and government to Henry Sloughter and his council, not until then qualified to act as such.

Mr. Smith, asserts, that from the moment of shutting himself up in the fort with Bayard and Nichols, (which took place months before Sloughter's arrival,) he, Leisler, lost all credit with the governour, who joined the party against him. If we suppose the historian to mean, that from the moment of refusing to surrender, when Ingoldsby was sent on the 19th of March, *then* Leisler "lost all credit, &c.," it is equally absurd, for it is plain that Sloughter, by the advice of Ingoldsby and the gentlemen who received him, had determined to treat Leisler as a rebel from the moment of his arrival.

It was not by any act of the unfortunate Leisler, that he "ruined his cause," as Smith asserts. The hands of his enemies had been

strengthened by the failure of Winthrop and Phipps, and then by Sloughter's arrival. Thus Leisler had fallen (without hope, except in the justice of his cause, which they had prejudged,) into their power completely.

At this same meeting of the council on the 20th of March, (which was the day they were sworn in,) the governour appointed John Lawrence, mayor of the city, and Thomas Clark, coroner.

On the 23d of March, the governour met his council at *fort William Henry*, the same persons being present, except Bayard. The minutes of this, Sloughter's first council in the fort, inform us, that Messrs. Dudley, Van Cortlandt and Brook, were appointed a committee "to examine the prisoners, in order to their committal from the guard-house to the common prison." The secretary, and attorney-general, were directed to attend this committee.

By this, we see, that Jacob Leisler, an elderly and respected merchant, who had raised the standard of William and protestantism, in 1639, and governed the city and province by the choice of the freeholders and the authority of the English ministry, for near two years, with all the above named gentlemen, had been kept from the 20th to the 23d of March, confined in the guard-house, before Sloughter and his council find time even to examine them. The next day, the 24th, the council again met, and ordered "that there be a special commission of Oyer and Terminer, directed to the *judges whom his excellency will forthwith name,*" which judges, with "Sir Robert Robinson, Colonel William Smith, William Pinborne, John Lawrence, Captain Jasper Hicks, Major Richard Ingoldsby, Colonel John Young, and Captain Isaac Arnold, are appointed to hold a court for the trial of the prisoners accused of murder and rebellion, and their accomplices;" "and *they or any of them*, one of the judges always being one, to proceed in the same court." It is perhaps worthy of remark, that all these names are English or Scotch; and most, if not all, held commissions as officers.

On the 30th of March, seven days after these gentlemen had been removed from the guard-house to the prison, (i. e. one or more of the apartments in the city hall, or town house, which was the place for the meeting of magistrates, holding of courts, and confining prisoners,) the council again met at the fort, Bayard being present, but the governour not; and Messrs. Bayard, Van Cortlandt and Pinborne, were appointed a committee for preparing evidences against the prisoners; and Mr. William Nichols, Mr. George Farewell, and Mr. James Emmett, are assigned as the king's counsel in that affair.

Before a court thus constituted, Leisler was arraigned, but refused to plead. He said he was not holden to plead to the indictment, "until the power be determined whereby such things have been

acted." His friends asserted, that it was for his majesty to declare whether the power under which he acted was legal; that his authority remained good until the king determined otherwise: that although Hendrick Jansen, Cornelius Pluvier, and Robert Le Cock, were committed for the same pretended crimes of murder and rebellion, they had been admitted to bail forthwith: that if Leisler pleaded to the indictment, the king might accuse him of "giving away his right;" that by pleading Leisler would empower the jury to judge of the fact; "how, they ask, can twelve men of one county, judge of the government of the whole province?"

The trial, however, proceeded as had been determined; and it was insisted that Nottingham's letter entitled Leisler to act in the quality of lieutenant governour.

On the 13th of April, the governour and council being met, the judges submitted the question as above, and the council decided in the negative.

Leisler and Milbourne being condemned to death, as rebels and traitors, remained in this condition until the 14th of May, on which day, I find by minutes of council, present, Slaughter, Phillipse, Bayard, Van Cortlandt, Nichols, and Mienville, the following entry: "The clamour of the people coming daily to his excellency's hearing, relating to the prisoners condemned for treason and murder, and having had the opinion of the major part of the representatives now met and assembled,* for the execution of the principal offenders, he was pleased to offer to this board his willingness to do what might be most proper for the quiet and peace of the country, intending speedily to remove to Albany." Slaughter therefore demands the opinion of the council, (who were urging him incessantly to hang Leisler and Milbourne,) whether delaying the execution, might not be dangerous at this juncture? They, in answer, unanimously resolve that "*for the satisfaction of the Indians,*" and for asserting the governour's authority, preventing insurrections and discords, it is necessary that the sentence be executed.

Still, it appears that Slaughter feared both to exasperate the friends of Leisler, and incur the displeasure of William III, or his ministers, if he put to death, as rebels and traitors, the men who raised the standard of the Prince of Orange and protestantism, in opposition to James and popery. He hesitated; but the anti-presbyterian faction was determined on the destruction of the

* James Grahame was a leading man in this assembly, and particularly anxious to produce the execution of Leisler and Milbourne. He is accused of having tampered with the friends of these victims, for the purpose of procuring a seat in the house of representatives, and was afterwards elected speaker.—See Letters of Lord Bellamont, in N. Y. Hist. Lib.

men who had baffled and put them down, and perhaps were instigated by fear as well as revenge; "they therefore," as Smith tells us, "when no other measures could prevail with the governour, invited Sloughter to a feast, on occasion of his intended voyage to Albany, and, when his *excellency's* reason was drowned in his cups, the entreaties of the company prevailed with him to sign the death warrant; and before he recovered his senses the prisoners were executed."

Leisler and Milbourne suffered death as traitors, on the 16th of May, 1691; and if the above statement of Chief Justice Smith is correct, the council must have met early in the day; for I find a minute of that date, saying that the house of assembly, on the 15th, gave their approbation, signed by "James Grahame, speaker," to the resolution of the council of the 14th.

This execution must have taken place while the populace was overawed by the soldiers of Ingoldsby and Sloughter, and while the judges and members of his majesty's council were keeping the governour in a state of intoxication. Leisler, at the place of execution, after praise to God, expresses his sense of his dying state, submits and prostrates himself before his Redeemer with hope. He acknowledged, that at the request of a committee, chosen by the major part of the inhabitants of the province, he had taken upon him ("to the great grief of relations to be left behind,") weighty matters of state "requiring more wise, cunning, and powerful pilots to govern"—an undertaking, for which his motives were the protestant interest, and the establishment of the present government of William and Mary. He confessed, that in this endeavour for the public good, several enormities had been committed against his will. He professed that he had longed to see a governour sent, to put a period to the disorders existing: some of which, on his part, were committed through ignorance — some through jealous fear that disaffected persons would act against the government — some through misinformation and misconstruction of people's intentions — and some through rashness or passion, which would require more time than is now permitted. For every offence, he asked pardon; *first*, of God, and then of all persons offended. He prays that all malice may be buried in his grave, and forgives the most inveterate of his enemies. He repeats, "Father, forgive them, they know not what they do." He begs of his friends and relations to forget any injury done to him. He prays for the good of the province, and, as his last words, declares, that as to the matter for which he is condemned, his purpose was for the good of his fellow-creatures, according to the understanding and ability which he possessed, by preventing popery and upholding the government of William and Mary. He concluded a prayer for all in authority, by one for comfort to the family to which he *did* belong. For his afflicted family, he asks the charity of all, and their prayers for himself.

Being asked by the sheriff, "If he was ready to die?" he answered, "Yes." He desired that his corpse might be delivered to his wife, and as his family had been educated as Christians, he hoped they would act as such. Saying he did not fear death, he turned to Milbourne and said, "Why must you die? You have been but as a servant, doing my will: and as I am a dying man, I declare before God and the world, that what I have done was for King William and Queen Mary, the defence of the protestant religion, and the good of the country." Having again professed his reliance upon God, he said, "I am ready! I am ready!"

Leisler's son-in-law, Jacob Milbourne, seems not to have died with so much humility; for seeing Mr. Livingston, who, it will be remembered, was not one of the council, he said to him, "You have caused my death; but, before God's tribunal, I will implead you for the same." The sheriff having asked him whether he would not bless the king and queen? he answered, "It is for the king and queen I die, and for the protestant religion."*

The rain descended in torrents upon the prisoners and the crowd. The faintings and screams of women were seen and heard in every direction when this fatal scene was terminated by death. What a contrast does it present to this gloom, wailing, and horror, when we recollect that the enemies of these citizens were carousing in beastly triumph and drunkenness.

The records of a province would appear to many as beneath the dignity of history, although that province was the germ of a mighty state. The revolution effected by the burghers of New York, when they raised the standard of William of Orange, and the protestant religion, has heretofore appeared as an undignified subject for the historian. This same phrase, "the dignity of history," is, in my sight, as heretofore upheld, very contemptible and mischievous. Robertson apologizes to his reader for descending from the dignity of history, when he dwells on the character and fate of David Rizzio: but the contemptible Darnely, the ruffian Bothwell, the murderer and adulteress Mary, are all with him, and most others, fit subjects for the historic muse.

The true *dignity of history* is derived from truth. It is evident that every event, though true, is not fit for the historian; but no act or person, however poor or low in life the actor, is beneath the dignity of history, if the relation of it elucidates subsequent trans-

* The Reverend Doctor S. Miller states, (of course, as tradition,) that when Leisler was executed, "the shrieks of the people were dreadful — especially the women — some fainted, some were taken in labour; the crowd cut off pieces of his garments as precious relics, also his hair was divided, out of great veneration, as for a martyr."—MSS.

actions or characters, and is a link in the great chain of instruction which constitutes the philosophy of history.

Jacob Leisler, a simple burgher and merchant, becomes a dignified object, when the choice of his fellow burghers, freeholders of New York, place him as their commander-in-chief, in opposition to the lieutenant-governour of the tyrant and bigot James, for the purpose of preserving civil and religious liberty. Party, which is indispensable to popular government, may be said, if not to have had its birth at the time in New York, at least to have taken its "form and pressure" as it exists in this day. We see in that party of which Leisler was the head, the germ of our present democratic representative government.

Ebeling, the Dutch historian of New York, gives a more impartial account of the transactions of this time, and the fate of Jacob Leisler, than is given by William Smith, the Chief Justice of Canada. With Ebeling's view of the subject, and a few remarks, I shall close the chapter.

On the surrender of the fort, Leisler, Milbourne, and others who had formed the council, were imprisoned and immediately tried by a court of Oyer and Terminer, appointed by the governour, instigated by the enemies of Leisler, who again formed the court. The fallen party were arraigned as murderers and traitors. In vain they reminded the court of their zeal for William and Mary — in vain Leisler denied the authority of the court: any consideration and any humiliation would not have satisfied his enemies; and it appears that he stooped to none, but justified his conduct. Dudley was the presiding judge. Leisler and Milbourne were sentenced to die as rebels and traitors. Had James been king, they might have incurred the same fate, for treason against him. Ebeling, in his history, says, that after the sentence, "the whole matter was laid before the king;" (i. e. before William III,) but by whom? By those who had determined to sacrifice him to their private views and passions. The assembly that had been convened, were persuaded that the misfortunes of the province, were all attributable to Leisler and his friends, and that assembly pressed for his execution. Sloughter feared to exasperate *the people*, who still adhered to Leisler. The governour thought of proroguing the assembly to Albany. Leisler's friends were clamorous on account of his long imprisonment, and at the sentence passed upon him by the opposite party, who feared that if the governour and assembly removed to Albany, the people of New York would liberate the prisoners, and, therefore, pressed the more for immediate execution. Sloughter called, says Ebeling, "a particular council of both houses. In this council, he was urged and pressed to execute the sentence speedily." Sloughter is said to

have been unwilling. Was he not fearful? The historian, Ebeling, says, "when every thing else failed, he (Sloughter,) was made drunk, and the execution took place, May 17." Every thing proves that Leisler was condemned unlawfully, and executed unjustly. Afterwards, the act of attainder was reversed. This was done at the instance of young Leisler. Gouverneur,* and all the others, except Milbourne, were released.

It has been the policy of men of all ages, to preserve the memory of the founders of the nation they claimed as their own. It serves to perpetuate nations. Rome, the eternal, bears the name of its reputed founder. The founder of the Democracy of New York, was Jacob Leisler: and New York is now an empire — founded upon democracy. The line, that says, "An honest man is the noblest work of God," has been received as a truism. And Jacob Leisler was truly an honest man, who, though a martyr to the cause of liberty, and sacrificed by injustice, aristocracy, and party malignity, ought to be considered as one in whom New York should take pride — although the ancestors of many of her best men denounced him as a rebel and a traitor. If an honest man is the noblest work of God, Leisler was a great man — and all agree that the fame of the great men of a nation, is that nation's most precious inheritance.

CHAPTER XIII.

Retrospect—First Assembly under Sloughter's government—Canadian affairs—Sloughter's death—Ingoldsby, Governour, pro tem—Schuyler attacks the French, at La Prairie—Indian wars—Richard De Peyster—Fletcher, Governour—Confirms the aristocratic council—Caleb Heathcote—His family—His mode of enforcing religious exercises on Long Island—Fletcher is guided by Peter Schuyler—Count Frontignac—Wars with the Iroquois—Great expedition against them.

1691 IN 1664, as we have seen, the province of New Netherland was surrendered to the English, and became New York. The inhabitants, generally, were glad to exchange the Dutch provincial mode of government for what they knew and what they

* Abraham Gouverneur was a French Huguenot. He married the widow of Milbourne — of course, the daughter of Leisler. The name of Gouverneur remains among us, and is made a second time distinguished, by the union with that of Morris.

hoped from the English system. Until 1683, (with the trifling interruption by the directorship of Colve, or surrender for a few months to the Dutch, in 1673,) New York was governed by what are known as the duke's laws, meaning James, Duke of York.*

The assembly which met in 1691, (whose laws were the first considered valid by the publishers of 1752,) consisted of James Graham, William Merritt, Jacobus Van Cortlandt, and Johannes Kipp, for the city and county of New York. Derick Wessells and Levinus Van Schayk, for Albany. Elias Dukesbury and Dally, for Richmond. John Pell, for West Chester county. Henry Pier-son and Matthew Howell, for Suffolk. Henry Beekman and Thomas Garton, for Ulster and Dutchess. John Bound and Nathaniel Persal, for Queens. Nicholas Stillwell and John Poland, for Kings.

"The members for Queens county," says Smith, "were afterwards dismissed, for refusing the oaths directed by the governour's commission."†

It was this assembly that recommended itself to the infamous Sloughter and his council, by declaring that all the evils which had befallen the province, were to be attributed to the usurpation of Jacob Leisler, and accordingly joined with the council in urging his execution.

The address of the assembly to Sloughter is one of the most abject expressions of crawling servility, that I remember. They, "in the most humble manner," congratulate him. "From the bottom of their hearts," they declare, that none "can or ought to have right" to govern the province, but by that authority "now placed in his excellency." Their lives and

* The government of the Dutch, generally, in New York, was wise, and, of course, just, in regard to the aborigines. They selected some of the best bottom lands for cultivation, but recognizing the Indian right to the soil, they gained the consent of the Indians, and purchased for what was of equal value in the eyes of the original proprietors. The European wanted the soil for cultivation—the Indian did not—and a blanket to preserve him from cold, and fire-arms to procure game, were of more real use to him, than acres of the richest land on the Hudson or Mohawk. That progress, by which civilization or cultivation would eventually contract or annihilate his hunting-grounds, was far beyond his thought, or, perhaps, beyond the conception of either party. The Iroquois valued the friendship of the Dutch, and contrasted the dealings of the Netherlander with the unprovoked hostility of the French, and their detestable treachery, in seizing their chiefs at a council meeting, and sending them to labour at the galleys of the "grand monarque." The Iroquois were the lords of all the land possessed by the Dutch, or claimed by them; for the sea-board Indians had submitted to the power and prowess of the martial confederacy.

The Long Island Indians gave the Dutch settlers very little trouble. They had some quarrels, and the planters were, in some instances, obliged to stand on their guard; but they generally were friendly, and by degrees melted away before the light of the white man. The Indians who attacked the early settlers were from the continent: but the battle of Fort Neck was fought, apparently, with Long Island Indians.

† See Appendix P.

fortunes are placed at his excellency's disposal, and prayers are added for his excellency's long life and rule. They unanimously resolved, that all the laws consented to by the general assembly, under James, Duke of York, and the liberties and privileges therein contained, granted to the people, and declared to be their rights, are null and void—not being ratified. They enacted a law for establishing the revenue: the receiver-general took this money from the collectors, and it was paid out to warrants issued by the governour: this made the governour independent of the people. They passed a law, securing the rights of the colonists, as English subjects, by declaring the legislative power, (under the king,) to reside in the governour and council appointed by his majesty, with a general assembly, representing the freeholders: but this act was *rejected by the king*. A law passed into operation for establishing courts of justice, as had been done in 1653, and abolishing the old court of assizes.*

In May, Sloughter proceeded to Albany, and in June, a council of the Iroquois met him. The confederates were discontented that they had been left to contend, unassisted by the English, after the retreat of General Winthrop, and during the following winter.

We are told by Pere Charlevoix, that the brave and active old general, Count Frontignac, after the defeat of Sir William Phipps, and the futile operations of New York and Connecticut, under Winthrop, pressed the French Court to send a force against the city of New York, as the only means of subduing the Iroquois, who made several inroads upon the Canadian settlements, particularly near Montreal, killing many French inhabitants, and destroying the fruits of nature and industry—according to the practice of glorious war, in every country. In one instance, a party of Oneidas were defeated by the French, several killed and five taken prisoners, who were burnt by the “habitans.” Many of these interesting skirmishes are detailed by the worthy father, who tells us that the Onondagas, having sent messengers to the Caughnawagas, or praying Indians of the French, Count Frontignac had suspicions of these Mohawk converts: but they refused to return to their former friends, though threatened by them with being involved in the destruction prepared for the French.

Sloughter succeeded in renewing the treaties with the Iroquois which had formerly been in force. The Mohawks, who had received the messengers and presents of Frontignac, at first held off. The others told him that they were glad to see a governour again

* The chief justice, Dudley, had for salary, £130. The second judge, Johnson, £100. The other judges, Smith, Van Cortlandt, and Pinhorne, with the attorney-general, had nothing.

in Albany : and finally, the Mohawks rejected the overtures of the French, and again pledged themselves to New York.

The governour, having returned to New York, suddenly died, on the 23d of July, 1691. It was suspected, or asserted, that he had been poisoned, (as if any extraordinary means were necessary to terminate the life of a glutton and drunkard,) but a *post mortem* examination by physicians and surgeons, removed the suspicion; which only proves the rancour and the fears of the prevailing party. The corpse was buried, as Smith tells us, in Stuyvesant's vault, next to the remains of the old Dutch governours.

Dudley, being the senior member of council, was, of right, the ruler of the province; but he was absent at Curacoa, and the party resigned the reins of government into the hands of Ingoldsby, who bore no higher commission still, than that of a captain of foot. Even on Dudley's return, by the way of Boston, the captain was continued governour. There is no doubt, in my mind, but fear of the people caused this resignation of power into the hands of this man, who had command of the military, and had no ability to fit him for government.

In the mean time, reinforcements arrived at Quebec. But Major Peter Schuyler led the Iroquois by Lake Champlain, and finding the Governour of Montreal encamped with a force at La Prairie, attacked him with considerable success; that is, many French were killed, and the Indians were encouraged to remain firm to New York. Frontignac, however, retorted these uncourteous visits, and sent a large force in the autumn to punish the Mohawks: they did little, and suffered much; discouraged by the approach of winter, for which they were not prepared, they retreated to Montreal.

The Iroquois, on their part, attempted to surprise the French at Sault St. Louis, but failed, and after some skirmishing, retired. The confederates had advanced on this enterprise, in two parties. The Onondagas, Cayugas, and Senecas, by Lake Ontario; while the Mohawks, Oneidas, and some Molicans proceeded by Lake Champlain, and after committing some destruction by the fire and the knife, were driven back with loss.

1692 The aldermen and assistants elected by the freemen, and constituting the Common Council of the city of New York for 1692, were for the *East Ward*, William Beekman, Alderman; Alexander Wilson, assistant. *Dock Ward*, William Merrett, alderman; Thomas Clarke, assistant. *North Ward*, Johannes Kipp, alderman; Thomas Dekay, assistant. *South Ward*, Brandt Schuyler, alderman; Stephen Delancey,* assistant. *Out Ward*, John Mer-

† We see here, a Stephen Delancey elected an assistant alderman, in the year 1691.

ritt, alderman; Garret Dow, assistant. *West Ward*, Robert Dar-
kins, alderman; Peter King, assistant. The mayor, appointed by
the governour, was Captain Richard De Peyster. The recorder,
commissioned by the king, was William Pinhorne, who was like-
wise one of Slaughter's, or his majesty's council.

On the 30th of March, 1692, Pinhorne brought in an ad-
dress for the mayor and common council to sign, and read it;
but De Peyster, the mayor, though appointed by Slaughter con-
stitutionally, objected to the passage in which Pinhorne had asserted,
"that Leisler hath not paid the soldiers he had *taken upon him to*
raise," and for "the present it was laid aside." The manuscript
record in the common council's office, City Hall, New York, says,
that the common council and recorder were willing to sign; but
De Peyster was too honest.*

On the 29th of August, 1692, Benjamin Fletcher arrived as
governour of New York. On the 30th he published his commis-
sion. His majesty's council at the time was composed of Messrs.
Frederick Phillipse, Stephen Van Cortlandt, Nicholas Bayard,
Gabriel Mienville, Chudley Brooke, William Nichols, Thomas
Willet, and Thomas Johnson. These were, as the reader will re-

* In this year, a schism happened among the quakers of Philadelphia, with
which New York is connected — inasmuch as to that, the latter place is indebted
for its first printer and printing-press. In 1689, the "friend's public school,
of Philadelphia," was established, and at its head was placed George Keith. George
was a writer, that is, he was possessed by that restless spirit which induces men to
sacrifice ease and comfort, to the desire of appearing in print; and he undertook to
reform quakerism. This did not please his employers, who had called him to teach
their children, and not themselves. George Keith was a native of Aberdeen,
in Scotland, from which town came Barclay, and other distinguished men. Keith was
a man of vigorous intellect, but of a restless mind — ever disposed for controversy.
He had been distinguished by many writings in defence of quakerism, and in oppo-
sition to the churches and ministers of New England. These publications recom-
mended him to the friends, of Philadelphia, and George was in high favour as long
as his sharp and bitter compositions were directed against New England; but when
he began to reform what he considered amiss in Philadelphia, it was discovered that
"he had too much life in argument," "unbecoming vanity," and conducted himself
"in a very extravagant manner." Keith insisted that it was unchristian to keep
negroes in slavery. He was in advance of the time; and the truth caused irritation,
because it was true. He had his adherents — and particularly the German emi-
grants — who, it is said, "from the first, protested against negro-slavery." Not
content with endeavouring to teach, Keith made attacks upon the friends, that sa-
voured of hostility. They, in their turn, published a testimony of denial against him.
They declared that the mighty man had fallen. They accused him of uttering "un-
savoury words and abusive language," with calling them "fools, ignorant heathens,
silly souls, rotten ranters, and muggletonians," and, what was worse, "that quaker-
ism was too often a cloak of heresy and hypocrisy." Keith's party were denomi-
nated, by him, *Christian Quakers*, and his opponents, *Apostates*.

In this controversy, Bradford had been employed by Keith; and the wrath of the
more numerous party, which proved to be Keith's adversaries, falling on the printer,
he fled and removed his mischievous engine to New York. Bradford was soon
after employed by the corporation to print the city laws, and, in 1725, printed the
first newspaper that appeared in New York.

In the same year, (1692,) Bartholomew Green established himself in Boston as a

collect, the opponents, accusers, judges, and condemners of Leisler. Ingoldsby acted as governour until Fletcher's arrival, and then appears to have been commander of the military.

Sloughter, Ingoldsby and Fletcher, appear to have been sent out merely because they were soldiers who were to be advanced; and Benjamin Fletcher was even more unfit for the ruler of a province, if possible, than his immediate predecessors. He fell into the hands of the aristocratic party, and adopted their views. The mayor and corporation, resolved on "a treat," to the value "of £20," to welcome Governour Fletcher. The assembly was in session, and voted an address of thanks to the king for the warlike store which the governour brought to the province; and the council, though rejoicing in the accession of strength which an ignorant and violent governour brought them, found it convenient from some private reasons, to remove two of the former members, Joseph Dudley and William Pinhorne: they were succeeded by Caleb Heathcote and John Young. Dudley was likewise excluded from the bench, where he sat as chief justice, and William Smith placed thereon.

In the address to the king, from the assembly, they represented the necessity for aid against Canada. They said the province was so diminished by former grants, that it consisted of but "a very few towns and villages," and that the number of men fit to bear arms was less than 3000, "and all reduced to great poverty."

Fletcher is represented by William Smith, in his history of New York, as a man of strong passions and inconsiderable talents, very active, and equally avaricious. His desires prompted him to require an independant salary from the people, as well as the disposal of the public money granted for specific purposes. His instructions caused him to press for the establishment of episcopal ministers, and the introduction of the English church by every possible means.

printer. He was the son of Samuel Green, who arrived with Winthrop in 1638. Bartholomew printed the first newspaper. It was issued on the 17th of April, 1704, on a half sheet of *pot paper*. In this year, likewise, was built, in New York, the old Dutch Church, in Garden street, "the street adjoining the garden of Alderman Johannes Kip." The street has existed as Exchange Place, has been burnt in the fire of 16th and 17th December, 1835, is now rebuilding, and retains the name of Exchange Place. The ground for this church was given by Samuel Bayard, in 1691, to three persons, in trust, for a church and burying ground, in perpetuity. Since the above mentioned fire, the present trustees have sold it to merchants for building lots, for \$300,000. The descendants of the old Dutch families see their fathers' bones tossed into the street and sticking out from the sides of a newly dug cellar. We see so many proofs of the folly of supposing that the remains of men can be suffered to rest *in any place*, that it is only wonderful that we should cherish the filial hope. Who can expect to be left undisturbed in death after the opening of the pyramids? There is built, in 1837, a "Temple," at the north east corner of Murray and Church streets, by the congregation of the Garden street church.

I will pause to give some notice of the Caleb Heathcote, who became at this time one of the governour's, or his majesty's council. He was a judge, and a colonel of militia. The name of George Heathcote appears among the inhabitants of New York in 1676, and his property is rated at £2036, which placed him as one of the rich of the time. George died unmarried, and his property devolved to Caleb. Tradition says, that the father of Caleb was a man of fortune, and mayor of Chester, in England; but Caleb had two brothers born before him, who, probably, one or both, inherited the father's estate; both procured titles, and founded families well known in England. The oldest brother was Sir Gilbert Heathcote, the founder and first president of the bank of England, and lord mayor of London. Caleb, the youngest, had formed a matrimonial engagement with a lady of great beauty, but unfortunately took his elder brother, Gilbert, to see his intended wife. Gilbert was struck with the lady's beauty, and supplanted his brother, who sought refuge with his uncle in New York, married a daughter of "Tangier Smith,"* of Long Island, and became a distinguished man in our history. He was a sincere Episcopalian, and probably seconded from principle, the views which Fletcher advocated from interest, and in obedience to his orders. Heathcote, in his military capacity, had command of the West Riding, on Long Island, and in one of his letters gives this account of his method of "converting," as my friend Doctor De Kay, from whom I have the extract, says, "military into religious exercises."

The colonel came to America in 1692, as I gather from this letter, which is dated in 1704, and he must have had both influence and fortune, to have attained a seat in the council the first year of his arrival. He writes thus—"I shall begin the history of the church from the time I first came among them, which was about twelve years ago. I found it the most rude and heathenish country I ever saw in my whole life, which called themselves Christians, there not being so much as the least marks or footsteps of religion of any sort. Sundays were only times set apart by them for all manner of vain sports and lewd diversion, and they were grown to such a degree of rudeness, that it was intolerable. I having then command of the militia, sent an order to all the captains, requiring them to call their men under arms, and to acquaint them, that in case they would not in every town agree among themselves to appoint readers, and to pass the Sabbath in the best manner they could, till such times as they should be better provided, that the captains should every Sunday call their companies under

* Smith was so called, from having been governour of Tangier, and to distinguish him from "Bull Smith," and all other Smiths.

arms, and spend the day in exercise. Whereupon, it was unanimously agreed on throughout the country, to make choice of readers, which they accordingly did, and continued in those methods for some time." This was a mild and ingenious mode of propagating the gospel by aid of the bayonet.*

Fletcher showed his good sense in following the advice of council, and seeking a knowledge of the Iroquois, and of the danger in which the frontier stood from the activity and talents of Count Frontignac, the governour of Canada, from Peter Schuyler, the mayor of Albany, to whom the Five Nations looked, as to a father, and who had shown on various occasions that he was fit to guide their counsels and lead them in battle.

The governour had capacity enough to see that Schuyler had the knowledge of which he was deficient; that he was a man on whom he could rely; and he followed his counsels in regard to the French and the Iroquois. Fletcher had repaired to Albany in the autumn, and by Schuyler's direction, confirmed the Indians in their alliance with New York, and distributed the usual presents. He advanced the colonel to be of his majesty's council, but he still remained as the chief magistrate of Albany, where Ingoldsby was stationed as commander of the troops and fort.

The Iroquois not only guarded the province of New York from the French, and diminished the colony of Canada by frequent inroads destructive to the population and settlements; but they stopped that great plan of the French court, by which a chain of forts and garrisons was to unite the St. Lawrence with the Mississippi—Canada with Louisiana. It was, as has been mentioned, thought, that to remove this nuisance which destroyed Canada and shut the French power from the great Lakes, the English province of New York must be subdued, and then the Iroquois must be extirpated or made to aid the great designs of France. Accordingly, the plan was entrusted to Frontignac for its execution. A fleet sufficient to reduce the city of New York, was to be sent to hover in the vicinity, until the Count having taken Albany, should approach the devoted city, and thus the province become French.

* This Col. Caleb Heathcote built at Marmaroneck, and Madame Knight, in her journey from Boston to New York, in the year 1704, speaks of passing the residence of Col. Heathcote, who, she says, she was told was "a very fine gentleman." He was lord of the manor of Searsdale, in Westchester county, and left two daughters, co-heiresses: one married Doctor Johnson, of Perth Amboy, the friend and correspondent of Grotius, and the other married Lieutenant-Governour James De Lancey. Through the Smiths of Tangiers, a daughter of which family he married, the name of Heathcote passed into the Woolsey family; through Governour De Laney, to the present Rev. Dr. W. Heathcote De Lancey, of Philadelphia, and Heathcote Johnson, who died unmarried in London. Much of this information I derived from my friend, James Fenimore Cooper, who married a daughter of Colonel De Lancey, of Heathcote Hill, in Westchester.

In the meantime, Frontignac did not remit his efforts against the Iroquois, and they under a chief called by the English, "Black Kettle," and by Charlevoix, "Chaudure Noire," (better sounding, though meaning the same thing,) made a descent upon the neighbourhood of Montreal, and ravaged the open country; the French not being in force to leave their fortified places. Frontignac, however, pushed on a detachment in pursuit of the invaders, and they were overtaken on their return. A desperate battle ensued. It appears that the French threw a part of their men between the Indians and their return-path: they, however, fought their way through, with the loss of twenty warriors. The Canadian troops lost four officers, and a proportionate number of soldiers; but retained five men, nine women, and five children, as prisoners. But a few days after this rencontre, a party of Iroquois appeared below Montreal, and cut off a captain's command, killing the officer and many of his men.

Frontignac, as if to terrify the savages, or to gratify his rage and disposition to cruelty, condemned two of the Iroquois prisoners to be burnt alive. The Jesuits waited on the captives, condemned by the civilized governour of Canada to die at the stake, and instructed them in the mysteries of Christianity. "They preached to them," says Colden, "the Trinity, the incarnation of our Saviour, the joys of paradise, and the punishments of hell, to fit their souls for heaven by baptism, while their bodies were condemned to torments." The Indians answered by singing their death song. It was said that one of the captives found a knife in his dungeon and despatched himself. This was certainly not characteristic of the people. The other was delivered to the *converted* Indians, who led him to the stake and put him to the torture, according to the practice of their former pagan state.

The devoted victim sang his triumphs—defied his tormentors, and boasted of the Frenchmen he had slain. They mangled his flesh—cut his joints—twisted his sinews with bars of iron—tore off his scalp, and poured boiling hot sand on his skull—and it is said, he only received the *coup de grace* by the intercession of the intendant's lady; which ended this shameful exhibition, ordered by a French general, executed by what were called christian Indians, and witnessed by the most civilized people of Europe.

1693 On the 15th of January, 1693, the governour of Canada having projected an expedition against the Mohawks, sent a body of six hundred men, provided with snow shoes, and accompanied by light sledges made of skins, and drawn by dogs, to carry their stores. Three captains of the king's regular troops, with thirty subalterns, led picked soldiers. The whole were equipped for a march over frozen lakes, and a wilderness shining with ice and snow. On the 8th of February they passed Schenectady, and

although a prisoner taken at the destruction of that place in 1690, escaped from them, and carried intelligence of the hostile march; no warning, the Jesuit historian says, was sent to the Mohawk castles; a friendly act, which might have been done on the south side of the river, as the French advanced on the north.

On the night of the 8th of February, after a march of twenty-four days, suffering incredible hardships, the French, with their Canadians and Indians, entered the first Mohawk village, nearest Schenectady. The warriors were all abroad, and only five males were found with the women and children. The second Mohawk castle was easily surprised and entered, being as defenceless as the first. The third castle was the largest, and, being farthest from their friends of Schenectady, was the strongest. Forty warriors were here dancing their war-dance, preparatory to sallying forth in pursuit of battle and scalps the next day. The French had entered the gate of the village unperceived; but notwithstanding this advantage, and the confusion of an unexpected night assault, the Indians resisted, and slew thirty of the assailants. Many of the Mohawks were killed, and 300 men, women and children, made prisoners. The complaints were loud that Schenectady had not sent either intelligence or help.

Charlevoix says, that in their retreat the French murdered the women and children of the Mohawks, and were pursued by the Oneidas; that his countrymen finally disbanded; lost their prisoners; and that the wreck of the detachment reached Montreal in March following.

As soon as the news of this attack upon the Mohawks reached Albany, Peter Schuyler mustered what force he could and marched to Schenectady. From thence he sent out scouts: and having increased his armed men to 200, he marched in pursuit of the French on the 12th of February. He soon heard that 600 of the Iroquois were on the way for the same purpose. These, I presume, were the Oneidas, of whom Charlevoix speaks. Schuyler waited for the Indians, who amounted when they joined him to only 250 "men and boys, all armed." His whole force on the 15th of February, was 290 New Yorkers, and 250 Indians. The white troops had no provisions but biscuits carried in their pockets. The Indians were probably quite as destitute, but more hardened to starvation.

The French finding that they were pursued, sent one of their scouts to join Schuyler, under pretence of desertion; this spy magnified the force of the Canadian army; said they had thrown up a fortification and awaited the pursuers, in an advantageous position.

Schuyler sent a message to Ingoldsby, who commanded the king's troops at Albany, desiring him to send a reinforcement of troops

and provisions ; this done, he immediately pushed forward, and soon found that he approached the enemy, who had thrown up a defence of logs for their main body, and posted their Indians to receive the advance of the pursuers. The mayor of Albany made a circuit to avoid ambuscades, and soon the Indians of both parties had raised their war shouts and were engaged. The French party at first gained an advantage, and the regular troops sallying from their redoubt, attacked Schuyler furiously, but were repulsed with loss. The Iroquois bore off heads and scalps in triumph: but Schuyler, some of whose men had not eaten for two days, found it necessary to form a redoubt of trees and await reinforcements from Albany, for which he pressed by repeated messengers. The French took advantage of a snow storm to retreat. Eighty men arrived from Albany, not led by Ingoldsby, but a Captain Mathews ; on their arrival, Schuyler recommenced the pursuit as soon as his troops had been refreshed by the food which Mathews, who led the van, had brought.

Schuyler had the prospect of overtaking the foe before they could cross the Hudson, which he knew to be open, a very uncommon occurrence in February ; but the French, on arriving at the river, found a bridge, formed by some floating cakes of ice which had accidentally choked up the stream and were joined temporarily together. On this they crossed, and the bridge floated off before Schuyler could follow.

Giving over the pursuit he returned, bearing the rescued prisoners and his wounded men. Twenty-seven of the French, of whom four were officers, were found dead on the field. Schuyler, on going among his Iroquois allies, found them feasting on broth, of which he was invited to partake. They were regaling themselves on the dead bodies of their enemies.

The French, as mentioned above, dispersed, in a state of famine ; and, in March, the remains of the army entered Montreal, the strongest arriving first, with all the symptoms of discomfiture and rout.

An express had been sent to Fletcher, who immediately called out the militia of New York, of whom three hundred men volunteered to follow him in pursuit of the invaders. The river being free from ice, with three sloops, the governour and his troops arrived at Albany in three days.* His promptitude, and the extraordinary circumstance of free navigation of the Hudson in February, gained Fletcher great credit. The Iroquois called him "the Arrow." His

* Chief Justice Smith, in a note says, "the climate of late days is much altered, and this day (February 14th, 1756,) 300 recruits sailed from New York for the army, under the command of General Shirley, now quartered at Albany, and last year a sloop went up the river a month earlier," that is, the 14th of January, 1755.

expedition, however, was useless, as Schuyler was on his return from the chase.

The Assembly, upon Fletcher's return to New York, complimented him for his exertions on this occasion, not only by thanks, but by raising and placing at his disposal, £6000, for a year's pay of three hundred volunteers, and their officers, for the defence of the frontiers. Complaints were afterwards made by those volunteers that they did not receive their wages. At this session, the governor pressed upon the Assembly the settling of schoolmasters, to teach English, and ministers of the Episcopal Church. The House was attached to the Dutch language, and considered the Dutch Church as secured by the articles of surrender. Fletcher's council were as decidedly opposed to Presbytereanism, as were his instructions; some of these gentlemen not the less because it was the creed of the Leislerian party; others, as Col. Caleb Heathcote, because of real attachment to the English Church.

The governor told the Assembly, at the close of the session, that notwithstanding his recommendation, they had done nothing in this business, and bade them remember that insured of the privileges of Englishmen, of which they were so ready to talk, they provided not for the religion of the Church of England.

Count Frontignac, relying upon the Iroquois keeping at home after the late suffering of the Mohawks, ordered a convoy, with peltries, which had been shut up at Michilimackinack, to come on to Montreal; but they were encountered by the Indians, and the party cut off.

The rumours, however, of the intended invasion of New York, by sea and land, the arrival of reinforcements from France, the blow inflicted on the Mohawks, and above all, the arts and persuasion of M. Milet, a Jesuit, who had been received among the Oneidas, disposed that portion of the confederacy to sue for peace. Peter Schuyler, to counteract this, brought Fletcher, with a load of presents for the Indians, up to Albany, where a council was held, and the goods, which had been withheld a long time, were, with many fair words, delivered.

The Iroquois were told, that the 90 guns, 810 pounds of powder, 800 bars of lead, 1,000 flints, 87 hatchets, 48 dozen knives, besides blankets, beef and pork, came from King William and Queen Mary, *their* gracious king and queen.*

* I endeavour to make all transactions with the Indians plain to every reader, by adopting such appellations for the different nations or tribes as generally denote the place of residence, or some other well known circumstance. When speaking of the *Five Nations*, I call them by that appellation; or the confederates, or the Iroquois, in the aggregate. That part of the Mohawk river which approaches the Hudson, marks the situation of the Mohawk tribe with their villages and castles.

The speeches of the Indian orators, when divested of the figurative language, awkwardly rendered into English by interpreters, do honour to this singular people; and their negotiations with both French and English, show a skill in diplomacy, united to more good faith, than was in practice among civilized nations.

The Iroquois were pleased by these presents from England, and promised to deliver up M. Milet, the Jesuit; but he had art enough to continue his intrigues in despite of Fletcher and his adviser.

The governour met a new assembly in September, and prevailed upon them to pass a bill for settling a ministry; but it was sent up to the council: it was returned with an amendment, vesting his excellency with an episcopal power of inducting every incumbent. This the house refused; and the colonel called them before him, and broke up the session, by scolding them, and dismissing them. He told them that they were unmannerly dictators to him and his council; that they took care to exact their 10s. a day, but wished to pull down the fees of other ministers of the government; but he would let them know he had to collate or suspend any clergyman, and he would take care that neither heresy, schism, or rebellion, should be preached among them.

This assembly, as Mr. Smith remarks, in his history, had "deserved better usage" at Fletcher's hands; for they had made him for five years independent of the people, by giving him controul over the treasury and continuing the revenue for that time.

The bill, however, as enacted by the assembly, passed into a law without the amendment, and provided for the establishment of good and sufficient protestant ministers — one in New York city, one in Richmond county, two in the county of Westchester, and two in Queen's county — to be paid by a tax upon the inhabitants generally, to be levied by the vestry men and church wardens, who were elective by such inhabitants. By this act, the Church of England

The names of the counties, Oneida and Onondaga, give us the places of those two nations. *Onondaga*, or the "swamp under the hill," being the great council-ground of the confederates. The Cayugas have impressed their names upon the country of their abode; and the Seneca river points us to territory of that, the farthest of the union who stretched along the borders of Lake Erie. The Iroquois knew no limits to their hunting grounds, but such as the arms of other nations could oppose. They roved free as air — only checked by the French of Canada and their allies, or by the European inhabitants of New York, who gladly sought their friendship. Masters — they had none — although the English governours set up the pretence of sovereignty over them — calling them subjects of England. Their country was never subjected, until, by aiding Great Britain in her attempt to enslave the colonies, the United States were forced to conquer them in self-defence. By the Ottawas — I mean the Indians on that river and neighbourhood. The Canguawahgas were a mixed race, called christians, and settled opposite to Montreal. The Mackinaws are the people who then dwelt about Lake Michigan: the Hurons are designated by the waters of that name: and Algonkin is a title bestowed on a great portion of the natives who were in alliance with, or subdued by the French.

was recognized as the dominant church, leaving the dissenters at liberty to maintain a minister of their own, but obliging them to pay the established preacher.

It appears by the minutes of the common council, that the city of New York under Fletcher's direction, (as an addition to the fort,) erected a battery on the point of the island, upon a platform, laid upon the rocks, overlooked by the hill on which the fort stood. This battery was calculated to command both rivers. As Fletcher was vested with plenary powers of commanding the whole militia of Connecticut and the neighbouring colonies, he asserted his claim upon Connecticut. Fitzjohn Winthrop, (who had commanded under Leisler's government the troops of Connecticut and New York,) was appointed agent of the colony to go to England, and oppose Fletcher's claim.

On the 26th of October, 1693, Fletcher, the governour of New York, with Nicholas Bayard, came to Hartford while the assembly was sitting, and demanded an answer, "yes or no," says Trumbull. He ordered the militia of Hartford under arms; and it was judged expedient to comply, but the assembly insisted that the command of the militia was vested by charter in the governour and company. Colonel Bayard, by Fletcher's command, sent a letter to the Assembly, declaring that his excellency, had no design upon the civil rights of the colony, and tendered a commission to Governour Treat. This was refused of course.

When the train-bands assembled, Captain Wadsworth, as senior officer on the ground, took the command. Fletcher ordered his commission to be read to the troops, by Bayard; but on his commencing, Wadsworth ordered the drums to beat;—Bayard again attempted, but the command was readily obeyed. Upon Fletcher's persisting, Wadsworth told him, if he interrupted his command again, he "would make the sun shine through him in a moment." Such were the numbers of people collected, and such the face shown, that Fletcher and his favourite Bayard, desisted: and as soon as convenient got off to New York.

1694 The assembly which met the governour this year in March, were in a continued state of contention with him: they insisting on an examination of public accounts, he demanding additional pay for some troops lately arrived, and supplies for those on the frontier. He prorogued them, after a month's session; but in September he again met them, again to quarrel; but they granted additional support for 100 men on the frontiers.

During this year, the French general and governour of Canada appears to have had hopes of deatching the Iroquois from the English. He finds means of sending several of the Cagnawaghas among their former friends, as his agents. Father Charlevoix represents these spies as so many saints endeavouring to thwart the

machinations of the English devils, who instigated the Iroquois to enmity, by promising them sooner or later to conquer Canada.

Deputies frequently go from the Iroquois to Montreal, where they were caressed and returned loaded with presents. Charlevoix represents the confederacy as able, in case of an attack, to raise 3,000 warriors.

1695. In 1695, the Iroquois took a hostile tone with Frontignac. They insisted that if he wished to treat of peace, he should send French deputies to them. This appears to strengthen his determination to rebuild the fort at Cadaraqui, which he accordingly accomplished. He likewise sent a party of 300 men to surprise such of the Iroquois as might be hunting near Niagara: this was accomplished, and the prisoners who were carried to Montreal were burnt. This only caused more rancour, and in return, the captives taken by the confederates were tortured in the same manner.

1696 Fletcher heard that Count Frontignac was rebuilding the fort at Cadaraqui; and about the same time, received from England the king's orders for carrying on the war, by a union of the strength of the colonies. The quotas assigned by the English government, were laid before the New York Assembly, and were as follows, viz.: Pennsylvania, £80: Massachusetts Bay, £350: Maryland, £160: Virginia, £240: Rhode Island and Providence Plantation, £48: Connecticut, £120: New York, £200. This gives us a view of the relative strength of the colonies as estimated in England. That such a combination of power had not before been thought of for defence, seems most strange. This session of the Legislature passed in great harmony.

The old Count Frontignac carried on hostilities in every shape, at this time, against the Iroquois. The Ottowas were stirred up, and made a triumphant attack on the confederates, bearing off to the French fort at Michilimackanack, thirty scalps. The Count made vigorous preparations to carry desolation into the midst of the Iroquois, and pushed forward at the same time various parties to annoy them. In January, 500 men were sent against the Mohawks, but with little effect. M. de Callieres, with 300 soldiers, was sent to attack the hunters near Lake Ontario: they surprised ten men, and one woman. Three of the Indians were killed, and the rest brought to Montreal, where one was burnt: the others being recognized as individuals, who had been kind to French prisoners, were spared.

It was in vain that the government of New York, called upon the respective colonies for their aid, as directed by the ministry; and equally vain were the complaints made to England. The Iroquois were left to sustain the war unaided, except by the supplies which the governour carried to Albany.

In June, Frontignac having completed his preparations, assembled his army at Montreal and La Chine. In addition to all the regular troops at his disposal, the Ottawas, Caughnawagas, Algonkians, and the tribes under the influence of France, were brought together. Light batteaux, portable at the rapids, and other carrying places, conveyed the stores and ammunition instead of wagons, known to be worse than useless in the wilderness. On the 7th of July, this well appointed army left La Chine.

There were two bodies of Indians under Le Jardinier and Beauvois. A body of picked rangers led by the Baron de Beckencourt, preceded the main army. The regular troops were divided into battalions of 200 men each, commanded by Messrs. Durabay, De Muys, Du Mesnel, and the Chevalier De Gras. I cannot but again pause, when the picture of these splendid officers in their pure white uniforms, glittering with gold, and followed by the finest troops of Europe, glancing back the rays of a July sun from their polished arms, and dazzling accoutrements, gaily moves before the mind's eye, amidst the luxuriant growth of American forests, to seek a nation of savages so widely different in dress, decorations and manners—but these regular troops were followed by four battalions of Canadians, more assimilated in appearance and mode of warfare to the red men they sought to destroy. The rangers of *Beaupre*, were led by M. de Granville, those of *Trois Rivieres*, by M. de Grandpre; those of Montreal, by M. de Chambease; and those of Quebec, by the Chevalier de St. Martin. Monsieur Suberease acted as Major General. The van was commanded by M. de Callieres, an active and efficient officer, but who had at an early period protested against the attempt of the Count Frontignac, as inadequate to the destruction of the redoubted Iroquois. This gentleman had command of a body of Indians, and two battalions of French troops.

I have displayed, after the Jesuit historian, this formidable army, equipped by the Governour General, with the utmost care, and directed in person, by one of the most vigilant and experienced commanders that ever ruled the province. They embarked upon the St. Lawrence, preceded by two batteaux with field pieces, mortars and ammunition, and followed by canoes with provisions, which were guided by Canadians. Frontignac followed, surrounded by canoes carrying his household, his baggage, and gentlemen volunteers. The rear-guard was composed of two battalions of French soldiers, another band of Indians, and commanded by the Chevalier de Vandrenit.

Such is Charlevoix's detail of Counts, Barons, Chevaliers, and gentlemen, with followers of every class, who embark for the destruction of the sons of the forest, and their wigwams, and corn fields.

After twelve days stemming the stream of the Saint Lawrence, the army, undisturbed by an enemy, reached Fort Frontignac at Cadaraqui—a distance of about 180 miles. At this place they waited before embarking on Lake Ontario, for a body of Ottawas that was to join them. After looking some days for these allies in vain, they left their sick, amounting to 26, and crossed the lake to Oswego. The army then ascended the Onondaga river, stemming the rapids, and guarding the wooded shores by 50 scouts on each side. They then entered the Oneida Lake; but found suspended to a tree at the outlet, two bundles of rushes, which, on counting, they found were 1,434 pieces, denoting the number of warriors who awaited them, and defied their numbers and mighty preparations. After passing this lake, the French army landed at the now well known deposit of salt. Here they threw up a fort; and under charge of two captains and 100 soldiers, the canoes, batteaux, baggage and provisions not immediately wanted, were left; and the army, thus prepared for battle, advanced upon the Iroquois.

They soon perceived a great smoke in front. The Onondagas, having learned the force that was approaching, removed their women and children to the Oneidas and Cayugas, set fire to their villages and betook themselves to the woods. The flames illumined the resting place of the French at night, and next day the army, in order of battle, in two lines, with artillery in front, advanced towards the spot where the villages once stood. Callieres on the left, commanded one line: on the right, Vandreuil led the other. Frontignac, surrounded by his aids and volunteers, preceded by cannon, was borne in an arm-chair. After a hard day's march, the army, in all the pomp of glorious war, entered the first village, and found nothing but ashes and the bodies of two Frenchmen, recently put to death.

Here, Charlevoix says, were seen, in ruins, the remains of a fort, which had been a parallelogram with four bastions, surrounded by a double palisade, which, if the English who built it had occupied with cannon, they might have stopped the progress of the Count Frontignac.

The next day, some squaws who had been captives, and of course slaves to the Onondagas, escaped to the French; and a soldier who had been prisoner to the Oneidas, arrived with proposals of peace from that nation. The general replied, that they must submit, and be removed within the French colony, as the only terms he would grant.

The army remained upon the ruins of Onondaga that day, and the following, Callieres, with 700 men marched for the Oneida country, with orders to burn the villages, cut the corn, and, in case of submission, receive six chiefs as hostages. If resisted, to put all to the sword.

While he was absent upon this errand, a young Frenchman who had been a captive with the Onondagas, escaped, and joined his

countrymen: he pointed out the spots where the corn was hidden in holes dug for the purpose, called by the French, *Caches*, and where the goods and clothing of the Onondagas were hidden. These were seized, the standing corn cut, and the country desolated. While executing this *duty*, an old man of 100, who could not follow his countrymen, was taken in the woods, and called the Christian soldiers to another piece of *duty*. He presented himself to the enemy without fear of the death he expected, and was delivered over to the allies, who exercised their skill and ingenuity in torturing him, while he defied their cruelty with heroic constancy.

"It was," says the Jesuit Charlevoix, "a curious spectacle, to see many hundred men surrounding a decrepid old man, and striving by tortures to draw from him a groan. While life lasted, he reproached the Indians with becoming slaves to the French. When one stabbed him with a knife, 'you do wrong,' he said, 'to shorten my life; you should have taken more time to learn how to die like a man!'"

The detachment that had been sent against the Oneidas, returned with 25 persons, principally Frenchmen, released from captivity. A Mohawk was found, who had deserted from the Cauguawaghas. He was burnt.

Such was the harvest reaped from this long projected expedition. The army, discontented, returned to the Oneida Lake, demolished the fortifications raised to protect their boats and stores, embarked, and retraced their way to Montreal. The count had destroyed some wigwams and corn—burnt a Mohawk—tortured an old Onondaga—and only lost six of his army. The province was impoverished, and a famine succeeded. The Iroquois, more than ever embittered, not only followed the army and cut off some of the *batteaux*, but laid waste all the defenceless frontier settlements of Canada.

1697 This succession of endeavours to do as much mischief as possible, continued until the peace of Ryswick, and some months after. A party of French and Indians approached Albany, but were killed or taken prisoners. Though the Count Frontignac was seventy years of age, no reverses daunted him, and his activity appeared unabated. It was not until February, 1698, that the peace between England and France was known in Canada—although it was concluded on the 10th of September, 1697. Still Frontignac continued his hostilities against the Iroquois, until Lord Bellamont threatened (upon his succeeding to Fletcher,) to bring the whole force of the province to their aid, and the government, in Europe interfered.

CHAPTER XIV.

Piracy—Lord Bellamont, Governour—Robert Livingston—William Kidd completes his crew at New York—Turns pirate—Returns to America, and is secured by Bellamont—Treasure—Bellamont at the head of the democracy—His council, at the time of his arrival—Progress of the city—New City Hall, in Wall street—French plans of conquest in America—Bellamont claims the Iroquois as subjects to England and New York—Canadian affairs—Death of Bellamont.

1697 PIRACY, though not in so good repute as in ancient times, was certainly not looked upon with the same horror and contempt during the government of Fletcher, as it now justly receives. Private armed vessels, licensed and unlicensed, roved the seas, and robbed at all convenient opportunities. Many of these free sailors had English commissions from James II, and some from William III: many had no permission from any one to commit violence or murder for emolument. The ships of all nations were rifled or burnt, not even sparing those of Great Britain. Many of the colonial ports received these freebooters and shared in the spoils; and New York, under the administrations which ruled from 1692 to 1698, had a full share of the gainful trade—the men in office, from Fletcher downwards, affording protection, and the traders buying, selling, and fitting out the corsairs with all they required.

Richard Coote, Earl of Bellamont, was appointed in the year 1695 to succeed Fletcher, as Governour of New York. Massachusetts and New Hampshire were likewise submitted to his government; and he appears to have been chosen, in a great measure, as a person well qualified to heal the disorders in America, and to put down the pirates. Although appointed in 1695, he did not receive his commission until 1697; and it was April 2, 1698, before he arrived at New York.*

* In 1696, Livingston returned from England, where he had become a friend of Bellamont. He brought with him a nephew, Robert Livingston, junior. He ac-

Antecedent to his embarkation, the earl had made himself acquainted with the state of the colonies he was destined to rule. Robert Livingston, the violent opponent of Leisler, was in London; and from him as well as other sources, Lord Bellamont learned the condition of the Province of New York. What had changed the views and opinions of Livingston, since the execution of Leisler and his son-in-law, does not appear; but certainly he exerted himself, on his return to America, as the friend of Bellamont, and an opponent of his former associates of the Albany Convention and council attached to Nicholson, Sloughter, Ingoldsby, and Fletcher.

When the earl received his commission, William III said, that he thought him a man of resolution and integrity, and with these qualities, more likely than any other, to put a stop to the growth of piracy. Bellamont procured proofs of the injustice done to Leisler, and of the violent conduct of the aristocracy generally, as well as the governour's council, up to the time of his appointment, from young Leisler; who, with becoming energy, appeared in England, and, by the aid of the earl, finally obtained some indemnification for his father's murder, by a reversal of the attainder and a restoration to the family of the property which the faction had seized. It is possible that the truths represented by this young man might have induced Livingston to side with him, as well as the Earl of Bellamont, in urging his suit for redress.

These proceedings in England raised the hopes of the Leislerians, and excited the fears of their oppressors. A small but determined minority was gained in the House of Assembly, although Fletcher used every means to gain that body, even to appearing as an electioneerer at the time of the people's choice. No species of bribery and corruption can be too flagrant to ascribe to Fletcher and Nicholls, men who received bribes from pirates for the protection given them; and the apprehensions of Bayard, Van Cortlandt, and their friends, would make them equally active in securing a majority of the Assembly for their shield from the vengeance of those whom they had persecuted. Thus distracted by two parties of the most violent description, was the state of the province at the arrival of the new governour, who came confirmed in the opinion that his predecessor, and the friends whose counsel he followed, in respect to Leisler and his family, were corrupt in morals and politics.

cused Fletcher. Mr. Sedgwick says, "on Cornbury's arrival, he embraced the cause of the Leislerians"—just the reverse. Cornbury restored Livingston's estates. Livingston resided on his estate in 1711. His manorial privileges were confirmed by the king in 1715: it originally comprised upwards of 120,000 acres. The settlement of the Palatines took from it 5,000 acres, in 1710. He gave 13,000 acres to his youngest son, Robert, the grandfather of the late chancellor.—See Sedgwick's Livingston.

The English ministry were so deeply impressed with the necessity of suppressing piracy, that Lord Bellamont was encouraged to solicit that a frigate might be fitted out for the purpose; but the war with France requiring all the naval force of Great Britain, the request was declined: however, a proposition to purchase and arm a private ship for this service, met encouragement so far, that the Duke of Shrewsbury, Lord Chancellor Somers, the Earls of Romney and Oxford, with others, became sharers in the enterprize with Livingston and Bellamont; the latter taking upon himself the equipment of the vessel.

There happened, at that time, to be in London a man of the name of William Kidd, who had distinguished himself as a captain of a privateer against the French, and particularly in the West Indies. He had, in one instance, done service with his privateer, by aiding government in a perilous attack upon the French. Livingston knew him as a brave sea captain, and recommended him to Bellamont to command; who, accordingly, engaged him, and he sailed in the *Adventure* galley, of thirty guns, with sixty men, for New York, commissioned as a privateer against the French, and to take and seize pirates in the Indian seas, and elsewhere.* He took his departure from Plymouth in April, 1696, and arrived at New York in July following. Here he was at home, knew the customs of the place, the characters of the rulers, and was received cordially, and completed his crew to 155, who shipped to go to Madagascar in pursuit of pirates.

Kidd, now in command of a fine ship, bountifully equipped, and manned like a frigate, soon determined to follow the track of the heroes who had gone before him. He promised his crew to load the ship with gold and silver, and, no doubt, he found his licentious followers ready to second him in any mode of obtaining the means of evading the laws and pampering their appetites. The sailors of this period generally looked forward to nothing more than sensual gratification: the behaviour which ensures promotion was unknown to them. Such men were easily led, from pursuing pirates for plunder, to becoming pirates in the hope of sharing more largely in spoil.

In the summer of 1697 he lay in wait for the Mocha fleet—made an attack upon them, but found their convoy too strong, and sheered off. On the coast of Malabar he plundered many vessels of various nations, Indians, Moors, and Christians; and having broke through the laws, and become liable to punishment, if he could not elude them, cruelty followed as part of the character of the robber. He

* Kidd was to have one fifth of the proceeds of the expedition: and Chief Justice Smith says, that Livingston was his security. The noblemen of the ministry embarked £6000. I do not find what share Lord Bellamont possessed.

imitated the conquerors of Mexico and Peru, by torturing men to discover their wealth. He imitated other conquerors by landing on the coast, burning the houses and murdering the inhabitants. He was pursued by the Portuguese with two ships of war, fought them and escaped.

Among the vessels captured by Kidd was one called the "Quedagh Merchant," commanded by an Englishman. The captain offered 30,000 rupees ransom, which was refused; and the goods were sold in such ports as Kidd knew were good markets for them. For the capture of Captain Wright and the "Quedagh Merchant," the pirate was afterwards tried and executed.

Among the many murders committed by this hero, he was tried for killing William Moore, which is made a great point of, in the ballads of the day; but, as appears on the trial, the death of this mutinous pirate was not intended by his captain, who struck a blow with a bucket, which, as was said, caused death.

At a place where pirates rendezvoused, Kidd exchanged the Adventure galley for a ship that had been the Mocha frigate, and, after a variety of robberies, returned to America; but finding that Fletcher and the other friends of piracy were no longer the rulers in New York, he appears to have passed up the Sound, and deposited a part of his treasure on Gardner's Island. After several divisions of plunder, the crew dispersed, and Kidd venturing to appear in Boston in the dress of a fine gentleman, and, probably, with an assumed name, was met by Lord Bellamont, made prisoner, and after the occurrence of some circumstance, which delayed the wishes of the Earl, as I shall hereafter mention, he was sent to England for trial. The treasure buried at Gardner's Island was discovered and delivered to Bellamont. A schedule of the gold and jewels remains in the hands of the heirs of Mr. Gardner to this day.*

The knowledge that a portion of Kidd's treasure had been buried on Gardner's Island; that his companions had shared the fruits of his robberies at different times; that other pirates infested the seas and returned to America with the gold for which they had exchanged the goods of merchants robbed on the ocean, all tended to create that feverish excitement, which stimulated bands of searchers after hidden wealth on every part of our sea coast, and particularly on the islets of the Sound which had been the resort of vessels engaged in or suspected of piracy.

Lord Bellamont arrived on the 2d of April, 1698, and with him, as his lieutenant-governour, John Nanfan, Esq., who is called

* The commissioners appointed to receive the treasure deposited by Kidd on Gardner's Island, found a box containing 738 ounces of gold, and 847 ounces of silver, besides jewels.

in the Earl's letters, his cousin. Bellamont likewise brought with him his countess, whom he had married ere she was yet twelve years of age, and as her family name was Nanfan, I am induced to suppose that the lieutenant-governour was her relative.

Although the enemies of the family, whose cause the governour had espoused, were in office at the time of his arrival, (the council being composed of Phillipse, Van Cortlandt, Bayard, Mienville, Smith, Nicholl, Pinhorne, Willet and Lawrence,) and although the assembly led by James Grahame, had a majority of those who joined in persecuting Leisler, and although William Merritt was the mayor of the city, appointed by Fletcher, and James Grahame, recorder, with probably a majority in the common council, who coincided in opinion with the dominant party, yet I find that several days before Bellamont arrived, powder was ordered for saluting the new governour when he should enter the harbour: and two days after his commission was read, the mayor and aldermen voted an address to him, wherein humility and professions of obedience abound. They pray him to heal the divisions in the colony; and a few days after invite him to a public dinner, appointing two aldermen, and two assistants, as a committee to make a bill of fare, and empower them, "for the effectual doing thereof, to call to their assistance, such cooks as they shall think necessary." There can be no doubt, but that the party in power trembled, and were conscience struck. It is to be observed, that Heathcote and Young, who had been advanced to the council in 1692, were not now of that body: neither does the name of Peter Schuyler appear.

Notwithstanding the pressure from war and other calamities, attending the "grievous law," which took from the city the monopoly of bolting flour and baking biscuit, and "placed at every planter's door the privilege" of bolting and baking, still Bellamont found the town extending and improving. An English church had been commenced, and was opened for publick worship in one year. This was Trinity church, which must have touched upon, or removed, part of the old wall. A pew was appropriated to the common council, and hither the mayor appointed by the governour, the alderman and assistants repaired annually on the 14th of October, to hear the Reverend Mr. Vesey, and his English successors, preach a sermon, though for a long time many of these dignitaries were Dutch; after attending Episcopal service, they in procession marched to the fort, waited on the governour, and again returning to the City Hall, took the requisite oaths of office. A City Hall had been determined upon, to be built at the end of Broad Street, north of the old wall, and the former Stadt House fronting Coenties Slip, had been doomed to destruction—the land sold, and the rubbish removed. The new building which of course destroyed another portion of the wall, was completed during Lord

Bellamont's administration, and the stones of the former bastion or wall, on which the pallisades were fixed, were used for this great work, in which were the halls of justice, the jails and dungeons of the city, for many years. The City Hall then built, was on the site of the now building Custom House of the United States, and being finished while Bellamont and Nanfan were the idols of the people, their arms, with the king's, decorated the front. We shall see the fate of these decorations as we pursue the history of the city.*

Previous to the peace of Ryswick, the French monarch had determined upon the conquest of New England, and for this purpose the Count Frontignac, had orders to keep the French troops in Canada in readiness. He, however, remonstrated, and represented that the French force had better be directed against New York, which would deliver Canada from the much dreaded Iroquois, who impeded all the great designs of France, on the continent of America. His plan was similar to that of the English, in our revolutionary contest—a naval and military force to take New York city, and penetrate the province by the Hudson; while the army of Canada, by the way of Lake Champlain, conquered the north and established themselves at Albany. But the plans of the Court of Versailles prevailed; the Marquis of Nesmond, with an armament, was to take Boston, and drive the English from Newfoundland. The old Count was to be brought by sea to the assistance of the Marquis. All this done, the united forces were to take New York, establish that place as a French city, and then subdue the province. But the fleet and the Marquis Nesmond returned to France without firing a gun, and Count Frontignac, was not called upon, to aid in the conquest of New England, and nothing of importance was undertaken against the Indians.

Colden, in his History of the Five Nations, states, that the Iroquois having heard of the peace concluded between England and

* When the city had grown so great as to burst the bounds of the palisadoed wall, (which was situated where Wall Street is now built,) the houses began to be erected over a marsh, on the East river side, from the Half Moon, a little fort at the termination of the palisades, to the site of the present Fulton Market. This marsh was bounded on the west by the high ground of Golden Hill, and was called the *Vly*, being an abbreviation of valley; and from its owner it was denominated *Smees Vly*, soon changed by the English into "Smith's Fly." Now, during Lord Bellamont's government, the *Magde Padje*, or "Maiden Lane," which commenced on the high ground, or at "the Broadway," was continued through the *Vly*, and a "slip" formed which was called the "Countess's Slip," in compliment to the governour's lady, the Countess of Bellamont. At this slip, was afterwards placed the Fly Market.

The *Golden Bergh*, as the Dutch called it, is now only remembered by Gold street; but "Cliff street" retains the name *Dirk Van der Cliff*; and "John street," a part of which was called "Golden Hill," has still its original denomination, derived from *John Harpendingh*, who gave to the Dutch congregation the ground on which the North church is built, and whose escutcheon is there preserved.

France, in February, 1698, pursued their hunting near Lake Ontario, but were attacked by the Algonkins, at the instigation of Frontignac, and suffered some loss when unprepared for resistance.

In April, the Earl of Bellamont despatched Colonel John Schuyler,* and a Dutch Clergyman of the name of Dellius, with tidings of the peace of Ryswick to Montreal. Father Charlevoix says, that the Earl's letter, was dated the 22nd of April, and reached the French Governour in May. Bellamont with these tidings sent all the French prisoners, taken by the English of New York, and promised to order the Iroquois to deliver such as they held in captivity: he required of the governour of Canada, all *subjects* of the king, held by the French as prisoners, *whether Christians or Indians*.

The count would not acknowledge that the Iroquois were subjects of New York or England, and insisted upon treating with them as people subject to France, who voluntarily considered the French King as their father.

He required that the French detained among them should be brought to Canada, and threatened hostilities against the Indians, if they did not comply.

The earl says, "I have sent this letter by Colonel Schuyler, member of the king's council for this province, with M. Dellius and two other gentlemen: they bring the prisoners which were held by our Indians." He doubts not but Frontignac will release all the subjects of the king in his power, as well Christians as Indians; that all amenities of peace may take place, etc. etc. Frontignac replied, that he would exchange or release the English and Dutch prisoners in his power; that he never refused to make exchanges during war, notwithstanding the ill treatment several French prisoners had experienced from the English, and the agreements violated by them; that he is persuaded the governour will not suffer Captain Flebusteir to be kept in chains and treated with extreme rigour any longer. He further said to Bellamont, that he could not comprehend, that he had charged the Messrs. S. and D. to demand the Iroquois prisoners in New France in exchange for Frenchmen; that these Iroquois were, since last autumn, in treaty with him, and had left a hostage to guarantee their word: they are, he said, children disobeying their father, and had been under the domination of the King of France, before the English became masters of New York; that his orders on this point were precise, and he must obey them. Nevertheless, this

* Charlevoix seems to consider this Colonel Schuyler, as the celebrated Peter, the grandfather of Philip, so famous in our revolutionary contest; and this idea seems to be conveyed by the expression of Bellamont, which makes Colonel Schuyler a member of the council.

should not interrupt their good intelligence ; that he had taken measures to hinder the Indians domiciliated with the French from committing hostilities against the English settlements, &c. “Messrs. S. and D.,” says the Jesuit, “departed, charmed with the reception they had met with.” Some Indians soon after informed Frontignac that Bellamont had held a great council with the chiefs of the Five Nations ; that the Mohawks had told him that they were the masters of their soil, and had been long before the English appeared ; and had burnt, in Bellamont’s presence, all treaties they had signed : they, however, promised the governour that they would hold the Indians they had as prisoners, until Frontignac sent back all the Iroquois he held. To this, Bellamont objected ; and required the prisoners to be put in his hands, to be conducted to Montreal ; that he prohibited all hostilities against the French ; but as to their Indian allies, they were at liberty — but not with the Indians domiciliated in the French colony. It was said, the Iroquois agreed to give Bellamont their prisoners, but did not fix the time. Frontignac saw that Bellamont wished to establish the sovereignty of England over the Iroquois, and that his (Frontignac’s) part, was to divide them, by representing that the English wished to become masters of their country and persons. For this purpose, he invited them to come to Montreal, and sent his agents among them. Some came to Montreal, where they were feasted and retained by caresses a long time.

A second letter from Bellamont, only strengthened Frontignac’s determination to gain the Iroquois. The Governour of New York wrote that he had a conference with the Five Nations ; that they desired to continue under the protection of England, and avowed *subjection* ; that they complained of the French and Canadian Indians, who committed hostilities upon them because they were subjects of England ; that the French Indians had carried off a number of their people since the publication of the peace ; that he was surprised to find the Five Nations were not treated as subjects of the crown of England ; that they were such, could be proved to all the world ; that from Frontignac’s letter, he understands that he acts by order ; that the injuries received by the Iroquois, were a cause of the last war, and he is astonished to find that they are repeated, in contravention of the treaty ; that the King of England would not suffer any insult to be offered to *his* Indians ; that he has ordered them to be on their guard, and if attacked, to resist to the knife, and he would succour them. He says, the Five Nations wish him to drive away the French missionaries from them, and to send them protestant ministers, and he has promised so to do. He requires Frontignac to prohibit the interference of the French priests or they will be subjected to the punishment awarded by the laws of England ; and threatens, “assuredly I will execute all that fall into

my hands; and the Indians have promised to send them to me." He says, if hostilities do not cease on the part of the Canadians, they must take the consequences: "the Indians will put in my hands the prisoners they have taken during the war, (more than a hundred,) provided, on your part, you release their countrymen." He wishes the count's determination, and, in the meantime, sends four Frenchmen, who, as he says, "our Indians have brought to Albany;" that the Iroquois tell him, that Frontignac had sent word to the upper cantons, that if they do not come into Canada in forty-five days, he would march into their country with fire and sword.—"I send, to-day, my lieutenant-governour, with regular king's troops, to oppose any hostilities you may undertake; and I will arm my government to repulse you; and make reprisals for any damage you may do our Indians."

The Jesuit historian tells his readers, that this high tone of Bellamont's, indicates his want of power—the English always do so, when they know they cannot sustain their pretensions. Frontignac replied, that the kings, their masters, had agreed to settle their boundaries: France only wishes to bring back her children by kindness, if she can—if not, by severity. He says, the Iroquois belong to France, and reject the dominion of England.

During this controversy, Lord Bellamont visited Albany to carry his point with the Iroquois; and before the affair was brought to any conclusion, the French governour died, at the age of seventy-eight, on the 28th of November, 1698.

Doctor Cadwallader Colden gives this version of the affair:—Bellamont ordered the Iroquois to bring the French prisoners, who were to be given up, according to the treaty of Ryswick, as captives held by English subjects, to Albany, there to be delivered to Count Frontignac, as so many prisoners to the arms of England. The French Governour of Canada would not allow this—as it placed the Iroquois in the light of subjects to Great Britain. He insisted that the Indians should bring the French prisoners to Montreal, and *there* deliver them as their captives. He threatened to continue hostilities against the Iroquois, if they did not comply. He further insisted that all the French Indians must be included in the peace. This last, the Iroquois refused, saying that they would be revenged on the Ottawas and Algonkins. They were embittered against the latter, particularly for the death of their hunters, who thought themselves secured by the peace of Ryswick. "Must I," said a warrior of the Iroquois, who was killed on this occasion, "Must I, who have made the earth tremble, die by the hands of children?"

Bellamont, hearing that Frontignac was preparing all his power for the chastisement of the confederates, sent as we have seen, Colonel John Schuyler, with the Dutch minister, Dellius, to Canada, notifying him of the peace concluded in Europe, and of his determination to uphold the Iroquois.

Doctor Colden mentions the parade made by the French, at Montreal, on occasion of the funeral of one of their Indians. "The priest that attended him at his death, declared that he died a true christian;" and as a proof, gave his exclamation on hearing of the crucifixion: "Oh, had I been there, I would have revenged his death, and brought away their scalps!"

At New York, Bellamont had to remedy the evils produced by Slaughter, Ingoldsby, &c: he had to rectify the abuses which Fletcher and his council had perpetrated, in their persecution of the Leislerians, and in cherishing the pirates. The earl informed the council that he had an affidavit, accusing Fletcher of permitting pirates to land their spoils in the province, and that Mathias Nicholl had received £800, as a reward for protecting them. The latter acknowledged the receipt of monies; but not from known pirates. Fletcher was threatened with being sent *home* for trial; but Nicholl was thought not rich enough for a trial at such a distance: he was, however, suspended from the council, and obliged to enter into a recognizance in £2,000.

As the governour had avowed his disposition to do justice to the friends of Leisler, and also his determination to wipe from the province the stain of encouraging piracy, the council were soon changed for men on whom he could rely. Pinhorne was first dismissed, on the 14th June: Brooke, the receiver-general was put out of office. The assembly was dissolved.

When the governour returned from Albany, Bayard, Mienville, Willet, and Lawrence, were suspended: and on the 28th of September, Abraham Depeyster, Robert Livingston, T. Weaver, and Samuel Staats, took seats at the board. Phillipse resigned, and Robert Walters took his place. The governour, lieutenant-governour, and council were now Leislerian, or opposed to the corrupt aristocracy that had ruled. A new assembly was convened 1699 on the 18th of May, 1699, and Philip French was chosen speaker. In his opening speech, Bellamont said: "I cannot but observe to you what a legacy my predecessor has left me, and what difficulties to struggle with; a divided people, an empty purse, a few miserable naked half starved soldiers, not half the number the king allowed pay for; the fortifications, and even the governour's house, very much out of repair; and, in a word, the whole government out of frame. It hath been represented to the government in England, that this province has been a noted receptacle of pirates, and the trade of it under no restriction, but the acts of trade violated by the neglect and connivance of those whose duty it was to have prevented it." He added: "I will take care there shall be no misapplication of the public money. I will pocket none of it myself, nor shall there be any embezzlement by others." He said,

he should consider it the glory of his government, to find out some expedient to reconcile party spirit, and to provide against the abuse of elections. He recommended an increase of numbers in the assembly, from 19 to 30. The opponents of the governour had, however, prevailed in the elections of this assembly.

A new assembly afterwards met, and, although it was composed of the friends of Leisler, as opposed to the aristocracy which had flourished under Sloughter, Ingoldsby, and Fletcher, yet they chose James Grahame their speaker; but Abraham Gouverneur, who had adhered to Leisler, and who had been charged with the crimes of murder and treason by the enemies of Leisler, was now a member for Orange county, and an active, influential man with the assembly.*

Acts were passed for indemnifying those who were excepted out of the general pardon, of 1691; against pirates; for the settlement of Milbourne's estate; for presenting the governour and his lieutenant with £1,500 and £500; for continuing the revenue six years longer; and for regulating elections.

About this time, the friends and adherents of Jacob Leisler, evinced their sense of the injustice that had been done to him and Milbourne, by removing their remains from the place in which they had been interred, like malefactors, after the atrocious murder that had been committed by executing them, in a mockery of judicial proceedings. They accordingly disinterred their coffins, and with every mark of respect, buried them as martyrs to the cause of the people, in the Dutch Church, Garden Street.

I find as one of the reasons given by Lord Bellamont, for removing Bayard from the council, among charges of a more grievous nature, "that he had advised the printing a scandalous and malicious pamphlet, entitled a letter from a gentleman in New York," in which, and in a pamphlet printed at Boston, it was endeavoured to cast every species of odium upon Leisler, and the revolution he effected. And after Bellamont's decease, and the prevalence under Cornbury, of the aristocratick faction, I find among the "heads that complained against the Earl of Bellamont in his government of New York," the following. "He permitted, if not directed, the taking up at midnight, with sound of trumpet and drums, the bones of

* This assembly were:—From *New York*, James Grahame, John Depeyster, David Provoost. From *Orange and Kings*, Abraham Gouverneur, Cornelius Sebring, and Cornelius Van Brant. From *Queens*, John Jackson and Daniel Whitehead. From *Richmond*, Thomas Morgan and Garret Veighte. From *Westchester*, John Drake and John Hunt. From *Albany*, Hendrick Hanson, John Jansen Bleeker, and Ryer Schermerhorn. From *Ulster*, Jacob Rutsen and Abraham Hasbrook. From *Rensselaer*, Killian Van Rennselaer. From *Suffolk*, Henry Pierson and Matthew Howell.

Leisler and Milbourne, who had been buried in their own graves near nine years, and to lay in state some weeks, and afterwards to be publicly buried in the Dutch church, against the consent of the officers thereof, attended by a thousand men in arms, and a mob of 1500 men, chiefly Dutch," to the great terrour "of the principal inhabitants." And his Lordship is charged with having "honoured the funeral, as it is said, by looking out of a window as it passed by."

The reader will divest this, of the exaggeration of party, and it gives a picture of the times, and the people, not otherwise obtained.

According to a work published in 1699, entitled "British Empire in America," New York then consisted of 1,000 houses. That the chief defence of the city consisted of the fort, and that two batteries had been erected — one on each side of the Narrows.

Dellius, the clergyman who had been employed by Bellamont as a messenger to Count Frontignac, concerning the Indians, had been a commissioner for their affairs, and had, Chief Justice Smith says, fraudulently obtained Indian deeds for an immense tract of land — a grant for which, he found means to procure from Fletcher: and Nicholas Bayard had likewise obtained a grant for another immense tract of country. Pinhorne, with associates, obtained a patent for two miles on each side the Mohawk river, for fifty miles in extent. These extravagant patents, gained without any shadow of adequate compensation to the province, were recommended to the lords justices as being vacated, and were accordingly vacated by law. Dellius was suspended from the ministry. Thus Bellamont, by undoing the corrupt practices of his predecessors, opened a field for real settlers in these countries on advantageous terms for the province, and restored their rights to the Indians.

Colonel Schuyler and others had been parties in these immense patents with Dellius, but had withdrawn their claims, indignant at the fraud by which the grants had been obtained. Dellius, Pinhorne, and one Bancker, under pretence of a deed of trust for the Mohawks, obtained a transfer in fee for themselves, and got a patent from Fletcher, reserving a nominal rent of a few skins, to be paid to the government.*

1700 The abilities, firmness, and elegant manners of Lord Bellamont, combining with strict honesty and enlightened desire to promote the welfare of the province, raised the oppressed Leislerians, and went far to convince the aristocratical faction, or at least such of them as were accessible to just and honourable feel-

* See Thomas F. Gordon's history, prefixed to his excellent *Gazeteer of New York*.

ings, of the errors they had committed and caused in their opponents. The Leislerians were the people—the democracy of the province—and they found an efficient champion in Lord Bellamont, who, at the same time, was the friend and champion of the honest part of the aristocracy, or gentry—“the people of figure”—the determined foe to the dishonest, selfish, supercilious intriguers, who had governed his unworthy predecessors.

M. de Callieres succeeded to the government of Canada upon the death of Frontignac. Charlevoix, tells us, that the Iroquois sent deputies to Montreal to condole for the loss of their father—or to gain intelligence. Callieres grants them a truce of sixty days, but insists upon their giving up their French prisoners. The new Canadian governour, attributing the hostile disposition of the Indians to Bellamont, sent secret emissaries to Onondaga, to counteract the governour of New York. The consequence is a visit of two chiefs to Montreal, who announce a general deputation from the Iroquois in July 1700: and on the 2d of that month, two Onondagas, and four Senecas, appear, who are treated as ambassadors from the confederacy, and much state and ceremony used by the French to gain them. Feasting and presents of course.

These ambassadors inform Callieres of a visit made to Onondaga by Peter Schuyler, as an agent of Lord Bellamont, to persuade the Iroquois not to send deputies to Canada, and to prevent these six chiefs from coming. They, however, complain of the Ottawas, or French Indians, who had, since the peace of Ryswick, and when the Iroquois thought themselves secure in hunting, attacked and killed several of their men and women. They demand that Callieres should send three officers with them on their return, to convince the nation that he desires peace. This is complied with, and a great council being held at Onondaga, a French priest harranged the Indians, telling them that “Ononthio is their father, Corlaer only their brother;” the Jesuit missionaries love them, and France wishes peace for their welfare.

Other French agents talk to them in the same strain, and endeavour to persuade the Indians that the power of France is to be dreaded; but the fatherly love of the nation is boundless. But an Englishman, says Charlevoix, accompanied by an Onondaga, arrived at the council, who tells them from Bellamont, not to listen to the French; that he in ten or twelve days expects to meet the Five Nations at Albany. This lordly tone, the Jesuit says, displeased the Iroquois; and the missionary increased their discontent, by telling them, that the English treated them as if they were subjects,—that to avoid slavery they must be reconciled to their father.

One of the French officers went to the Seneca nation to recover the prisoners. Liberty is given to the Frenchmen to return; but the greater number being adopted, and pleased with the savage life,

refused to return to civilization. While this was passing among the Senecas, the Iroquois held a general council at Onondaga, at which an officer of Lord Bellamont's was present. The Indians avowed their determination to visit Canada and conclude a peace with France.

The Jesuits were displeased, however, by the admission which the Mohawks had given to Dellius, who before his degradation by the New York Assembly, acted among the Iroquois as a protestant minister. But this man appears to have been more intent upon securing property to himself as a commissioner for Indian affairs, than on making converts. The Jesuit says, a *female Iroquois* resided with the Dutch minister as an interpreter.

Colden says, that when the French commissioners arrived at Onondaga, they approached with colours flying, and were met by the Iroquois orator, who introduced them under a salute of fire arms from the Indians. The council being met, the Jesuit made a speech, which was reported by the Iroquois to Lord Bellamont. He congratulated them on their determining to send chiefs to Canada, notwithstanding that Corlaer (that is the governour of New York) had forbidden them—he regretted the death of the hunters killed by the Algonkins—"happily peace with France was concluded! but why is Corlaer adverse to this happy correspondence? The French are ready to restore, not only the captive Iroquois in their possession, but those held by their allies." The Jesuit offered to remain among them, and instruct them in Christianity: moreover, he would drive all diseases from them. He concluded by exciting their jealousy of Corlaer, for keeping the affairs of government secret from them, and not being so frank and communicative as the French.

The Indians rejected the offer of remaining among them—they had accepted ministers from Corlaer. The Indian orator very fairly told the Jesuit, that the French priests had deceived them. "They preached peace, and at the same time their countrymen came and knocked us on the head."

A peace however was concluded. The "*habitans*" rejoiced, for they had experienced every evil that savage hostility could inflict. The French Indians were displeased. "We perceive," they said, "that *fear* makes the French show more respect to their enemies, than *love* can make them show to their friends."

M. de Callieres made the French Indians give up their Iroquois prisoners, though the latter had as yet surrendered none. In fact as we have seen the Frenchmen preferred the savage life. Some who were persuaded to return to their civilized friends, again fled to the Indians, and that unbred liberty or licentiousness, which they enjoyed among the Iroquois. This propensity to become savages,

was at all times characteristick of the nation, and often complained of by the officers, who had the welfare of New France in view.

The Jesuit historian, father Charlevoix, after mentioning Dellius and his female interpreter, says, he does not know when this mission ceased, but that Bellamont drove the Dutch minister from Albany some years after.* He then speaks of protestants generally as a Jesuit may be supposed to speak, and praises his own brethren accordingly. He says, the priest who directed the French embassy to Onondaga, did not make the acceptance of the protestant missionaries an obstacle to the conclusion of the treaty; and when the ambassadors returned to Montreal, the Iroquois, with the exception of the Mohawks and Oneidas, sent deputies with them. At the conclusion of this treaty, the Hurons, Ottowas, and other French Indians, threw their hatchets at the feet of the Canadian governour, and signed the paper presented to them, after Callieres with the officers and priests, had written their names. The signing of the Onondagas and Senecas, Charlevoix says, was by tracing the figure of a *spider*; the Cayugas signed with the figure of a *calumet*, or pipe. Apparently, says the Jesuit, although the Mohawks and Oneidas were not present, *some one* was commissioned to *sign for them*. The mark of the Oneidas was a *piece of wood, forked, with a stone in the middle*; that of the Mohawks, a *Bear*.

The Hurons drew a *Beaver*, and the Abessaquicks, a *Hare*.
1701 After the death of Lord Bellamont, the French Indians and the Iroquois committed frequent hostilities on each other; and Callieres endeavoured to introduce the Jesuits among the latter, but generally in vain.

On the 5th of March, 1701, Richard Coote, Earl of Bellamont, died, universally regretted by the greater portion of the people, and incalculably to the loss of the province of New York. I find, by the records of the corporation, that the corpse was buried with becoming honours: the streets of the city through which the procession passed, were prepared with due care. He was interred under the chapel of the fort; from which, I must suppose, that the corpse had been removed to the new City Hall, just finished, in Wall street, as the governour's place of residence was in the fort. A few days after, his coat of arms, carried in state, was placed in front of the new City Hall.†

* "Je trouve dans mes memoires que quelques annés apres Dellius fut chassée d'Orange par M. de Bellamont."

† Records of New York. On the 19th March, 1790, a committee was appointed to view the land at the fort and battery, and report the proper measures to be taken "for levelling the same." The committee reported, an extension of the battery; and Messrs. Stoutenberg, Curtenius and Pintard, were appointed to assist the commissioners in removing the fort.

In levelling the fort, it is said that the tablet, *which*, with its inscription had been placed in front of the first church of New York, (built by *Kieft*, in 1642-3,) was found and removed to the Garden-street church. It is likewise said that the remains of the Earl and Countess of Bellamont were found, in leaden coffins, with silver plates engraved; and that the coffins were removed to St. Paul's church, the silver plates deposited in *Gardner Baker's* Museum, and on that property being disposed of, they were sold, and are lost.

John F. Watson, Esq., in his book called "Historic Tales of Olden Time," says, that an old gentleman told him, "he saw the old fort cut down," and that the leaden coffins of Lord Bellamont and lady were found, and removed to St. Paul's church. This person is not here stated to have seen these coffins. In a manuscript on the same subject, deposited by Mr. Watson in the New York Historical Society's library, he says: "In taking down the ancient Dutch chapel vault, they came to the remains of Lord and Lady Bellamont, in leaden coffins, known by family escutcheons and inscriptions on silver plates. These coffins, with the bones of several other persons, were taken by Mr. Pintard, who told me, to St. Paul's church-ground, where they all rest now, in one common grave; that the silver plates were taken by Mr. Vanzandt, for a museum; but he dying, they fell into hands which, with much bad taste, converted them into spoons."—This is published in Mr. Watson's book, above mentioned.

Mr. John F. Watson has told us what was told him, and much curious matter, for which we are very much obliged to him. The facts elicited by him during his short visits to New York, (and even the errors consequent upon so brief an examination,) have led to further investigation, and much that is now known or will subsequently be discovered, must be credited to his ardent and persevering love of knowledge. Now, any person may see at this time, (1839,) that there is deposited with the New York Historical Society, part of a coffin and the remains of a silver plate, much decayed, on which neither arms nor inscription are to be seen. These, Mr. Pintard had reason to believe, from engraving to be seen in 1790, were the remains of the coffin and plate of Governour Bellamont. There being but one plate, contradicts, in some measure, the above story, told to Mr. Watson: and that plate being deposited in a state of decay, with the New York Historical Society, contradicts the notion of the two plates being melted up for spoons. And as it is well known that Lady Bellamont did not die until thirty-six years after the earl, and at a time when her eldest son, Nanfan, was Earl of Bellamont, it is not probable that her corpse was, in 1737, brought over sea to be interred under the old Dutch church, in the fort of New York.

It may be asked, why was the English Governour of New York buried in the Dutch church, when the English church, called Trinity, had been recently erected? This might either have been by his desire, and to show his detestation of Fletcher, and adhesion to the Leislerians, or, by the influence of the latter, after the earl's death.

I am willing to believe, that the bones of Bellamont rest in St. Paul's church-yard, (if not subsequently removed in the usual mode of transfer,) and that the parts of a coffin and plate, now to be seen, were devoted to his remains in 1701.

I find a list of four chaplains to the fort—I presume, appointed by the English government. In 1683, the Reverend Mr. Gordon. In 1684, the Reverend Josias Clark. In 1692, the Reverend Mr. Miller. And in 1701, the Reverend John Peter Brisac.

CHAPTER XV.

Continuation of Kidd's affair—Persecution of Robert Livingston—Reversal of the attainder of Jacob Leisler, and restoration of property to the family—Lord Cornbury's family and character—Bayard's trial and condemnation—Reprieve—Relief by the arrival of Cornbury, and reversal of the judgement against him—Nanjan, and the assembly of 1702.

1701 THE adventures, piracy, trial and execution, of William Kidd, made so great a noise in America and England at this time, besides involving the good fame of many English nobles, that I must devote a page to the subsequent story of this unhappy man.*

The Tory party in England endeavouring to destroy the Whig ministry, charged them with abetting Kidd in his piracies, and sharing the plunder. These gentlemen, as has been seen, had in conjunction with Bellamont and Robert Livingston, fitted out the Adventure Galley, and Kidd, on Livingston's recommendation, had been placed in command.

When Bellamont seized Kidd in Boston, he imprisoned him, and wrote to the ministry for a king's ship, to send the pirate for trial to England. The Rochester was dispatched for the service,

* The traditional place of resort for Kidd and his crew, was at Sackem's Head, a rocky peninsula, jutting from Long Island into the sound, near the town of Guilford. Stories of treasures found in this neighbourhood, are believed by many, and some of them asserted upon good, or what ought to be good authority. Colonel Stone, in his Commercial Advertiser, asserts that within the last eighteen months, a pot, containing \$1,800, was ploughed up in a field upon Martha's Vineyard. The Thimble Islands, near Sackem's Head, were asserted to have been the resort of Kidd. The largest of these, bears his name. They call another "Money Island," and it has been dug most industriously. Upon Kidd's Island is a cave, where it is said the pirates used to sleep. On the face of one of the rocks, are cut his initials, R. K., which are soberly given as testimony that Kidd frequented the place, and cut these letters. Unfortunately, the pirate's name was William, and not Robert. Every thing about this island is called Kidd's — a hole in the rock is his punch-bowl, and a flat rock is his table.

There is a proclamation extant in the East Jersey proprietor's office, issued by Governour Prasse, authorizing the arrest of Captain Kidd and his vessel. It is dated August 24th, 1699.

and was driven back by stress of weather. The cry was then raised that this was all collusion—that the ministry feared to bring Kidd home because of their nefarious connexions with him. The party even moved in Parliament, that all concerned in Kidd's adventure, might be turned out of office. Kidd at length was put upon his trial, with nine of his men, at the Old Bailey. The Earl of Portland, Lord Somers, the Earl of Oxford and Lord Halifax, having been impeached by the Tories, the fitting out of Kidd for the purpose of piracy, was made a charge against each of them. Endeavours were used to make the unhappy man criminate these gentlemen; but in vain, for the truth was too notorious to admit of his saving himself by accusing them. After many vexations and ceremony of a trial against each of these noblemen, they were all declared innocent, and acquitted with honour.

Kidd and his nine men were found guilty of murder and piracy, in May, 1701, and accordingly executed.

To return to New York: John Nanfan, Esquire, the Lieutenant Governour, was in Barbadoes in March, when the Earl of Bellamont died; and the aristocratic party seized the opportunity to endeavour to undo all the good which the deceased governour had done for the province, or at least to revive in the most fierce and deadly force, the animosities which broke forth when the citizens raised the standard of Protestantism, and William of Orange.

In a late instance, when Slougher died suddenly, the aristocratic party, which composed the council, elected one of the body (Ingoldsby) to take the Gubernatorial chair; that party were now a small minority, but one of them was the seniour member, they therefore insisted that in the absence of the Lieutenant Governour, their member from seniority was entitled to the chair of authority. The democratical majority pleaded the late precedent, in favour of an election. These were Abraham De Peyster, (to whom Bellamont's letters are addressed,*) Samuel Staats, Robert Walters, and Thomas Weaver.

Colonel William Smith was the person claiming the chair by right, as being the eldest member of the council; and he was supported by Peter Schuyler and Robert Livingston, who, by absenting themselves, threw the government into perplexity. The assembly met, as convened on the 2d of April; but the chair being vacant, they adjourned from day to day. The majority of the council sending to them a statement of the controversy, they decided in favour of an election: a decision which, Smith says, was afterwards supported by the board of trade, in England. The dispute, however, continued—the minority being principally supported by Livingston;

* See Appendix S.

and the assembly, doing no business, adjourned to the first Tuesday in June. In the mean time, the lieutenant-governour arrived, and ended the controversy.

This conduct of Robert Livingston, added to his never-forgotten or forgiven support of the Albany Convention of 1689 — his thwarting the measures of Leisler, and finally aiding in bringing that unfortunate man, with his son-in-law, Milbourne, to an ignominious death, as rebels and traitors, raised against him the decided animosity of the democrattick party. The next assembly persecuted Livingston — called upon the lieutenant-governour to pray the king to remove him from his office of secretary of Indian affairs — and, in the meantime, to suspend him from the exercise of his commission. Livingston had refused, likewise, to account for sums received by him, as collector of the excise; and the committee for examining his accounts, charged him with the amount of £18,000, (an enormous sum in those days,) for which he did not produce vouchers.*

The affairs of the city were likewise thrown into confusion by the same party spirit that perplexed the council and assembly. Mr. Noel, the mayor of the city, met with such opposition, that the business of the corporation was suspended.†

During the brief rule of Lieutenant-governour Nanfan, the younger Leisler, under the influence of Bellamont and Livingston, (now again the enemy of the Leislerians,) obtained all the redress from the English ministry that the nature of the wrongs done to his family would admit. He petitioned for himself — for his nephew, the son of Milbourne — and for his father's friend, Gouverneur — and obtained an act of parliament, reversing the convictions, judgments, and attainders, passed by Sloughter's court, under the influence of the "people of figure," against Leisler, Milbourne, and Gouverneur. The following is a letter to Lord Bellamont from Lord Jersey, secretary of state :‡

* The removal subsequently, by Sir John Johnson, of the books containing the transactions with the Indians, leaves us in the dark respecting many circumstances connected with our history.

Although Livingston was a favourite with the aristocratic party, when he opposed Leisler from 1689 to 1690, and again when he opposed the Leislerians, in 1701, yet, while acting in conjunction with Bellamont, we may judge how Bayard and his party spoke of him, by "heads of charges against Bellamont's government," *where*, one is, the removing from the council "Colonel Bayard, Messrs. Mienviel, Pinhorne, etc., considerable for riches, and putting in their places Abraham Depeyster, a merchant, Samuel Staats, a Dutch barber surgeon, Robert Livingston, a Scotchman, the contriver of Kidd's piratical voyage, Robert Walters, a son-in-law of Leisler's," etc. — three of whom, the same document accuses of not being rich — and the whole are called "Leislerians."

† See Appendix T.

‡ An abstract of the record, made of this dispute, will be found by the reader under the head of miscellaneous matter.

“MY LORD,— The king being moved upon the petition of Mr. Jacob Leisler, and having a gracious sense of his father’s services and sufferings, and the ill circumstances the petitioner is thereby reduced to, his majesty is pleased to direct, that the same be transmitted to your lordship, and that you recommend his case to the general Assembly of New York, being the only place where he can be relieved, and the prayer of his petition complied with.”

This letter being laid before the house, money was ordered to be raised, and other measures taken to benefit the family of the murdered lieutenant-governour.

It was soon known in New York, that the king had appointed Lord Cornbury to succeed the Earl of Bellamont, as governour of the province, and measures were taken by the aristocratick party to secure this corrupt individual for their purposes.

Nicholas Bayard again took the lead, and procured addresses to be signed, to the king, to the parliament, and to Cornbury, representing Jacob Leisler and his adherents, as men who had acted from the beginning, solely with a view to their own interests, and had enriched themselves on the spoils of their neighbours. To Cornbury, they were profuse in their congratulations, and in assertions calculated to prejudice him against the present ruling party, and gain his patronage for themselves. Reflections were liberally cast upon the Earl of Bellamont and his lieutenant-governour, Nanfan, who was accused of bribing the house of assembly to support his measures. This, Nanfan no sooner heard, than he demanded the addresses from Hutchins, a tavern-keeper and an alderman, active in Bayard’s service. Hutchins refused, and on the 19th, January 1702, was committed to jail.*

The next day, Bayard, Rip Van Dam, (now first brought into notice,) Philip French, and Thomas Wenham, address the lieutenant-governour, justifying both Hutchins and the representations made to the English Court, and demanding the release of their partizan. But Nanfan saw that Bayard had fallen into a pit he himself had prepared for others: for he had procured an act to be passed in 1691, when Leisler and his friends were devoted to ruin, by which, “whatsoever person or persons shall, by any manner of ways, or upon any pretence whatsoever, endeavour, by force of arms or otherwise, to disturb the peace, good, and quiet, of their

* The lieutenant-governour and council made the following order, on the 16th of January, 1701. “It is hereby ordered, that Alderman Jonathan Hutchins do appear before this board to-morrow, and produce the addresses to his majesty, to parliament, and to Lord Cornbury, which were signed by several of the inhabitants of this city, and soldiers of the garrison in his (Hutchin’s) house.” Hutchins appeared, and for neglecting or refusing to deliver up the addresses, was committed to jail.

majesties' government, as it is now established, shall be deemed and esteemed as rebels, and traitors unto their majesties', and incur the pains, penalties and forfeitures as the laws of England have for such offences, made and provided." On the 21st of January, the lieutenant-governour committed Bayard to prison, on a warrant as a traitor. A commission of Oyer and Terminer was issued on the 12th of February, to William Atwood, chief justice, and Abraham De Peyster and Robert Walters, puisne judges of the Supreme Court. The trial of Bayard was hastened by party violence and the apprehension of the arrival of Cornbury.

Edward Hyde, by courtesy called Lord Cornbury, who was so anxiously looked for by Nicholas Bayard and the party that had flourished under Sloughter, Ingoldsby, and Fletcher, was the grandson of Edward Hyde, Earl of Clarendon, lord chancellor and prime minister of Charles II, and the son of the second Earl of Clarendon, who was brother to James the Second's queen, and never would take the oaths to William. Notwithstanding this affinity to James and his queen, and the adhesion of the second Lord Clarendon to the Jacobites, Cornbury, his son, who commanded a body of cavalry, set the example of defection to James's army, by leading his troops to the standard of William, Prince of Orange. The government of New-York, to repair his dilapidated fortunes, and shelter him from his creditors, was at this time conferred upon him by William, and subsequently confirmed to him by Queen Anne, with that also of New Jersey. On the death of William and his consort Mary, Anne, the second daughter of James, came to the throne. Thus, Cornbury, who as the reader will perceive, was the queen's cousin, had the immediate support of royalty. That he was one of the most worthless and rapacious of men, the records of New Jersey and New York attest.

Although such was the man the aristocratical party hoped to gain, or already knew they had gained, nothing can justify the indecent manner with which the trial of Bayard and Hutchins was conducted. Upon the commitment of the prisoners, the city militia were called out, and a company required each day to guard them, until the citizens complained, when this military guard was removed. The court, composed of William Atwood, chief justice, with Abraham De Peyster and Robert Walters, who were to try the prisoners by special commission, were known to have condemned them before trial, and Weaver, who carried on the prosecution, was a party man. The prisoners petitioned that they might not be tried until the usual sitting of the Supreme Court. This of course was refused; and a verbal answer given to Bayard's son, that out of mere "grace the court should be deferred for five days."

On the 19th of February the court sate. The grand jurors who appeared, with the exception of three or four, were Dutch. Some

of the jurors were objected to, as having said, "that if Bayard's neck was made of gold he should be hanged."* But the court overruled the objection. Atwood charged the jury, and the court adjourned to the next day.

The 20th, Mr. Weaver being appointed solicitor, insisted upon being with the jury. Corbett, Cooper, Cortlandt, and De Key, protested against his presence, and insisted upon their right to send for such persons as they pleased. Weaver threatened that he "would have them trounced,"—whereupon the jury broke up. In the afternoon the court met and sent for the jury. Weaver complained of the opposition to his will, and the court dismissed the refractory jurors, and sent for Boelen. The jury separated without finding a bill, and Atwood, the chief justice, was heard to say, "if the grand jury will not find a bill against Bayard, I will bring an information against him for high treason, and try him upon that."

On the 21st, the grand jury brought in a bill endorsed, "billa vera," signed by the foreman. The counsel for the prisoners, Messrs. Nicholl and Emot, objected to the bill, that it was not found by twelve jurors. All objections were overruled, and Bayard was ordered for trial on Monday, the 2d of March.

When the court met, Nicholl, who had been mayor of the city, objected to the indictment as illegal. Weaver replied, "when you had the government, Dr. Staats had a bill found against him by eight men of a jury of fifteen." Nicholl said, that he never heard of it; but if true, it was no precedent. The prisoner was brought to the bar, and charged with rebellion and treason, for conspiring to procure mutiny and desertion among soldiers in the pay, and belonging to the garrison of fort William Henry: and for procuring them to sign libels against the present government. The prisoner pleaded, "not guilty."

On the 6th of March, Nicholl moved to postpone till the next morning. "No," said Atwood, "we shall not give Mr. Vesey an opportunity for another sermon against us." From this it appears, that the Minister of Trinity Church, was enlisted with the Bayard faction, or aristocracy: and we shall find that Cornbury was a persecutor of presbyterianism.

On the 7th, upon the non-appearance of the attorney general, the chief justice, Atwood, ordered a minute to be made, that the

* As the names show the state of society at this time in New York, I preserve them. Johannes De Peyster, (foreman,) David Provoost, Martin Clock, Leendert Huggin, Barent Reynders, Johannes Van der Speigell, Johannes Outman, Peter Van Telburgh, Johannes Van Geisen, Abraham Kettleas, Hendrick Gillisen, Aryen Hoogilant, William Jackson, John Corbett, Johannes Van Cortlandt, Caleb Cooper, John Van Hoorn, Burger Mynders, Gerrit Van Hoorn, Jacobus de Key, Abraham Kipp, and Johannes Van Zandt; (Jacob Balen and Johannes Hardenbrook did not appear.)

attorney general, hath neglected his majesty's service. He then proceeded thus: "it is no wonder, people here contemn his majesty's authority, since the attorney general, though commanded to prosecute by the government, hath neglected to do the same, and given an opinion directly contrary to the lieutenant-governour and council."

A petition was delivered in by young Bayard, the prisoner's son, praying that the indictment might be set aside, as not found by any twelve jurors, "though the most part of them, as is evidently known, are your prisoner's mortal enemies," on account of the unhappy divisions in the province. But if the court persists, he then petitions, that he may be tried by Englishmen, or of English extraction, the jury selected being all Dutch, and several so ignorant, "that they can neither read nor write, nor understand the English language." He further says, that the petit jury are most of them "handicraft and labouring men."

Atwood ordered a minute that the petition was read, and that the court found that the indictment was found by more than twelve jurors. The trial proceeded before a jury, all Dutch. The solicitor, Mr. Weaver, in a violent speech, accused the English inhabitants of endeavouring to introduce popery and slavery, Bayard being the leader. He accused the enemies of Leisler, as opposers of a government that was now justified at home, as being legal. He accused the adherents of Bayard, as a nest of pirates, who had offered the late Lord Bellamont "a reward of £10,000, to connive at their piracies, and £100 to himself to solicit it."

The court was adjourned from day to day, Mr. Emot,* being the principal advocate on the part of Bayard, who was found guilty, and being asked if he had any thing to say why sentence should not be pronounced, answered, "nothing but what my counsel have offered, and what is contained in my petitions." Atwood, then in the hardest and most unfeeling manner, pronounced the horrible sentence then customary upon traitors.

The prisoner then asked, whether he might have leave to answer his honour's speech, made before sentence: but was answered, "no." He replied, "then God's will be done." Hutchins was condemned in like manner.

Bayard applied for a reprieve, until his majesty's pleasure might be known, which was granted. Hutchins was with more ease released on bail. But Bayard was not released from confinement until after the arrival of Cornbury: all was then reversed: At-

* It is a curious circumstance, that Mr. Emot, one of the counsel for Bayard, advanced the doctrine, not admitted in England until long after, that "the jury are judges both of law and fact," as Andrew Hamilton did, in 1735.

wood and Weaver, fled to England, and subsequently Queen Anne's government, directed Lord Cornbury to reinstate Bayard and Hutchins in all honour, and estate, "as if no such trial had been."

The reader, upon retrospection, will see that Nicholas Bayard was a most active, persevering, and occasionally suffering, political leader, at least for thirteen years. He opposed the putting down the government of James II, by Leisler, and the inhabitants of New York; he was obliged to fly to Albany, and there continue his opposition to Leisler, though avowedly advocating the revolution of 1688; he ventured to New York, and suffered imprisonment as a traitor; and to obtain release, made most humiliating confessions and concessions: no sooner released by Sloughter, than he resumed his former intrigues to the death of Leisler and Milbourne; he attends Fletcher and aids him in the attempt to break the charter of Connecticut: he is always opposed to the people, and he appears an active member of the government, until removed and accused by Bellamont, on whose death he again raises the standard of (what he had himself made,) sedition and rebellion; is tried, condemned, and after much suffering, again released and relieved by the triumph of his party, on the accession of Cornbury.

Nanfan continued his opposition to the aristocratick party as long as possible. He erected a court of exchequer: convened the assembly who approved of his late measures, and passed an act declaring that the king could not erect a Court of Equity in the province, without the consent of the legislature: they likewise declared, that only the general assembly could impose taxes on the colony. Nanfan outlawed French and Wenham, (who had fled,) and removed Robert Livingston from the council. But the arrival of Lord Cornbury, as governour, lifted the one party again, and depressed the other.

CHAPTER XVI.

Colonial government—Cornbury relieves Bayard, and avows himself leader of the aristocracy—Yellow fever of 1702—Cornbury a zealous Episcopalian—Affairs of the Iroquois and Canada—Peter Schuyler's efforts—Queen Anne appoints Cornbury to the government of New Jersey, with New York—His instructions to promote religion, and the increase of African slavery—English navigation act—Cornbury unites both parties in a detestation of himself—He is superseded, and thrown into jail by his creditors—Becomes Earl of Clarendon, and a Peer of Great Britain—Lovelace, governour—His death.

BEFORE entering upon the administration of Lord Cornbury, let us take a view of the colonial government of New York.

Though the people had a share in governing themselves, and the power, of granting or withholding money intended for the benefit of the province, the crown of England held and exercised the greater power, of appointing two-thirds of that legislature necessary to the formation of a law; and a veto upon any such act, even when thus passed for the good of those subject to it.

The governour and lieutenant-governour were always appointed by the king, and the council either by the king or the governour. The council was both executive and legislative, and was limited to twelve, of whom three formed a quorum. The governour could convoke, dissolve, or prorogue the assembly, suspend from office the lieutenant-governour, or any of the council, and fill the vacancy. He could, if the council was reduced to less than seven, fill up to that number. He could, with his council, erect courts, appoint judges and justices of the peace, pardon offenders, treason and murder excepted. He could dispose, by warrant, with the consent of his council, of all public monies, grant crown lands, and appoint fairs and ports.

The salary of the governour was, at this time, fixed and paid by the assembly. James Grahame, Esq., a Scotch gentleman, who has published on our colonial history, and deserves our gratitude, says, the governour received about £1,500 from the assembly, and in perquisites, as much more. It has been remarked, that the governours of New York were land jobbers, engrossing for themselves, or patenting for their favourites, or those they wished to bribe or buy, a great proportion of the province. The land was thus farmed

out, or retained in a state of unproductiveness, which obstructed colonization by the free poor, and encouraged slave population. The reader has seen the efforts of Bellamont to remedy this evil.*

Beside the inferiour courts, the province had its Supreme Court, and the chief justice had £300 a year. In cases above £100, appeals might be made to the governour and council. In those of more than £300, to the king and privy council.

1702 Cornbury, on his arrival, not only relieved Bayard, but declared himself the head of the party: but he soon conducted himself, and the affairs of the province, so as to make those who most desired his presence and countenance, ashamed of him; and by his violence, rapacity, and oppression, united both parties in opposition to him, and, in some measure, by this common sentiment, the discordant elements of two factions, naturally irreconcilable.†

On the 3d of May, 1702, Lord Cornbury, a man hunted out of England by a host of hungry creditors, came to the government of New York, the *office* protecting him from those he had injured, and affording him an opportunity of injuring others. The council, at this time, was composed of William Atwood, (who fled from Cornbury and the party, first to Virginia, and then to England,) Col. William Smith, Col. Peter Schuyler, Abraham De Peyster, (the friend of Bellamont,) Samuel Staats, Robert Walters, Thos. Weaver, (all Leislerians, and the latter immediately flying,) Sampson Shelton Broughton, Wolfgang William Romar, William Lawrence, Gerardus Beekman, and Rip Van Dam.

Col. Caleb Heathcote and Dr. Bridges were called to supply the places of Atwood and Weaver.

A short time after Cornbury's arrival, the yellow fever was brought from St. Thomas, and proving very fatal in New York, the governour removed to Jamaica, L. I., there held his courts, and displayed his character.‡ A new assembly met him, composed of the party he had espoused, having been elected after his arrival. War having been declared by England against France and Spain,

* The laws respecting slaves discouraged manumission by a heavy fine: and no Negro, Indian or Mulatto, though free, could acquire property in house or land. (See laws from 1691 to 1718.)

† See Appendix U.

‡ I call this the yellow fever, although it was not so called in 1702. I have seen somewhat of this disease, and was resident at Perth Amboy at the time mentioned by Dr. Hosack, in the following note. "During the year 1811, the yellow fever was also introduced into the city of Amboy, New Jersey, from the Havana, but did not spread beyond those persons who were first attacked in consequence of their immediate exposure to the air of the infected vessel. The local circumstances of Amboy, its elevated situation, its dry and sandy soil, its wide streets and spacious houses, their distance from each other, and the remarkable cleanliness of the town, most satisfactorily account for the sudden extinction of the disease, while the evidence of its importation must be admitted to be conclusive."

he obtained £1,800 for the defence of the frontiers ; and from the same partizans, £2,000 to pay the expense of his voyage.*

The first acts of Lord Cornbury, which struck at his popularity, proceeded from what was called his zeal for the establishment of the Episcopacy, as practised by the Church of England, and fixing upon the people of the province a state religion. It seems unfortunate for the Church of England that its first advocates should be such despicable wretches as Slaughter, Ingoldsby, Fletcher, and Cornbury, men whose acts declared them to be utterly void of Christian faith, the love of God, or their neighbour. The establishment of Episcopacy, and the ritual of the church as adopted in England, was a political measure ; and it is not strange that the government should endeavour to spread the same influence over the colonies, as it was a safeguard against popery and the means of increasing power ; but for this purpose the ministry were peculiarly unfortunate in employing such vile instruments.

When the gallant governour, Petrus Stuyvesant, was forced, by the will of the people, to surrender New Netherland to a superior force, he stipulated for *liberty of conscience and church government* then and forever. Nicolls granted it, and it was as fully secured to the colonists as their lands, houses, and personal property. The religion of the province was Calvinistick. The reformed religion, in conformity to the word and decrees of the Synod of Dordrecht, (or Dort) was professed by the Dutch : the English who had become inhabitants of the province were presbyterians from New England. In the articles of surrender, it might be said that Nicolls only granted liberty of conscience, "in divine worship and church government," to the Dutch : but he afterwards published an instrument to encourage settlers, in which he says, "in all territories of his royal highness," which included New Jersey, "liberty of conscience is allowed, provided such liberty is not converted into licentiousness, or the disturbance of others in the exercise of the protestant religion."

The Dutch of Long Island were of the professed religion of the Synod of Dort ; their church government the classis of Amsterdam, until 1772, when the Dutch church of America established an inde-

* At a council held at Jamaica, Queens County, the 7th day of November, 1702, present his excellency, Edward Lord Cornbury, and William Smith, S. Shelton Broughton, William Lawrence, Rip Van Dam, and Caleb Heathcote, Esqrs.

Ordered that the mayor and common council cause the act for levying and collecting £1,800 for the raising, paying and maintaining 150 fusileers, with their proper officers, for five months ; and thirty men with their proper officers to be employed as scouts sixty-two days, for the defence of the frontiers. To be published at the City Hall with all possible expedition. By order of his Excellency, in council.—B. Cozens, County Clerk.

The reader will remember, that the New City Hall was finished during the administration of Bellamont, and that as soon as Cornbury avowed himself, the arms of Bellamont and Nanfan were destroyed by the aristocracy.

pendent classis and Synods like those of Holland. Hempstead had a minister from Stamford, a presbyterian. Jamaica, (originally Rust-dorp) settled a minister early. Episcopal churches were established in some towns, and Quakers formed societies in Oyster Bay and Flushing.*

Every where the people felt that they had the right secured to them of worshipping in their own way, listening to such ministry as suited them, and paying them (*and only such*) for their services. Fletcher, as we have seen, by means of the aristocratick party, procured an act of assembly to be passed for establishing certain ministers in some of the towns or counties, who were to be paid by a tax upon all the inhabitants generally. His intent was to make the people recognize the Church of England; and forced the dissenters to pay for ministers of that church, with liberty to maintain preachers of their own. Cornbury went further.

When he was driven by the fever, which prevailed at New York, to seek refuge at Jamaica, the Rev. Mr. Hubbard, presbyterian minister, resided in the best house in the town, which was provided by the people who had built a church for him to preach in. The noble governour borrowed this house—who could refuse Lord Cornbury? The clergyman removed to inferiour quarters. But there were people in Jamaica who were episcopalians; they had no church and no parsonage-house, or glebe; and the governour, in return for Mr. Hubbard's hospitality, seized the church, house and glebe for the members of the Episcopal Church; for he had instructions which required that the governours of the plantations should "give all countenance and encouragement to the exercise of the ecclesiastical jurisdiction of the Bishop of London, *as far as conveniently might be.*"†

His Lordship thought this seizure "conveniently might be;" Mr. Hubbard, and the majority, not only of the people of Jamaica, but mankind, thought otherwise; and this infamous transaction, was one ingredient in the chalice of which he was subsequently forced to drink, but not before he had played a number of mad or fantastick tricks only to be expected from a drunkard.

Another article in the instructions given to provincial governours must not be omitted, by which any schoolmaster was prohibited from teaching, unless licensed by the governour:‡ and those coming for that purpose from England, must produce a license from the Bishop of London.

* Wood's History of Long Island.

† Smith says, in his History of New York, that the proprietors of the church resisted, "tore up the seats, got possession, for a time, of the house and key, which was again taken from them by violence: that Cornbury harrassed them by prosecutions, fines, and imprisonments."

‡ Weekly Mercury, New York, 1755.

The house of assembly, which met Lord Cornbury at Jamaica, was generally composed of the party, at the head of which the governor appeared. They declared in answer to his first address, that "they were not sufficiently able to express the satisfaction they had, both in their relief and their deliverer."

Lord Cornbury, though appointed by William III, did not arrive at New York, until after the death of that prince, which took place on the 8th of March, 1701, and the throne was occupied immediately by Anne; under whom the war with France was continued, and of course the hostilities of New France or Canada are ceaseless towards New England, and New York, as are the intrigues with the Iroquois.

1703 M. de Callieres dying, the government of Canada devolved on M. Vaudreuil, the governor of Montreal. The Iroquois were averse to receiving French missionaries, but wished to hold out prospects of permanent alliance with Canada. The Indians and the French appeared to strive which should outdo the other in artifice and flattery: though occasionally "Ononchio," threatened the Iroquois. A deputation of Senecas visited Montreal, and the governor "caressed them greatly." The chief of the Senecas, is made by Charlevoix to say, that the belt he gives the governor, conveys to France, the soil, and absolute dominion of the lands of the Senecas; that they, as children, are to be protected by their father; and he, the speaker, will die before the missionaries shall be driven away. A French agent returned with this deputation, to remain among the Senecas. This state of neutrality between Canada and the Iroquois, protected the frontiers of New York, and enabled the borderers to carry on advantageous trade, of which New England complained. Cornbury was accused of withholding the aid of the Five Nations, from New England, for the advantage of New York. The French, and other Indians, burnt Deerfield; deputations were carried on upon New England settlements, and the inhabitants of Albany were charged with supplying the Indians, who ravaged New Hampshire, with arms, and with affording a market for the spoil. This is recorded by James Grahame, in his history of the United States, who at the same time, adds, that Colonel Schuyler, and others, endeavoured to counteract this conduct, and that Schuyler exerted himself to discover the projected expeditions of the French and their allies, "and was able, on some occasions, to forewarn the people of Massachusetts of approaching danger."

It is certain that the French of Canada abstained from sending their savages upon the New York settlements, and turned them upon New England. The governor was evidently afraid that the Iroquois would be induced to commence hostilities again. "Tegannessorens," says Charlevoix, when at Montreal, told the gover-

nour, that the Europeans made peace, and then without, or when it suited them, "took up the hatchet again." Why then may not the Iroquois do the same? A party of Iroquois, when hunting near Cadaraqui, (fort Frontignac,) had been attacked by the Ottawas and Miamies, and "Pitre Schueller, gouverneur d'Orange," that is, Peter Schuyler, Mayor of Albany, had called upon the Five Nations to revenge this injury, sustained near a French garrison, and on their own land. He persuaded them, the Jesuit says, to break with France.

The French governour had two agents with the Senecas, who informed him that the governour of Orange, (that is Colonel Peter Schuyler, the Mayor of Albany,) had called a meeting of the Iroquois at Onondaga, and intended to oblige them to drive off the missionaries; that is, the priests and Jesuits who acted as spies. They likewise inform Vaudreuil, that Schuyler intended to excite the Iroquois to oppose the French Indians in their hostilities carrying on against New England. That he likewise wished the Mohawks to send back the Mohicans dwelling among them, to their former dwellings near Albany; and to gain permission for the Indians of the far west to pass through the country of the Iroquois for the purposes of trade with New York.

All this was probably the wish of Colonel Schuyler, and he had the authority of Cornbury for endeavouring to effect measures of which the governour knew not the advantage. In April of this year, he visited Albany, and had discretion enough to leave both plans and execution for the defence of the frontiers, and management of the Indians, to Peter Schuyler. The governour returned to New York.

It appears from father Charlevoix, in his history, that the garrison of the French at Detroit, had some misunderstanding with the neighbouring Indians, who attempted to burn their fort. The Senecas likewise sent agents to Montreal to complain of hostilities committed by the Ottawas. M. Vaudreuil promised ample satisfaction, and required of them to be at the council called by the English at Onondaga; and to prevent any measures that might be attempted against the French interest. He felt secure of the Onondagas, because of his agents who resided among that tribe.

1704 The Senecas departed with the instructions of the governour of Canada, and met Colonel Schuyler at the council of the confederates, held in the great castle for deliberation, at Onondaga.

The three principal French agents were present, and the Jesuit historian says, they "manoeuvred so well, that the council separated without concluding any thing." Schuyler did not intermit his efforts, and meeting some of the French converts, or Caugnawahgas, at a Mohawk castle, he prevailed upon them, by means of presents,

to follow him to Schenectady, where he exhorted them to remain neutral, and endeavoured to prevail upon them to remove to the province of New York, or to return home to the Mohawks. These Cagnawaghas, carried the colonel's belts of wampum and proposition to their fellows, and they were accepted; but the French interfered immediately, and the belts were sent back as rejected.

The reader cannot but remark in all this, the persevering efforts of Colonel Schuyler for the service of the English colonies; and the deteriorated state of the Iroquois, since their intimate connection with Europeans. The policy of the French was to keep the Iroquois quiet, while the allies of the Canadian government ravaged New England. On the other hand, Schuyler wished to aid the sister colonies, by instigating the Iroquois against Canada. "Preserve a neutrality with the Five Nations,"—such was the instructions Vaudreuil received from home—"unless you find a good opportunity to strike them a blow that shall destroy or cripple them, without incurring expense to the king." The Iroquois, when first seen by Europeans, had all the proud virtues of Spartans—a nation of conquerors, oppressors, and murderers. They were, and felt themselves superiour to all around them. They were more wise in council, and more bold, as well as expert in the arts of destruction, than any people they knew. Every individual moved proudly as a freeman, knowing no superiour but the more wise and valiant of his nation, and preferring death to dishonour. But when they met Europeans, they were at first dazzled by the superiour knowledge and power, arts and arms, of the strangers. They became lowered in their own estimation; they submitted to be influenced by the intrigues, and debauched by the presents of the white men. They by degrees gave up independence for blankets, guns, powder, lead, and rum: such they appear in 1704, but they had not yet quite fallen.

In 1702, the proprietors of New Jersey not proving equal to self government, after many and repeated quarrels, made a formal surrender to Queen Anne of all their powers, "to govern and rule the provinces of East Jersey and West Jersey," and her "most gracious majesty," having on the 17th day of April, 1702, accepted the surrender, immediately appointed Edward, Lord Viscount Cornbury, governour of New Jersey.

The commission was directed to the queen's trusty and well beloved Edward Hyde, Esq., commonly called Lord Cornbury. It reunites the two into one province, and directs him to govern by the laws and statutes made and agreed upon by him, "with the advice and consent of the council and assembly," to appoint courts, judges, etc. He had the usual power over the council, and the assembly was to be elected by the majority of freeholders, with powers similar to those of New York.

The governour was instructed to call one general assembly for the United Provinces: to sit first at Perth Amboy, and then at Burlington, and afterwards alternately in those two places. The voters (by an amendment) were to possess freeholds of at least one hundred acres, or personal property to the value of £50 sterling. Duties, etc., to be the same in New Jersey and New York. Liberty of conscience granted to all persons except papists. The solemn affirmation of quakers to be taken instead of an oath, and they are to be received as members of the council, inasmuch as the *number of inhabitants fit for such like offices is small*. Captains of vessels of war to be prohibited from the impressment of their sailors. By the sixty-ninth article, Cornbury is directed to "take especial care, that God Almighty be devoutly and duly served;" "the book of common prayer, as by law established, read each Sunday, and holy day, and the blessed sacrament administered according to the rites of the church of England." Ministers of each *orthodox* church are to be furnished with a house and glebe at the *common charge*. Preferring ministers to benefices, belongs to his Lordship, provided they have a certificate from the Bishop of London; whose jurisdiction is to take place as "*far as conveniently may be*." His lordship is enjoined to punish drunkenness, swearing, and all kind of vice; and to give all possible encouragement to trade and traders; "PARTICULARLY to the *Royal African Company of England*," and recommending the said company to take especial care that the said province may have a constant and sufficient supply of *merchantable negroes, at moderate rates*.* And as to this trade in negroes, he (Lord Cornbury,) is to give an account to the queen of the number with which the province is *yearly supplied*, and at what rates. Thus among one hundred and three articles of instruction, for the conduct of the governour and the good of the province, especial care is taken that God Almighty shall be duly served, and an ample supply of negroes be brought into the colony for the encouragement of the Royal African Company, and good of all parties; these negroes being doomed to hopeless slavery in a foreign country, after being kidnapped, or otherwise torn from their homes, and forced, in chains and dungeons, upon the colonists.

His lordship is to *endeavour* to get a law passed for the restraining inhuman severity to christian servants and slaves: and to punish with death the wilful killing of Indians and negroes, and a fit penalty for maiming them. In case of the governour's death, or absence, if no lieutenant-governour be provided, the oldest counsellor is to administer the government.

* Thus we see the queen equally zealous for the propagation of the Church of England and of negro slavery.

As among these instructions, care is to be taken to enforce the English Navigation Act. I will here place before the reader an abstract of that important document, which was more felt in New York than in the agricultural province of New Jersey.

1660 It was enacted, that no commodities should be imported into any British settlement in Asia, Africa, or America, or exported from thence, but in vessels built in England, or her colonial plantations, and navigated by crews of which the master, and three-fourths of the sailors, should be English subjects. Penalty, forfeiture of ship and cargo. None but natural born subjects of the English crown, or persons legally naturalized, should exercise the occupation of merchant or factor, in any English colonial settlement. No sugar, tobacco, cotton, wool, indigo, ginger, or dye stuffs, (wood) produced or manufactured in the colonies, should be shipped from them, to any other country than England; and ship-owners were required at the port of lading, to give bonds with security proportioned to tonnage. These prohibited articles were called *enumerated*, and as soon as any new article was brought into notice by the ingenuity or industry of the colonists, it was added to the list. Soon after, it was in addition ordained, that no Euro-

1663 pean articles should be imported into the colonies, except in vessels *laden in England*, and navigated as above. It was avowed, that it was the policy of nations to keep the trade of colonies confined to the mother country, and the colonists dependent on her.

Charles II imposed a tax of five per cent. on all goods imported into, or exported from any of the dominions of the crown; the parliament proceeded to tax the trade, which one colony carried on with another. These enactments, intended to hold the colonies in perpetual subjection, were the original cause of our independence.

After Lord Cornbury returned to New York, from his visit to Albany, he proceeded in August to his government of New Jersey, and began to put in force her majesty's gracious instructions, but soon returned to New York, and in April, (1703) met the assembly, who by this time began to be alarmed at his lordship's demands for money on various pretences, but principally for guarding the frontiers, and erecting batteries to defend New York at the Narrows. It was seen that for whatever purpose granted, it was appropriated to the governour's private use, and even his own party, (the rich, the gentry, the people of figure,) saw that they were to pay high for his lordship's countenance.*

* The vote on the ways and means to raise this sum is singular: every member of the council to pay a poll tax of forty shillings; an assembly man, twenty shillings; a lawyer in practice, twenty shillings; every man wearing a periwig, five shillings and six pence; a bachelor of twenty five years and upwards, two shillings and three pence; every freeman between sixteen and sixty, nine pence; the owners of slaves, for each, one shilling.

After voting £1,500 for batteries, the assembly added, "that it should be for no other purpose whatever." On the 19th of June, they required the appointment of a treasurer, "as a means to obstruct misapplications in future."

1704 This desire to scrutinize his Lordships expenditures of the public money increased, and of course his nobility, honour, and chivalry were offended. The assembly talked of their rights, and his lordship told them, "I know of no right that you have as an assembly, but such as the queen is pleased to allow you." The house, though elected by his lordship's party, were provoked to say, that they considered their rights to be, civil liberty, declared and confirmed by English laws, and to that every free Englishman is entitled. They resolve to address the governour for an exact account of the revenue. They refused to admit the council's amendment to a money bill, and his lordship dissolved them. Their masters, however, the English board of trade, could "conceive no reason, why the council should not have a right to amend all bills sent up by the assembly, even *those relating to money.*"

According to Madam Knight, New York was, at this time, "a pleasant well compacted place. "The buildings, brick generally; in some houses of divers colours, and laid in cheques, being glazed, they look very agreeable." Of the inside she testifies, that they were "neat to admiration." The fire places had no jambs, as in Boston, but the backs run flush with the walls, "and the hearth is of tiles, and is far out into the room at the ends, as before the fire," (i. e.) five feet in the lower rooms. She speaks of a staircase, "laid all with tiles," and a kitchen with brick floor. The people were making great preparations to receive their governour, Lord Cornbury, from New Jersey, and the militia turned out, for the occasion. The episcopalians had "a New England gentleman, for their minister."

The Dutch women wore "mutches; which are like a cap and a head band in one, leaving the ears bare;" ear-rings and finger-rings they wore in abundance.

Madam Knight was a Boston lady, of education and refinement. She made the journey to New York on horse back, sometimes accompanied by "the post," and at others by a friend, crossing some rivers in a scow, and others by fording. The roads, taverns, and other accessories to travelling, were much improved since the Dutch embassy to Hartford, but still in a state that would now appal the courage of any but a backwoodsman or an Indian Scout. She found at Merrimack, some good buildings: a neat little place, with a navigable river before. Colonel Heathcote's seat she admired, and was told he "was a very fine gentleman." New Rochelle was then a clean pretty place, with passable roads, and a bridge broad enough for a cart.

1705 The new assembly convened in 1705 were no less democratic than the preceding. The former grant for the support of government had expired, and a continuance was neglected, although a French privateer had entered the harbour of New York and frightened the town; it was remembered that the money voted for batteries at the Narrows had never been applied to that use. £3,000 were voted for fortifications; but instead of giving it to his lordship, the assembly deposited it with a person of their own choosing. They talked of *their treasurer*; and the council, still composed of persons always the governour's dependents, or friends, joined him in his endeavours to wrest from the assembly the power of the purse, but in vain.

1706 As if to increase the unpopularity he had drawn upon himself, by his indecent conduct, Cornbury undertook to

1707 exert power in religious affairs, as his instructions made him the judge how far it was *convenient* so to do. He forbade

1708 the Dutch congregation to listen to a presbyterian minister, or open their church for his reception. He imprisoned two presbyterian ministers for preaching without his license. They were liberated after six week's incarceration, on giving bail, by Chief Justice Montpesson.* The governour, appearing in the streets disguised as a woman—his debaucheries and contemptible extravagancies might have been borne—but when he interfered with the rights and consciences of men, New York and New Jersey joined in addresses to his mistress for his removal. The unanimous and reiterated complaints presented to the queen, obliged her to revoke his commission; and when no longer hedged about by that halo which marks the sanctity of *sovereigns in their own right*, and all in authority under them, his creditors of New York threw him into prison, where he remained until the death of his father released him by hereditary rights and immunities, and raised him from one of the jails of the City Hall, in Wall street, to a seat in the British house of peers—making him, from a contemptible debtor in a New York jail, a law-maker and judge for a great empire.

During the year 1707, the French government of Canada, not finding the opportunity the court directed them to await—of striking a destructive blow at the Iroquois, with safety to themselves, and little cost to the king, kept them in good humour, by presents and flattery. But, says Charlevoix, while we succeeded so well with the Five Nations, who were idolaters, the Governour of Orange, i. e. Peter Schuyler, Mayor of Albany, was almost as successful with the Iroquois *christians*. Their piety, he says, had become relaxed, in consequence of their drunkenness. But while Jon-

* See Smith's Hist. vol. I, p. 188, and trial of McKenzie, printed in 1755.

caire, the governour's agent, and the Jesuit missionaries kept the confederates quiet, the Indians in the neighbourhood of Detroit were troublesome to the French garrison. However, in 1708, Vaudreuil found more pious employment for his christian Indians than getting drunk, by sending them to scalp and murder the planters of New England. The Governour of Canada made up a war party to attack the English settlers: the christain savages, (a strange combination of words,) were joined in it with 400 French soldiers; but on the march, the Indians deserted and returned home. This, the historian attributes to the intrigues of Peter Schuyler—high praise to that great man, who, while he interposed the Iroquois between the French and New York, defeated their plans of havoc on the frontiers of New England.

Vaudreuil wrote to Schuyler, reproaching him with debauching the Indians who were domiciliated in Canada, at the same time that *he*, from his respect to the Dutch, and particularly to Schuyler, had left New York in peace. Schuyler replied, that in endeavouring to prevent the Indians from attacking New England, he had acted as a christian. "I must believe," said the Mayor of Albany, "that it is my duty to God and my neighbour, to prevent, if possible, the cruelties of barbarians which have too often been exercised on the unhappy people. You will pardon me, sir, for saying that I feel my heart swell with indignation, when I think that a war between christian princes, obligated to obey the laws of honour and generosity," (and he might have added humanity,) "should be carried on with savage barbarism."

Charlevoix says, that Peter Schuyler was a very honest man; but he knew very well, by what had passed for the last fifty years in this part of America, that it was the English who had reduced the French to the necessity of permitting their savages to act. He says, the French Indians never exercised cruelty, but as *reprisals*; and for the purpose of making *such kind of warfare* cease.

In the spring of 1708, John, Lord Lovelace, Baron of Hurley, was appointed to the government of New York, but did not arrive until the following December. We find every change was hailed with acclamation, but the chances were all in favour of the colonists, in getting rid of a man they despised and detested, that his successor, must be better. Lovelace dissolved the assembly, and convened another. To them he recommended an increase of the revenue, pressed the examination of public accounts, "that it might be known to all the world, that the public debt was not contracted in his time."

All this passed, while his predecessor was confined by his creditors, not being yet liberated, and elevated by the magick of hereditary dignity. Any reflection upon Cornbury was gratifying to the assembly, but the demands of Lovelace, damped the joy they ex-

pressed at his appointment and arrival. They complained that previous bad government had deterred settlers from the province, and even driven away inhabitants to their neighbours of Connecticut, who enjoy more liberty and prosperity. They at length, on the 5th day of May, agreed to raise £2,500 for the charges of government one year to come; of which £1,600 was for the governour, and 900 for the fires and lights of the forts at New York, Albany and Schenectady, together with printing, and other small charges. This mode of annually assigning the sum to be raised, would certainly have caused dissention between governour and assembly; and might have tested Lovelace's character, but he died before the knowledge of the vote reached him.

The government devolved upon Richard Ingoldsby, who was at the time lieutenant-governour: and again the province, happily but for a short time, was in some measure placed in the power of a man who had proved himself unworthy of trust, and incapable of conducting a government. Ingoldsby ruled for eleven months, during which, another feeble attempt was made by the English ministry, for the conquest of Canada. The project of this enterprize was conceived by Colonel Vetch, who had made himself acquainted with the St. Lawrence, by actual examination and sounding: Francis Nicholson, was appointed to command the provincials, and arrived in New York at the request of Ingoldsby, certainly inauspicious names, and the event agreed with them.

CHAPTER XVII.

Preparations for subduing Canada—Alacrity of New York—The Iroquois join—Troops halt at Wood Creek—English armament goes to Portugal—The provincials are led back—Discontent—Expedition from Canada—Schuyler's plan for engaging England in the conquest of Canada—He goes to England with five Indian chiefs—Produces another English attempt, which fails as before—Governour Hunter—His Council—Arrival of Germans—Lewis Morris—Jacobus Van Cortlandt—Hunter's demands upon the Assembly—Details of the failure of the attack upon Canada—Treaty of Utrecht—Pirates.

Father Charlevoix in his History of New France, tells us, that immense preparations were made at this period by Great Britain, for the subjugation of Canada; that a powerful armament was fitted out at Boston for this purpose; and at New York, an army of 2,000

men was assembled to seize Chamble, and fall on Montreal. The missionary spy at Onondaga had before given notice that the Iroquois were urged to declare war against France; but now he tells Vaudreuil, that all the Five Nations, except the Senecas, declare openly in their villages, that they would join with the English in an attack upon Canada. The French missionary at Onondaga, was warned to depart, and for fear of his life, threw himself into the hands of the New Yorkers, was conveyed to Albany, well treated, and carried to New York.

M. Vaudreuil after putting Quebec in a state of defence ascended for the same purpose to Montreal, and the French fully expected that England with a great fleet and army, would second the efforts of the colonists to overwhelm Canada.

When the provinces were required to co-operate in an attack on Canada, none showed greater alacrity than New York, which province having been relieved by the removal of Cornbury, and being pleased with the address of Lovelace, (who died before the colonists had time to experience the effect of the queen's gracious instructions, to insist upon a permanent salary,) were ardent in their loyalty, and in a desire to add the French possessions to the British empire. The lieutenant-governour and council, aided by the powerful influence of Colonel Peter Schuyler, induced the Iroquois to take up the hatchet against their old enemies, and to accompany the expedition. The prospect of the reduction of Canada, spread universal joy over the province. The assembly issued bills of credit, the first time New York had recourse to paper money. Carpenters were impressed into the service to build batteries. Commissioners were appointed with powers to take provisions by force, and to impress men, vessels, horses and wagons, for transporting stores. Nicholson was chosen to lead the army of New
1709 York, and New Jersey, through the same wilderness, in
which Winthrop had led the combined forces of New
1710 York and Connecticut, in 1691.* The forces arrived at
the fatal halting place, Wood Creek; but before moving
down that stream to Lake Champlain, it was thought necessary
(even after the New England men, under Colonel Vetch, had

* A council was held at Perth Amboy, the 30th of May, 1709, at which the Colonels Nicholson and Vetch, were present, with Ingoldsby, G. Saltonstall, Governour of Connecticut, and C. Gookin, Governour of Pennsylvania. The Indians of New Jersey and the neighbourhood, were induced to join with the Iroquois, and all were put under the command of Colonel Peter Schuyler. Nicholson was appointed by the governour to command the expedition.

William Whitehead, Esq., has found in his researches, and furnished me with letters from John Hanson, to Captain Elisha Parker, respecting the country, and the difficulties of transporting the troops for the invasion of Canada, by which it appears that the land between Albany and Lake Champlain, now so full of beauties and cultivation, was then thought the most inhospitable of the known world.

arrived,) to await news from the English fleet. At this commencement of the waters that flow to the St. Lawrence, and the Atlantic, where formerly Winthrop was stopped for want of canoes, the New York troops accumulated batteaux and vessels of every kind, to transport themselves to Canada, when the British fleet and army should appear before Quebec. But the first intelligence they heard of this looked for armament, was, that instead of coming to the aid of the provincials, it had been sent to Portugal. The summer was passed in the woods and swamps, that then and long after made the country about Wood Creek dreary and unwholesome, and in October, the colonies were informed by the English Ministry, that the armament prepared for the relief of the provinces in America, was more needed by her majesty's Portuguese allies.

At Wood Creek, the troops (such as were not in hospitals) were employed in building blockhouses and erecting forts, upon the news that England had abandoned them. Those who survived exposure, miasmata, and all the diseases peculiarly attached to raw troops, in unhealthy situations, were led back, to exasperate still more the colonists, who had ruined themselves to raise and support an army by order of the English Court under promise of co-operation. The Iroquois who had been induced at a great expense of money, presents and promises to attend the provincials, lost confidence in the English power. The women and children of the Indian warriors had been supported by the New Yorkers, during the idle absence of their husbands and fathers, who now returned to their homes to sustain the hostilities of the French, whom they had provoked, by joining the English in this disastrous expedition. There was, on the other hand among the whites, a suspicion that the Indians had accelerated, if not rejoiced at, the wasting disease of their allies, and had imbibed a notion, not far from the truth, that the two contending nations of Europeans, though willing to make use of the natives for defence or offence, were only waiting the proper moment to sacrifice them to their own interest.

The French historian of these events tells us, that while the provincials of New York and New England were building strong places in the neighbourhood of Wood Creek and between the Hudson and (*Lac Sacrement*,) Lake George, M. Ramezay was sent from Montreal to oppose the invaders on the land side, while M. Vaudreuil descended to Quebec to oppose the expected attack by sea. On the 28th of July, M. Ramezay advanced, having a captain with 50 Frenchmen and 200 Indians in front, sustained by 100 Canadians and 100 regular troops of the king's army. The Governour of Montreal followed Ramezay, at the head of 500 Canadians, the *christian Iroquois* forming his rear guard, under M. Joncaire. The Ottawas and Nipisings were the flanking parties of this army. Having raised our expectations of an exciting combat, Charlevoix

says, the French army met—a rumour—that 5,000 men were advancing to meet them. A council of war was called, and a determination taken to retreat. After various marches and counter-marches, without seeing an enemy, M. Vaudreuil, (who, learning that no enemy was approaching Québec, had ascended and joined his northern army,) sent two detachments to look for his enemy. These approached near enough to find that the English had burnt their forts and gone home.

A French priest—a spy or agent among the Iroquois—informed the Governour of Canada that these Indians only pretended to aid the English; that the Mohawks wished to remain neutral; that by his emissaries he had learned the real sentiments of the Iroquois; that a chief of the Onondagas had said, “We are placed between two nations, either of which is powerful enough to extirminate us, if the other did not prevent; but while these nations quarrel, we, the weaker party, are safe, and are not to assist either, but manage both.” Charlevoix further says, that the Iroquois poisoned a stream, on the banks of which the English encamped, by throwing the skins of the animals they killed into the water: these putrefying, as was intended, communicated disease to the element which the soldiers of their allies drank; that in consequence, great numbers died, and the remainder retreated. The same author says, that the next winter the Iroquois sent deputies to Vaudreuil, begging for a reconciliation, and pretending that they had no intention of injuring the French. They tried to excuse the Dutch of New York, and Colonel Schuyler, by saying that they were obliged to obey the English. M. Vaudreuil, says Charlevoix, was not in condition to chastise the Iroquois, therefore he pretended to receive these apologies in good part.

Though it might be the policy of the Indians to keep up what used to be called the *natural* enmity of the French and English—not give too much assistance to either, and rejoice at the miseries they inflicted on each other—yet, in my opinion, if the English had succeeded, and had entered Canada at this time, the Iroquois would have indulged their much praised heroic propensity, without any reference to the balance of power, or the impolicy of rendering the French too feeble to oppose the English, and that they would have scalped or tomahawked as many French women and children as was consistent with their own safety.

Grievous was the disappointment of the provincials at this failure, on the part of Great Britain; for the wise and far-sighted among the colonists saw that the present safety and future existence of the colonies, as protestant communities of men, knowing and estimating their rights, depended upon conquering Canada, and removing that power which was seizing every opportunity to extend a chain of forts and garrisons from the St. Lawrence to the Missis-

issippi. They knew that the power of England must be exerted for this purpose.

Peter Schuyler was one of these far-seeing colonists; and he knew that the movements of great nations are often caused by the veriest trifles in existence. He had seen in his own day thousands of Huguenots driven from France by the religious whim of a woman; and the fleets of the great naval nation of Great Britain, the power of a protestant people, exerted for the destruction of the Dutch, (another naval and protestant people,) at the command of the French monarch, a papist, and the enemy of both nations; but the source from whence Charles II received treasure for the support of his mistresses. Seeing and knowing all this, the Mayor of Albany conceived the project of moving the court of Queen Anne to the annihilation of the French power in America, by means of exhibiting five Indian chiefs in their barbarick costume to the people, the nobles, and the majesty of Britain.

At his own expense did this patriot persuade (for it cost something to persuade an Indian, even of Peter Schuyler's time,) five chiefs of the Iroquois to accompany him to England, that by their exhibition and his eloquence, he might *persuade* the queen, her husband, and the other men in power, to assist the colonies in throwing off the palpable incubus which was weighing upon them to extinction.

Colonel Schuyler, knowing how important the Five Nations were to the welfare of New York, had used every means to gain their confidence. They saw in him a brave and wise soldier, as well as magistrate; and he did not spare either himself or his ample fortune to gain that influence which he possessed over them. He frequently went among them; and when they came to Albany, his house was open and his table spread for them. The measure proposed, of sending their chiefs with Schuyler to England, was pleasing to the Iroquois, and the individuals considered themselves as the deputies of an independent people in alliance with the monarch of Great Britain. All this proves the fallacy of the story, that the Indians purposely poisoned the waters to destroy the New York soldiers.

As Schuyler predicted, the English were delighted by the exhibition of five Indian chiefs. The people ran in crowds to admire five Indians—and kings too—for so they were called, and such their finery denoted them.* The guards were reviewed in Hyde Park, for their amusement, the theatres were put in requis-

* Their blankets and breech-clouts, bracelets and nose jewels, were justly admired; but the court went into mourning for some European prince, and American kings were dressed in black breeches and vests, with a mantle of scarlet cloth trimmed with gold lace as a substitute for their former royal blanket. They were

tion for their edification ; they were received at court, and made speeches to the queen, which nobody understood, and which were dictated by Schuyler, and translated as he directed. The assembly of New York had written an address, praying assistance, and entrusted it to the Mayor of Albany. His scheme succeeded, and England engaged to send a sufficient armament for the conquest of Canada.

Madame Maintenon, or the widow Scarron, banished and persecuted to death thousands, by the revocation of the edict of Nantes : Charles II, to gratify his patron, Lewis XIV, caused a bloody war between England and Holland ; and Peter Schuyler, by exhibiting five Indians, brought a fleet and army from England to the river St. Lawrence. The colonists again expected the power of Britain to be exerted for their protection. Again they prepared to do their part, and again their hopes were disappointed. The New England forces, when despairing of succour from England, invaded Acadie, (Nova Scotia,) took Port Royal, and in compliment to the queen, called it Annapolis.

Ingoldsby, who had shared the favour and infamy of Slougher, Fletcher, and Cornbury, might have now governed the province, only the representations of New Jersey and New York caused his dismissal from office before this period. Robert Hunter was appointed governour ; and until his arrival, Gerard Beekman as the president of the council, officiated.

Hunter was born in Scotland ; and when a boy, had been put apprentice to an apothecary. "He left his master," says William Smith ; that is, *ran away*, and entered the army.

Education, superiour to common soldiers, ambition, and a handsome person, we may suppose, gave Hunter his first preferment : personal beauty and a military garb, gained the affection of Lady Hay ; she married him, and in 1707 we find him appointed Lieutenant-governour of Virginia. On his voyage, he was captured by a French privateer, and carried back to Europe. When exchanged, and again at St. James's, he was appointed to succeed Lovelace as Governour of New York and New Jersey. Such is the honourable story of Brigadier Hunter, proving that he had merit as well as good fortune to enable him to ascend the ladder of military and court promotion rapidly and steadily. A further proof of his talents, was his intimacy with Swift, Addison, and the other wits of the day.

The council, on the arrival of Governour Hunter, was composed

tricked off by "the dressers" of the theatre, and conducted to St. James' in two coaches, by a noble courtier, where the lord chamberlain waited to introduce them to the royal presence of their sister, Queen Anne, to whom they gave some strings of wampum, for which the country paid full dearly.

of Gerardus Beekman, Rip Van Dam, Colonel Rensselaer, Judge Montpesson, Mr. Barbarie, and Mr. Phillipse. Beekman was one of the rich possessors of city property, and perhaps other lands. His orchard, occupied what is now the space between John street and Beekman street, (within my memory known as Chapel street, after the building of St. George's Chapel :) beyond the present chapel was the swamp, to the north and east of Beekman's Orchard. Rip Van Dam, though a Dutchman and a merchant, had worked his way up to a seat in the council, and was one of the rich. The family of Van Rensselaer is well known. Montpesson stood high as a lawyer. Barbarie was a rich Huguenot of distinction. Phillipse seems only distinguished for wealth, and attachment to the English government. The last of the race possessed Phillipsburg, in Westchester county.

Although the two great parties which had convulsed New York, were in a manner reunited in opposition to the vices and follies of Cornbury, the leader of the aristocracy, still that party governed ; and were strengthened by the accession of Hunter, who, though one of the people originally, had by his reception among the great, become as decidedly an opponent to the people's rights, (to manage their own property for their own benefit,) as any of the peers in England, or gentry in New York.

With the governour came a number of Germans, driven from their native country, the Palatinate, which had been laid waste by the inhuman policy of Lewis XIV, and were now, to the amount of near 3,000, transported at the expense of Great Britain, to become valuable colonists of America. Many of these Germans stopped in the city of New York, where they built the Lutheran Church, almost adjoining Trinity, which was burnt in the great fire of 1776. The site is now occupied by Grace Church. Great numbers of these Germans, (called palatines) settled on Livingston's manor: the place was once called the Camp, and is now known as Germantown. Pennsylvania had a share of these emigrants, who have been more distinguished for their agriculture, than for their improvement in science or literature, with some well known exceptions.

Hunter visited the government of New Jersey, and gained the assistance both there and in New York, of Lewis Morris, the chief justice, a man of extraordinary talents and influence. Morris was appointed to be one of the council in New Jersey, as well as William Pinhone, and Judge Montpesson, both of the New York council.

The uncle of Lewis Morris, above mentioned, was an officer in the army of Cromwell,* and after the return of the Stuarts fled to America, in the garb of a quaker. He seated himself in New York,

* Chief Justice Smith's History of New York.

and purchased that tract of land which the family still possess, and which he called Morrisania : though married he left no children.* Lewis Morris tells us in the preamble to his will, that his "mother died when" he "was about six months old," and his "father not long after, in New York," where he "was left an orphan, entirely in the hands of strangers, who were appointed by the government to take care of him." He thus lost his parents, (who were probably English, avoiding the restoration of kingly government in that country,) when Francis Lovelace was governour of New York, and between the years 1667 and 1673, when the province was again surrendered to the Dutch, and the boy "put by their magistrates into the hands of the trustees, by them appointed to take care of him, and of what effects their soldiers had left un plundered ; and after the surrender of New York to the English," by the peace of 1674, his "uncle came into these parts of America, and kindly took care of him, until he came to mans' estate."

Mr. Sparks, in his biography of Governour Morris, tells us that the father of the boy, thus left an orphan, by the death of his parents in New York, between 1667 and 1673, was called Richard, and had been an officer in Cromwell's army, had arrived in New York from the West Indies, and purchased ten miles square near Harlem, invested by the governours grant, "with manorial privileges, and called Morrisania." He further states, that the said Richard, the first proprietor of Morrisania died in 1673. He says, that not long afterwards, Lewis, the brother of Richard, came to America and settled at Morrisania ; and that there was a contract dated the 10th of August, 1670, where Richard is styled a merchant in New York, and Lewis a merchant in Barbadoes. It follows that Richard was in Barbadoes in 1670, and contracted to come to New York, purchase this grant of Morrisania for his himself and brother Lewis, who was to follow, and settle on it ; but that he did not come, until the peace of 1674, when he found the son of his brother an orphan, took him under his protection, and built at Morrisania.

Chief Justice William Smith, makes the uncle the person who had been in Cromwell's army, who, after the restoration, disguised himself under the profession of quakerism, and settled on a fine farm, within a few miles of the city, called after his own name Morrisania. Mr. Sparks, no doubt, as he had access to every information possessed by the family, must be relied upon.

Chief Justice William Smith, fills up the interval, "until he came to mans' estate," by informing us, that young Lewis was a headstrong boy, and "frequently gave offence to his uncle" of Morrisania, and on one occasion left him and strolled into Virginia,

* Samuel Smith's History of New Jersey.

from whence he found his way to Jamaica, in the West Indies, where he supported himself as a scrivener. As a proof of his boyish propensities, we are told that when a pupil to Luke Coppahwait, a quaker, Lewis hid himself in a tree by which his teacher was to pass, and in a feigned voice with great solemnity called upon Luke, (from above of course,) and ordered him to go and preach the Gospel among the Mohawks. Luke considered the bidding miraculous, and prepared to obey, when either by compunction of the boy or other means, he was undeceived. After several years passed in the West Indies, the wanderer returned to Morrisania, and was received by his uncle with forgiveness and joy. To settle him for life, the uncle brought about a marriage between Lewis and Miss Graham.

The biographical "will" tells us, that the uncle "dying, what he had, fell" into the hands of the person who has occasioned this notice, "being his sole and only heir," and that there had been "articles of agreement and partnership entered into between his uncle and his father, that if either of them died without issue, the survivor, or issue of the survivor, if any, should take the estate."

Before Governour Hunter's arrival, Lewis Morris had been one of the council of New Jersey, (where he possessed estates as well as in New York,) and was a judge of the supreme court in that province in 1692. Upon the surrender of New Jersey to Queen Anne, by the proprietors, Morris had been named by them for governour, but the Queen chose to appoint her cousin, the infamous Cornbury, in his stead. When Cornbury was removed, Morris drew up the complaints of New Jersey, and carried the address to England.

To this gentleman, Governour Hunter was indebted for *support*, both in New Jersey and New York. In the latter province he secured the attachment likewise of Nicoll, the speaker of the house of assembly, Livingston, and De Lancey, who though a foreigner from Caen in Normandy, had by his personal merits, and the influence of Van Cortlandt's family, into which he had married, already attained great weight in the province.

Jacobus Van Cortlandt was at this time mayor of New York, and one of the most successful and opulent merchants of the city. I presume him to have been the son and successor of Stephanus Van Cortlandt, so conspicuous in the aristocratic or anti-Leislerian party, in 1689 and afterwards. The reader will see, that the leading or most conspicuous families for political agitation of New York, at this time were all in union with the English government, and occasionally in opposition to the people. The Bayards, Phillipses, Van Cortlandts, and De Lanceys, were sixty years after ranged on the king's part; while the Morrisises of Morrisania, the

Livingstons, the Schuylers, were leaders on the part of the people. The champions of the people in 1710 are little noticed by the courtly historian.

The De Lanceys of the present day, and of the king's army during our revolutionary struggle, derive their American origin from this Pierre De Lancey, who married a Van Cortlandt, in the eighteenth century : but the reader will find Stephen De Lancey in New York, and an alderman, in the year 1691. Pierre, one of those Huguenots who escaped from the tyranny and bigotry of Louis XIV, was aided in his flight by a protestant mother, who not only gave him the passports of education for his safety, but jewels, which enabled him in Holland to procure what was necessary to appear in New York as a wealthy merchant ; and we see him now a representative in the assembly of the province.

1710 Peter Schuyler had returned in safety with his Iroquois chieftains, and the colonies were again called upon to assist in the conquest of Canada. Governour Hunter met the deputies of the Five Nations at Albany, and took measures to secure them and their constituents, in the interest of the province he governed ; but declined, though urged so to do, using his influence for the purpose of engaging the Iroquois in warfare with the French Indians, who at this time carried their destructive warfare into the New England settlements. It was the policy of the Governour of New York, to preserve quiet on his own frontiers, by means of the neutrality subsisting between the Five Nations and the French.

Returning to New York city, he found the assembly averse to placing the public funds at the disposal of the governour, they wishing to guard against the misapplications before experienced. Hunter had secured the council, who endeavoured to amend the money bills, and the two houses were at issue. Hunter prorogued the assembly on the 25th of November, not choosing to oppose them until he had definite instructions from the ministry and the board of trade, which he took the proper measures to procure according to his wish. During the winter, the governour was armed by the board for directing the affairs of the plantations, and by her gracious majesty, with such instructions as enabled him to take part openly with the council, and when he met the

1711 assembly in the spring, he told them it was her Majesty's tenderness to them, which made her urge a permanent revenue for the government ; for when they were left to themselves, they made too great gifts of money to their governours, by acts of assembly : whereas, her majesty, by fixing the salaries of officers, of which she was a better judge than they could be, and prohibiting the making any presents to their governours, took more and better care of their property, than they knew how to do. He hoped they had come to *provide* a support for her majesty's go-

vernment, *in the manner she has been pleased to direct.* He, therefore, asked them, whether or not they would support her majesty's government in the way she had been pleased to direct—pay the debts due to officers and others—and provide for the defence of the frontiers?

The assembly could not be persuaded that her majesty, the board of trade, the ministry, the governour, on any others, were better qualified to judge of the necessity or propriety of giving money for the support of the province, than they were: they passed a money bill, which the governour's council again attempted to amend. The right to amend a money bill was denied by the assembly, and the bill defeated. The governour told the assembly, in May, that he would pass no bill, until provision was made for the government.

In the mean time, Nicholson, with the forces furnished by the eastern provinces, had seized upon Acadie, and aspired to the conquest of Canada. Great Britain persuaded by the eloquence of Peter Schuyler, backed by the exhibition of five kings of the Five Nations, made preparations for the relief of her provinces, from the annoyance of their French neighbours, and called upon them again to assist in this salutary measure. To this call New York cheerfully responded, and the assembly created a debt of £10,000, by issuing treasury bills, to be redeemed by taxation, in five years.

By orders from home, (as England was then always called,) a congress was held of all the colonial governours from New Jersey to Massachusetts, both included. Two regiments were raised by Massachusetts, Rhode Island, and New Hampshire, to join the British armament, when it should arrive at Boston.

Nicholson was appointed to command the provincials, and mustered at Albany 4,000 men, under Colonels Schuyler, Ingoldsby, and Whiting; these were raised in New Jersey, New York, and Connecticut; New York seconded by every means this attack upon Canada, and spared no exertions for building batteaux, collecting provisions, and forwarding the enterprize. The influence of Schuyler procured 600 Iroquois, in addition to the other forces of New York.

While these preparations were eagerly forwarded by the provinces, twelve men of war, forty transports, and six store ships, with frigates and bomb vessels, bearing the regiments of Kirk, Hill, Windress, Clayton, and Kane, summoned from Flanders, together with Seymour's and Derney's regiments, and a battalion of marines, from England, the whole commanded by General Hill, a relation of Mrs. Masham, who had superseded the Duchess of Marborough as the queen's favourite, sailed amply provided with artillery and stores, and arrived at Boston early in the summer.

Nicholson and his army marched by the former route from Albany,

being intended against Montreal, by the way of Wood Creek and Lake Champlain. But the general remained at the fort, awaiting news from the fleet. Admiral Sir Housdon Walker and General Hill, with a fleet of upwards of seventy, carrying 6,463 troops, sailed from Boston for Quebec, on the 30th of July. On the 18th of August, the fleet anchored in Gaspee Bay, to take in wood and water. In ascending the St. Lawrence, the armament was entangled amid rocks and islands on the northern shore.

To oppose this overwhelming force advancing by land and water upon the two extremities of his province, Vaudreuil, ordered the Sieur de Beaucourt, to hasten the fortifications of Quebec, and hold the troops, regulars and militia, in readiness to march when the enemy appeared. Indians were collected at Montreal, and emissaries sent to detach the Iroquois from the English standard.

The Jesuits, Longueil, and Jonceau, were sent, the one to Onondaga, the other to the Senecas, and prevailed on many to hold back from Schuyler, and to preserve their neutrality with France, although Abraham Schuyler, as Charlevoix tells us, had been through the Five Nations, endeavouring to make them take up arms. No effort appears to have been omitted by Vaudreuil, to prevent the Iroquois from joining with the provincials in the intended attack upon Montreal. The force of Canada appears to have been inadequate to resist the armies that were directed against it.

Walker and Hill, seem to have been equally unfit for the trusts they had over a fleet and army sent to conquer a country they were unacquainted with. Contrary to the advice of the American pilots the fleet weighed anchor, on the 23d of August, in a fog, and eight transports, with 884 men, were wrecked and lost.

A council of sea officers decided that it was impracticable to proceed, until the fleet had returned to a safe harbour, to refit, and on the 14th of September, they anchored in Spanish River Bay. Here a council of war was held, and after the loss they had sustained of near 900 officers, soldiers, and seamen, and considering that they had but ten weeks provision, and none nearer than New England, they unanimously concluded to make no further attempt, sent a recall to Nicholson, who had advanced as far as Fort George, and sailed with all dispatch for Great Britain. To add to the misfortunes of this fleet, on their arrival at Portsmouth, in England, a seventy gun ship was blown up, and all on board perished.

The French historian says, that the boats sent out by the Canadians, after the news of the wreck of part, and departure of the remainder of the English fleet, found the hulks of eight great ships, and near 3,000 drowned men on the shores. Among them were recognized two entire companies of the queen's guards, known and distinguished by their red helmets; and several Scotch families, intended to people Canada. They likewise found the queen's

manifesto, which General Hill had caused to be printed at Boston, by B. Green, dated 1711.

The New England troops arrived at Boston: Nicholson led back his army to Albany—the Iroquois, as Charlevoix says, having deserted him even before they knew of the failure of the fleet.

The ministry were censured by the opposition for the conduct of this attempt upon Canada, and foreigners wondered that the French should be allowed to remain in that country, to the continual annoyance, and prevention of the growth of the English colonies. The Swedish traveller, Kalm, thought that England “was not earnestly disposed to drive that power from the continent, preferring to retain it as a check upon the colonists, who, they feared, would otherwise become powerful and independent.” Easy as I am of belief in the depravity of statesmen, and knowing the very early jealousy of England, I do not agree with the Swedish botanist.

The forces of Canada were all disposed of for the reception of Nicholson, and the news of his retreat caused an exultation in that country, which seemed to be protected by both the favour of heaven and the folly of man. The Iroquois sent to renew their neutrality with Vaudreuil, and his power was increased in proportion to the failures of his enemies.

1712 New York was sunk in proportion to her former exultation and anticipation of success. The assembly were prevailed upon by their fears and the governour, to keep up their forces during the winter, and repair the fortifications. They saw that the Iroquois were wavering in their attachment, and more boldly declared their independence. An attack, by sea, upon New York, was feared, and a panic seized them when they contemplated the number of negroes held in slavery among them. A “negro plot”

was discovered, or imagined, and 19 of these degraded wretches were executed. The treaty of Utrecht relieved the colony from many of her fears; but the exhaustion and debt consequent upon the last Canada expedition, weighed heavy upon her for years to come.

The treaty of Utrecht, concluded on the 31st of March, 1713, not only relieved New York from fears of European enemies, but was of advantage to the province in recognizing the Five Nations and their country as subject to Great Britain: for, although the Iroquois considered themselves free, and their country belonging to themselves alone, it was considered that something was gained, to have the acknowledgment of France that these independent people were subjects to the King of England: and it appears to follow that all nations conquered by them likewise became British subjects.

By the same treaty, the *assiento contract*, by which the *most ca-*

tholic King of Spain had granted to the *most christian* King of France, the exclusive *privilege* of supplying his colonies with negro slaves, was transferred, by the desire of the *defender of the faith*, the Queen of Great Britain, to her *reformed* and *protestant* subjects. The queen engaged that her subjects should, during the above mentioned period, transport to the Spanish colonies 144,000 *negro slaves*, at the rate of 4,800 per year. I have already noticed the royal instructions to Lord Cornbury, on his being sent to govern New Jersey and New York. The title of the treaty between France and Spain, the benefits of which were thus transferred to Great Britain, was thus: "*Traite fait entre les deux rois tres christiens et catholiques, avec la compagnie royale de Guinee etablie en France, concernant l'introduction des negres dans l'Amerique.*"

As early as 1716, Lieutenant-governour Spotteswode, (or Spottwood,) of Virginia, proposed the purchasing of lands on the Ohio, and establishing trading-houses and forts to trade with the Indians, and counteract the designs of the French, which, he saw, were to enclose the colonies by a chain of forts from the St. Lawrence to the Mississippi. The ministers of George I, opposed this wise plan of Spotteswode's, they having secret reasons for keeping well with the Court of France, and this necessary project for protecting the colonies was not only defeated, but the French were encouraged to build the fort of Crown Point upon the territory of New York.

Piracy, which was repressed by the punishment of Kidd and the exposure of Fletcher, was again encouraged by Charles Eden, the Governour of North Carolina, and his secretary, Tobias Knight. To the commercial restrictions imposed by Great Britain upon the colonies, and the frequent wars between France and England, the evil of piracy at this time, may in part be ascribed, as it existed on the coasts of America. The colonists were induced to become smugglers, because the laws which imposed a tax upon their industry and enterprize were imposed by a foreign legislature for foreign benefit; and from smuggling and privateering it was but a step down to piracy, and this step was made more easy by the encouragement or protection of governours and their minions who had expatriated themselves for the purpose of making money. The gangs of sea-robbers were likewise recruited by English and other sailors, trained to ferocious injustice, and hardened to utter disregard for suffering humanity, by the legalized piracy of the slave trade, encouraged by christian monarchs, nobles, governours, planters, traders, and men of all classes and denominations. After Kidd's arrest and execution, Quelch was the hero of piracy; but after committing depredations and atrocities on the American seas, he ventured to go on shore in Massachusetts, was arrested, tried, and perished on the

gallows with six of his companions. Soon after, Captain Bellamy, with a ship of 23 guns and 130 men, infested the American coast, but was wrecked on Cape Cod, and drowned with his crew, except six, who were hanged at Boston. But it was at Providence, in the Bahamas, that these freebooters found a place of refuge and formed a regular settlement. The interruption to commerce, caused the ministry of George I to send some ships of war against this industrious West India community, and they broke up the establishment before it had become a duly recognized state among civilized nations, but was denominated a den of robbers.

But in North Carolina appeared the celebrated Blackbeard, the terror of all peaceable traders, and as much the delight of the wonder-loving as the Bluebeard of another hemisphere. This wretch was one Theach, who acquired the title or nickname for which he is admired, as other titled personages still are, by encouraging the growth of a very black beard, which attained very uncommon length, and was so disposed of by the wearer as to increase the ferocity of his appearance. He had once been the chief of the pirates of New Providence, but found Pamlico river, in North Carolina a more secure place of resort. Armed with three pair of pistols, and other equipments for destruction, he is described as having in battle the appearance and demeanour of a demon; among his fellows at other times his conduct was little less than demoniacal. He was dreaded and admired in proportion to the extravagance of his drunken inhumanity. In riot, ebriety, and debauchery, the spoils acquired by robbery and murder were spent by all the depraved community: and Blackbeard, it is said, would, at table with his comrades, amuse himself by blowing out the candles and discharging his pistols at random among his guests. Another of his freaks was to represent hell, himself the reigning devil, surrounded by flames and sulphur, while he was amused by the suffocation from which his companions with difficulty escaped.

At one time Theach took advantage of the king's proclamation, offering pardon to pirates who submitted to the law, and surrendered himself and twenty of his men to his friend Governour Eden: but his treasure being exhausted by the usual excesses, he again embarked in open robbery and human butchery.

Governour Spotteswode of Virginia, a rare instance of sagacity and virtue in a colonial governour, appointed by England, offered a reward for the apprehension of the piratical monster, and one Masnard an officer belonging to an English man of war stationed in the Chesapeake, collected a crew of picked men, and manning two small vessels sought Blackbeard, with determination to take him. He found Theach in Pamlico sound, safe, as he thought, in the protection of Governour Eden. The pirate was surprised to see two vessels bearing down upon him with evidently hostile in-

tion ; nothing daunted, he manoeuvred and fought his vessel with skill and desperation, but Masnard closed in and boarded. Then the cool determination of the avengers of insulted justice and humanity soon overcame the fury of brutal courage. Theach sunk after having received many wounds among the dead and dying combatants. Those who asked for quarter were spared to undergo the sentence of the law.

With Blackbeard expired the open system of piracy which had been encouraged by those on shore, who neither shared the dangers nor incurred the punishment. Piracy continued, but was not protected by the colonial government.

CHAPTER XVIII.

Court of Chancery—By the treaty of Utrecht, the Iroquois considered subjects of England—Peter Schuyler—Governour Burnet—Doctor C. Colden—Oswego—Congress at Albany—Spottswode—French plan of extending forts from St. Lawrence to Mississippi—Chevalier de Joncaire—Burnet's plan, in opposition to France—French at Niagara—Governour Burnet's difficulties and final removal to Massachusetts—Character.

1712 At a council held at Fort Anne, in the city of New York, the 29th of September, 1712, present, his Excellency Robert Hunter, Colonel De Peyster, Mr. Van Dam, Mr. Barbarie, and Mr. Byerly, Caleb Heathcote,* mayor, and Francis Harrison, sheriff. Likewise Robert Livingston, mayor of Albany, and Thomas Williams, sheriff.

In this year the Tuscaroras and other Indians, endeavoured to put an end to white encroachments, by an attack with intention to

* Sir Gilbert Heathcote, the father of Caleb, was a very rich merchant of London, one of the principal founders of the Bank of England, and once lord mayor. The knowledge I have of this gentleman, is from a newspaper : his son John succeeded to his title of Baronet, and by marrying the betrothed of Caleb, drove him to America with his riches. He married the daughter of Tangeir Smith, of Long Island. I have seen a copy of the will of the said Colonel Caleb Heathcote, through the favour of William Whitehead Esquire, by which he devised to his son, the estate mentioned by Madam Knight, Marmaroneck, one of his daughters married Doctor Lewis Johnson, of Perth Amboy, and another Lieutenant Governour James De lancey, of New York.

destroy the colonists of North Carolina, many of whom they murdered : but being defeated, the Tuscaroras fled, and were received as a sixth nation in their confederation by the Iroquois, to whom they appear to have belonged originally.

When Hunter, to counteract the intrigues of the French Jesuits among the Iroquois, proposed to the sachems in council to send them protestant missionaries, and told them the queen wished to clothe their souls, as well as bodies, they resolutely declined the favour, adding, that it would be a greater kindness to send some blacksmiths to reside among them. They, accused the ministers from New York, who came among them, of encouraging the practice of drinking brandy. They were struck forcibly with the difference between the missionaries who came among them impelled by zeal, and those who were paid for the service. "I love to feel where words come from," was the remark of an Indian, to a quaker.

Governour Hunter had not only been faithful to the queen and to himself, in studiously endeavouring to prevail on the house of assembly (by their fixing the salaries of the officers,) to make office-holders independent of the people, but he, without consulting the assembly, erected a court of chancery, exercised the office of chancellor himself, and appointed Messrs. Van Dam and Phillipse, masters, with an examiner, register, and clerks.

The assembly saw, that by this, the power of the governour and council was increased, and the house of assembly proportionably diminished in weight. They protested: the affair was referred to the lords of trade, (ever ready to support the pretensions of the governour and council,) and they let the people know that her majesty had an undoubted right to appoint as many courts as she thought proper.

The reader will see hereafter, that William Smith, the father of the historian, contended that the king could not erect a court of chancery, without consent of parliament; so, no such court could be erected in New York, without consent of the assembly—the people not being represented in parliament. This was in 1734, and was the point mooted in 1775.

Lord Bellamont had strenuously contended that the Iroquois were subjects of England, and by the treaty of Utrecht, as already observed, the Five Nations were declared to be "subject to the dominion of Great Britain." They were permitted to be free to trade with either English or French; but the boundaries were left hereafter to be determined.

We must consider the country of the Iroquois such as is delineated in the map, copied from Mr. Gallatin, and inserted in this work.

The French, at the conclusion of the treaty of Utrecht, held Fort

1716 Frontignac. In 1716,* James Alexander and William Smith arrived, in the same ship, from England: the first, from Scotland, and father of the Lord Sterling, of our revolution: the second, an Englishman, and father of the historian of New York: both distinguished as lawyers in the province, and soon engaged in publick business.

1717 From the year 1717, Hunter, by the aid of Lewis Morris
and Robert Livingston, junior, contrived to have the
to house of assembly with him; and he informed the repre-
1719 sentatives, on the 21st of June, 1719, that for the be-
nefit of his health and his private affairs, he was about,
by permission of the king, (George I,) to return home, to reassume
his American governments as might be hereafter determined. Mor-
ris and Livingston drew up the address of the assembly, and covered
the departing governour with every honour which might or might
not become him.†

On his departure, the 31st of July, 1719, the rule of the province devolved on Peter Schuyler, as the elder member of the council, for so it will be remembered, the last vacation of the gubernatorial chair had been determined to be filled, if no lieutenant-governour was at hand. During the time which intervened between Hunter's departure, and the arrival of William Burnet, the worthy Peter Schuyler confirmed the ancient league between the province and the Iroquois, whose friendship had been grievously weakened by the feeble and disastrous attempts, which had been made against Canada. In this, and in every measure he could devise for the good of New York, the short period of Peter Schuyler's administration was employed.

1720 The son of the celebrated Bishop Burnet, William, having exchanged his office of comptroller of the customs, with Hunter, for the government of New Jersey, and New York, took upon him the affairs of the latter province, on the 17th of September, 1720. A long train of governours appointed by England, had been military men; they had previously attained some rank as such, though it appeared to have been in conformity to Lord Chatham's subsequent opinion, that a man in his majesty's marching regiment could always be found, who was fitted for governing an American colony. Sloughter, Ingoldsby, Fletcher, Cornbury, and even Hunter, had proved themselves fitted to govern

* About this time, it is said that Irish emigrants, settling Londonderry, in Maine, introduced the cultivation of potatoes in America. The culture must have spread rapidly, for the potatoe was familiar in New York and New Jersey beyond the memory of man of the present time, or even of 70 years ago.

† Burling, a quaker, of Long Island, published in 1718, a tract against slavery.

as directed, for their own interests, and that of England; but to govern as men seeking the good of the people for whom they were to enact and administer laws, they were contrasts in all things, to the rulers then and subsequently *elected* by the people. They were in most respects, contrasts to William Burnet. He is described by history and tradition, (for the latter source of information, begins now to dawn upon us,) as polite, sociable, well read, quick, intelligent, and well disposed: but most extraordinary, he had not the usual desire to accumulate money.

Burnet had received a knowledge of the state of the province, and of the leading men, while negotiating his exchange of offices; and the council named in his instructions, were, Colonel Peter Schuyler, Colonel Abraham de Peyster, Captain Robert Walters, Colonel Beekman, Mr. Rip Van Dam, Colonel Caleb Heathcote, Mr. John Barbarie, Mr. Phillipse, Mr. Byerly, Mr. Clarke, Mr. John Johnston, the ex-mayor, and Mr. Harrison.

Governour Burnet was intimate, in a short time after his arrival, with Lewis Morris, who was of eminent service to him, both in New Jersey and New York. He soon understood the value of Cadwallader Colden, and advanced him to offices of profit and trust. To use the words of Gulian C. Verplanck, Esq., "among those to whom this country is most deeply indebted for much of its science, and for very many of its most important institutions, Cadwallader Colden is very conspicuous." This gentleman was born in Scotland, February 17th, 1688. He was, of course, at the beginning of Governour Burnet's administration, 32 years of age. Educated at the University of Edinburgh, he had devoted himself to the study of medicine, and the cultivation of mathematical science. His first place of residence in America, was Philadelphia, where he practised physick, with success. He returned to Europe, and after some residence in London, visited Scotland, and there married a lady of the name of Christie, with whom, in 1716, he again came to Pennsylvania.

Two years before Governour Burnet's arrival, Colden settled in the city of New York, where his mathematical knowledge procured him the appointment of surveyor-general, from his countryman, Governour Hunter; from whom, soon after, he received the additional appointment of master in chancery. "The state of society in this country," Mr. Verplanck remarks, "which did not yet allow of the regular division either of labour or of professional study, rendered this last appointment less remarkable than it might otherwise appear to a reader of the present day. Doctor Colden's general knowledge and habits of business soon qualified him for the able discharge of this office."

With Morris, Colden, Alexander, Schuyler, Smith, and a younger

Livingston, (the former, so conspicuous in our history, having retired to his manor, and died in 1711,) Governour Burnet's superior talents led him to see the true interests of the province, and empowered him to act in conformity. His unclouded mind soon comprehended the extensive designs of the French, and the advantages they derived from a trade not only with the Five Nations, but with Indians of what was then the far west, carried on by means of their post at the entrance of Lake Ontario, established by Count Frontignac, and called by his name. This trade was carried on by the French, with English articles, furnished by merchants in Great Britain to certain traders in Albany. Burnet saw, that supplying the Indians directly with the articles they preferred, the influence of the Canadians would be annihilated; and to do this, a fort and trading place must be established higher up the lake, more in the country of the Iroquois, and easily accessible to the western Indians. His maps and his counsellors told him that Oswego was the spot.

Before Governour Burnet's time, the chiefs of the Iroquois had seen the disadvantages of receiving English goods through the French traders, and complained of it to the commissioners of Indian affairs,* who wrote to Governour Hunter on the subject. That governour laid the letter before the assembly; but the evil remained until Burnet, on the first session of the house after his arrival, carried through an act, prohibiting this circuitous trade, under penalty of a forfeiture of the goods and an additional fine of £100. Mr. Burnet had in view not only to secure the trade and favour of the Indians, by an establishment at Oswego, (on the banks of Lake Ontario and of the river communicating directly with the Oneida Lake, the Onondaga and the Wood Creek, of that region,) but to thwart the views of France, which claimed from the St. Lawrence to the Mississippi, and, as Governour Spotteswode had foreseen, intended, by a chain of forts, to confine, if not subdue the English colonies on the Atlantick coast.

* The commissioners of Indian affairs, resided at Albany, and were the channel of communication between the Iroquois and the governour of New York, representing him in Indian transactions. They had no salaries, but received the monies intended to keep the Five Nations attached to the English, and they distributed the presents. In time they thrived by means known to office holders, without salaries, even at this day. At the time Chief Justice Smith wrote, Sir William Johnson, was, and had long been the sole commissioner, and we shall see, as we progress, that he had grown rich on the unsalaried office. A secretary was paid for keeping minutes, which subsequently fell into the hands of Sir John Johnson, the son of William, and were lost to Americans. Smith says, the commissioners were generally traders, and therefore despised by the Indians. Sir William Johnson, within nine months after the arrival of Braddock, received £10,000 sterling, to secure the Indian interest. Johnson kept up his credit with the Iroquois by exhibiting inferior agents in the light of traders.

1721 The leaders in the assembly being Morris and Livingston, the governour carried all his measures.*

1722 It was not until the year 1722, that Governour Burnet could begin the establishment at Oswego. There was fierce opposition to his prohibition of the circuitous trade from England to Albany and thence to Montreal, by means of the Caugnawahgas, who acted as carriers. The English merchants who furnished the goods, and those Albany traders who sold to the French, carried their complaints, founded on misrepresentations, to the English lords of trade; and it was only by the plain statement of the truth, vigourously set forth by Doctor Colden, that the arts of those who only consulted their own selfish views, were defeated.

The governour's trading house, at Oswego, was established, and trusty persons appointed to reside there, and in the country of the Onondagas. He likewise visited Albany, where a congress of governours met to confirm treaties, and transact other business with the Iroquois, who had been augmented by a portion of Nicaraugas, who were adopted, as the Tuscaroras had formerly been.

This congress was composed of commissioners, and governours of provinces. It was the second American congress; and had its effect in leading to those provincial, and general congresses, by which our independence was achieved. At this time, 1722, Governours Spotteswode of Virginia, Burnet of New York, and Keith of Pennsylvania, were deputies from other colonies. Sir William Keith seems to have been complimented with the presidency, though representing the youngest province, and possessing the meanest abilities, merely because he was distinguished by a title; a circumstance of great weight then (perhaps now) in America.

He was a man, as described by James Grahame, "of insinuating address; a shrewd, plausible, supple, and unprincipled adventurer; devoid of honour and benevolence; governed entirely by mean vanity, and selfish interest."† Surely, such a man, although placed in the president's chair, could have little influence, where the representatives of New England were present, and a constellation of intellect in Burnet, Spotteswode, Alexander, and Colden.

Colonel Alexander Spotteswode, was a Scotch gentleman of the most upright and honourable character, distinguished for military skill and valour, as well as for scientific attainments. He had penetrated the designs of the French, in establishing posts in such situations as would give them possession of

* Horatio Walpole sent out Mr. Clarke, to gain a hold upon the provincial treasury, but failed in his scheme: and Abraham De Peyster, junior, the son of the member of the council, was appointed treasurer, under certain restraints.

† See Franklin's memoirs.

the great interior of America, and thus confine the English heretics, to the shores of the Atlantick, and perhaps it was to him that Burnet and Colden, owed a clear view of this important subject.

Governour Spotteswode had already extended the frontiers of Virginia, by leading an exploring party over the Apalachian ridge, and showing to the colonists, the glorious country beyond, now so highly appreciated. He pointed out the advantages to be reaped, from extending their settlements, not only by enriching themselves, but by frustrating the intentions of their enemies. He transmitted a memorial to the English government, in which he predicted the operations of the French, and suggested a line of forts, marked out with the skill of an engineer, by which to anticipate the hostile intentions of the enemy. His plans, then easily executed, would have spared millions of expense in treasure, and the blood of the brave, the feeble, and the innocent. But the government of Great Britain was occupied, if she thought of America, in schemes for extracting money from the colonists, rather than plans for their protection, and Spotteswode's memorial obtained no consideration, but was perhaps called to mind when fire, the tomahawk, and the scalping knife, desolated the frontiers, and a gallant army, led by Braddock, sunk under a foe that had been invited by neglect and supineness.

This congress at Albany, in 1722, secured the chiefs of the Iroquois, and the treaties with this people were renewed and confirmed: but at every step they were met by the active genius of the Chevalier de Joncaire, who guided the actions of the other French agents thrown among the Five Nations, and the effects of this extraordinary individual were found powerful in opposition even to a body of men, at the head of whom were Spotteswode and Burnet.

The Chevalier de Joncaire had devoted himself to the plans of the Canadian and French government: to carry them into effect, the aid or acquiescence of the Iroquois was necessary. To extend the dominion of France, and of the Roman religion, this accomplished French gentleman, bade adieu to civilized life, and by long residence among the Senecas, adopting their mode of life, and gaining their confidence, he procured himself to be adopted into the tribe, and to be considered as a leader in their councils. His influence with the Onondagas, was almost as great as with his own tribe. By introducing and supporting the priests, and other missionaries, employed by the Jesuits and instructed by the governour: by sending intelligence to Montreal or Quebec, by these spies; by appearing at all treaty councils, and exerting his natural and acquired eloquence—it is necessary to say, he was master of their language—he incessantly thwarted in a great measure the wishes of the English, and particularly set himself in opposition to

the government of New York. But the views of Burnet, in regard to the direct trade, backed by the presents displayed to the savages, met their approbation in despite of Joncaire and the Jesuits.

The conduct of the Chevalier de Joncaire, is only paralleled as far as I now recollect, by that of the Jesuit Ralle; whose influence with the Indians inhabiting the territory between New England and Canada, produced effects disastrous to the eastern colonists, and an unbounded attachment to himself and his countrymen. It is not improbable that Joncaire, as well as Ralle, was of the society of Jesuits, for it is the policy of this insidious combination that its members shall appear as laymen, in many instances, rather than as ecclesiastics.

At this congress of 1722, Governour Burnet prevailed upon the Iroquois to send a message to the Eastern Indians, threatening them with war if they did not cease their incursions upon the New England frontiers.

1723 The effect of Governour Burnet's plan, (by which the goods wanted by the Indians were carried directly to Oswego, instead of passing through Albany to Montreal, and thence to fort Frontignac,) was seen by nations residing about Michilimackinack, coming to Oswego and Albany to exchange their peltries for the articles of commerce. It is amusing, to see by the statements of this date, that the countries now so familiar to us, were then unknown, and the inhabitants viewed as strangers coming from the far west, and exciting the curiosity even of those who were in habits of intimate communion with the Iroquois. We learn, that in May, 1723, a nation of Indians came to Albany, singing and dancing; with their calumets (the pipes of peace or friendship) borne before them: and the commissioners of Indian affairs were not able to inform themselves what nation this was. And afterward, eighty men with their women and children came in the same manner, bringing with them an interpreter from the Iroquois. These said they were called *Nehkereages*; that they came from Michilimackinack, between the Upper Lake and Lake Huron. In July another nation came to trade, called by the French *Miamies*; and some of the *Tahsagrondiés*: and others that were unknown. The *Tahsagrondiés* said the French had a fort in their country called Detroit.

1724 In the year 1724, Governour Burnet was involved in a dispute with Mr. De Lancey, who is represented as a rich man, and the principal benefactor of the French church established in New York by the refugees who fled from the revocation of the edict of Nantz. The governour took part with M. Rou, in opposition to the clergyman upheld by De Lancey and a majority of the congregation; and Mr. De Lancey being returned as a member of assembly, Burnet refused to administer the oath to him, upon the

ground that he was not a subject of the crown. De Lancey replied, that he was made a denizen in England, "in a patent of denization granted in the reign of James II, and under the seal of this province, in 1686." The house decided in favour of De Lancey*—but a feud existed between him and many of the protestants against Burnet. The assembly claimed the right of judging of their own members, and although the governour still held a majority, his conduct in this case was considered unconstitutional; and his opposition to De Lancey, to have originated in the latter's espousing the French trade in opposition to Burnet's plan of trade by Oswego.

1725 The prosperity of Oswego in its commerce, the English in great numbers going among the Indians, and returning
1726 with canoes laden with peltry, was a sore mortification to the French of Canada, besides that it indicated an anticipation of their scheme of hemming in the colonies by means of garrisons, and the influence of the western tribes. In 1726, they put in execution a bold step, both for trade and ultimate conquest. They advanced at once from fort Frontignac at the foot or outlet of Lake Ontario, and transported materials to the head of Ontario; taking possession of the former post at Niagara, and immediately repairing the fort and erecting a trading house.

M. de Longueil, who had succeeded Vaudrucil in the government of Canada, after preparing the Onondagas by the representations of his Jesuits, went thither himself, and obtained their consent to the establishment at Niagara. The other four nations did not agree, and the Senecas ordered them off from Niagara. The French hastened their fortress, and M. Joncaire, before mentioned, exerted himself to make the Iroquois think this French establishment for their benefit, not only by preventing the English from monopolizing their trade, but as a security against the encroachments of that people. Joncaire, a Seneca by adoption, and a favourite with the Onondagas, was possessed of great influence throughout with the confederates, which was steadily used for forwarding the plans of his countrymen. He facilitated the reception of missionaries, and directed their intrigues against the province of New York. In vain Peter Schuyler exerted himself to persuade or bribe the Indians to dismiss Joncaire, he preserved his

* Was this the Stephen De Lancey who appears as an alderman in 1691? Or was it Pierre De Lancey, who arrived after the revocation of the edict of Nantz, and married into the house of Van Cortlandt? From the mention of denization in the reign of James II, which reign terminated in 1688, and which denization is placed before the provincial denization of 1686; it appears, that this De Lancey must have left France before the revocation of the edict of Nantz, and must have been Stephen.

power, and at his death, left his son among the Iroquois, to continue the French influence among them.

All Governour Burnet could do, was to protest against the Canadian encroachments, which he did, in strong terms, to the legislature of New York and to the ministry of England. He assembled the chiefs of the Iroquois at Albany; he reminded them of all the benefits they had received from England, and all the injuries that had been inflicted by France. He pointed out the evils that would flow to them from a French fort at Niagara, on *their* territory. The Indians declared their unwillingness to suffer this intrusion of the French, but said, they now had not power to prevent it. They called upon the Governour of New York to write to the King of England for help to regain their country from the French of Canada. Burnet seized this opportunity to gain a surrender of their country to England, to be protected for *their use*. Such a surrender would be used by Europeans for their own purposes; but (in the sense they viewed and represented it,) was altogether incomprehensible by the Indian chiefs; and the deputies had no power from the Iroquois confederacy to make any such surrender.

1727 Burnet's military force was inadequate to the removal of the French from Niagara; but he fortified the post at Oswego, and for that purpose advanced his own money, part of which was never repaid by the province or the king.

By the treaty of Utrecht, as above mentioned, France had acknowledged the Iroquois and their territory to be subject to Great Britain. Niagara was never disputed to be within the country of the Senecas, yet the violation of the treaty was applauded by Father Charlevoix; and the Governour of Canada, who succeeded Longueuil, complained to Governour Burnet of his proceedings, in respect to the fort at Niagara.

The opposition to Governour Burnet prevailed in the assembly. The friends of the circuitous trade were, of course, his foes. The affair of the French church was urged against him: his court of chancery was clamoured against; and his decrees, as chancellor, had made enemies of many rich and powerful individuals among the provincials. He dissolved the assembly; and when appointed to the government of Massachusetts, his removal from New York was considered as a blessing by those he had offended and those who could not comprehend the views of the French court, or appreciate the valuable services which William Burnet had rendered, not only to New York, but to all the colonies, by endeavouring to counteract them.

The general course of Governour Burnet's administration, appears to have been fair and honourable; but I can see no just reason for his removing Peter Schuyler from the council. He doubt-

less, substituted a good man, in James Alexander ; and the exchange of Colden for Phillipse, was altogether in favour of the province. It is, however, very difficult to judge, except in obvious cases, of the conduct of a man who has passed away a century ago ; certain it is, that Mr. Burnet, who had married a provincial, (Miss Van Horne) left New York with regret, and was much regretted by many who had witnessed his public acts and shared in the society of a learned, scientific, and benevolent gentleman.

Burnet was free from the vices of his military predecessors ; he was not infected by the petty pride derived from a red coat and laced epaulettes ; neither had he the desire to accumulate money — a vice, as Mr. Thomas F. Gordon justly observes, “ common to colonial governours.” His conversation was the delight of men of letters ; and he carried little with him but the love of his associates *and his books.*

CHAPTER XIX.

Montgomerie Governour—Burnet in Massachusetts—Nature of colonial government—Military governours—Members of the council at this time—Death of Montgomerie—Rip Van Dam—Colonel Cosby, governour—Dispute with Van Dam—Bradford and Zenger—Smith and Alexander—The aristocratick and democratick parties, and their leaders—De Lancey and Phillipse—Zenger's trial.

1727 THE son of Bishop Burnet reluctantly abandoned a province he had faithfully endeavoured to serve, and in which, by his marriage into the family of Van Horne, he had connected himself with the ancient inhabitants. Many regretted the loss of his pleasant society, and men of literature and science felt his loss severely. There were some who thought the higher of him, that he inherited a portion of his father's propensity to the study of divinity, and valued him for (that which produced a smile of derision in others,) his exposition of the prophecies.

Being removed to Massachusetts, he was succeeded by the honourable John Montgomerie, a courtier, who had been groom of the chamber to George, Prince of Wales; who, on becoming George II, King of England, rewarded his groom—by making him governour of a province

He arrived on the 15th of April, 1728, as governour and chancellor, of New York.

1728 It is recorded, to the honour of Montgomerie, that he declined officiating in the latter capacity, until the lords of trade, or the king's ministers, positively ordered him so to do: and who, like Lord Chatham, at a later day, thought that no company of his majesty's marching military, but had a man in it, fit to govern a province, though in 1728, the man who governed New York, was by the appointment, qualified for a chancellor.

Burnet anticipated troubles in Massachusetts, and he was not disappointed; although his reception indicated nothing less. He was received by a committee on the borders of Rhode Island, and attended to Boston, by such a *cortege*, as never graced royal governour before or after. Gratified as he must have been by these honours, he was annoyed by the *long graces before meat*; for it is recorded, that he asked Colonel Tailer, one of the Boston committee, "when these *lengthy* ceremonies would be shortened.

Tailer who was somewhat of a wit, and saw the jocosé disposition of the new góvernour, answered, with apparent solemnity, please your honour, the *graces* will increase in length, until you come to Boston ; after that, they will shorten, till you come to your government of New Hampshire ; there you will find no grace at all."

Góvernour Burnet, was during life at variance with the assembly of Massachusetts ; principally on account of the fixed salary which he was instructed to insist upon. The assembly was determined in their opposition ; and the contest was only ended by the góvernour's death. When the grave had received the remains of this good man, (to which they were attended by the pomp and ceremony of a public funeral, expressive of respect and regret,) the people of the bay province, did justice to the merits of the person, who as góvernour, they were obliged to restrict and oppose.

On the 16th of April, 1728, the common council of the city of New York, presented a congratulatory address to Góvernour Montgomerie, in a gold box. Any change was acceptable to a people, who felt that they were not governed as freemen, or even as English subjects.

The reader, if not already convinced of it, will hereafter see, that the government of the colonies, or his majesty's plantations, was, in its very nature, oppressive to the people. Judge Egbert Benson, says, " we were once the subjects of the prince, the supreme magistracy in him, as in an inheritance, the people privileged to choose only a portion, a third branch of the legislature."

This was an usurped government over people who fled from similar privation of rights in Europe. Men by degrees lose self respect. It was once the boast of the people of New York, that " our masters did not disparage us, by placing over us, any person of mean condition, and that the greater part of the góvernours, sent out to rule over us, were noblemen, or of noble descent." The good folks were proud of the honour, of having their pockets squeezed by a queen's cousin, or any other titled spendthrift sent out to collect from them the money to satisfy his European creditors. Can we then wonder that provincials were despised by their fellow subjects of England ?

Montgomerie was a soldier by profession, and in his latter years a courtier by practice. The colony had been governed by a civilian, again it was ruled by a military man, whose only care was to induce the assembly to settle his salary ; which they did for five years. He then, in October, visited Albany, to confirm the Iroquois in their former engagements, by holding a council with the chiefs. A groom of the chambers to a German prince, seems little fitted for negotiating with Indians, of whom probably he had never seen one until his arrival in his government, unless he happened to be in London, eighteen years before, when Peter Schuyler exhibited his

five Iroquois, to the delight of court and populace ; but his council could tell him what to do, and the ministry had amply furnished him with presents, very persuasive arguments with the Indians of this time : he procured for them guns and powder, blankets and lead, and they gave promises in return.

From his journey to the end of civilization, he returned gladly to New York, to enjoy his ease without care for the interests of the province ; while the indefatigable French of Canada, carried on their designs by means of their Jesuits, and their trading posts. Mr. Montgomerie had no particular party to uphold ; his aversion to chancery business pleased the assembly, while the council seem to have been as quiescent as the governour could wish.

Burnet, however, although removed to Massachusetts, did not forget the interests of New York, and knowing the designs of the French, kept up a necessary system of watchful intelligence, in regard to their movements. He learned, that they were not content with posts at both ends of Lake Ontario, but had determined to demolish his fort at Oswego : of this he informed the governour and council of New York, and however indisposed Montgomerie might be to action, or ignorant of the policy of the province, (and he appears to have been ignorant on all topicks,) several members of the council were possessed of the requisite knowledge, and disposed to carry into effect, the views of Governour Burnet. Colden and Alexander, were attached to him, understood his policy ; Van Horne, was his relative by marriage, and Robert Livingston, the second, was a man of information, and the son-in-law of Peter Schuyler, which alone, would make him adroit in Indian affairs : the other members, (Walters, Van Dam, Barbarie, Clarke, 1729 Harrison, Morris junior, Provoost, and Kennedy,) would not oppose, if they did not urge Mr. Burnet's desire, and on the receipt of a letter, in March, 1729, sufficient force was dispatched to Oswego, to deter the French from an attack upon the fort, and to encourage the Iroquois to stand forward in its defence if needed.

1730 So far, the views of Governour Burnet prospered ; but the mercantile interest, which had been concerned in the

1731 Indian trade by the way of Albany and Montreal, prevailed, aided by French influence at the Court of Great Britain, and the acts passed by Burnet in favour of the direct trade, were repealed.

Montgomerie enjoyed the government of New York about two years — dying on the 1st of July, 1731 — at a time when Mr. Rip Van Dam was the eldest member of council, and, of course, his successor in power. “He took the oaths,” says Chief Justice William Smith, “before Messrs. Alexander, Van Horne, Kennedy, De Lancey, and Cortlandt. This De Lancey, was James,

who was called by Montgomerie to the council, though a youth in 1729, just after his return from the university."* Morris had been suspended by Montgomerie, for some words relative to "the governour's drafts upon the revenue."

Mr. Van Dam seems to have been passive as to French affairs; and they, the French, not content with the bold steps taken at the west, to secure Lake Ontario, very openly seized upon Lake Champlain, on the south side, and erected a fort at Crown Point, on the Iroquois territory, but considered, even at that time, part of New York.

Mr. Van Dam, as I have before said, had by dint of wealth honestly acquired in the way of trade, and those qualities which made trade profitable, raised himself from a member of the common council to a seat in his majesty's or the governour's council; from being one of the people, to being considered one of the people of figure. He was now, as president of the council, virtually, governour of the province until the king should send out a qualified and instructed person for the office.

1732 Governour Cosby was appointed to succeed Montgomerie, but did not arrive until the 1st of August, 1732—leaving Mr. Van Dam to supply his place for thirteen months. During part of this time, the good people of New York seem to have been in dread, that a law before parliament, called the Sugar Bill, and meant to favour the West Indies, would ruin the province. Colonel Cosby—for this governour was also a military man, who had previously been Governour of Minorca—being in London, used his influence to promote the wishes of the colonists, by opposing the bill, although without effect, the matter being undetermined at the time of his arrival in New York. The first assembly which met him being in session at the time of his arrival, considered him as a friend to the people, and following the popular wish, readily granted a revenue to support the government for six years—which included a salary for the governour, of £1,560, with certain emoluments, (to be gained out of supplies for the forts,) amounting to £400, and £150 to pay his expenses in a journey to Albany, besides a sum to be laid out in presents for the Iroquois. They afterwards resolved to present him with £750, as compensation for his services in assisting the agents of the colony in their opposition to the Sugar Bill.

All this, Chief Justice Smith tells us, did not satisfy the colonel, who had come to New York to make a fortune, and had not sense enough to see that it was his interest to improve the popularity

* It appears by this and other expressions of Chief Justice Smith, that James De Lancey received his education at an English university; and had not, as yet, the feelings of a provincial or of an American.

which attended, or rather preceded his arrival. Meeting Mr. Morris, who had a seat in the assembly, he, in the true spirit of an European *militaire*, looking down with contempt upon an American provincial, on hearing of the gratuity voted by the assembly from Morris, (one of the members) exclaimed, "Damn them! why did not they add shillings and pence?"

But Van Dam, the merchant, who had governed the province during his residence in London, caused still fiercer ire in the breast of the colonel, when a settlement of accounts was called for. While the provincial was in the governour's chair, he received the salary. Colonel Cosby brought with him the king's order, dated the 31st of May, 1732, for an equal partition between himself and the president of the council, of the salary, emoluments and perquisites of the office, from the time Mr. Van Dam first administered the government to that at which Colonel Cosby relieved him.*

In consequence of this, the colonel demanded half of the salary which the president had received for the thirteen months during which he executed the office of governour. The merchant immediately saw that Cosby had received more in perquisites and emoluments than the amount of salary, and offered to make division according to the sovereign's order. He stated his receipts at £1,975 7s 10d, and those of the colonel as £6,407 18 10. The English governour demanded half the salary: the Dutch merchant agreed, provided he received half the perquisites and emoluments; but refused otherwise. He would retain his salary, if his opponent was content; otherwise he appealed to the order for a division, which gave him a balance of upwards of £2,400.

The governour, to compel Van Dam to refund half the salary,

* A question was raised, whether Van Dam should receive the whole salary allowed to a governour, and the opinion of the assembly was asked; but they declined giving an opinion, leaving it to the council, who consented that the warrants should be drawn for the whole. Cosby, on his arrival and friendly reception by the assembly, waited until their adjournment, and then produced the king's instructions to take to himself one half the salary and emoluments during Van Dam's administration, leaving him one half. Van Dam agrees, provided Cosby accounts for certain monies received by him, and shares with Van Dam, such monies. Cosby refuses, and erects a court of exchequer, to compel Van Dam to comply with his terms. Suits commence on either part: but Cosby appoints the judges. Van Dam denies the legality of the proceedings. Chief Justice Morris declines to obey the governour's orders in the case, as illegal, and is by him suspended, after serving twenty years unimpeachably. James De Lancey was appointed in his place. Here the Morris family are connected with the democratick side, and the Delaney with the royal, as afterwards in 1775. Frederick Phillipse was second judge. The Phillipse's took the royal party, likewise. The court decides against Van Dam. Van Dam, in his published account, states that Cosby received, before his arrival and while Van Dam administered the government, emoluments, i. e. monies received by Cosby for pretended services and expenditures, as for Indian presents, never given — a voyage to Albany, not made, he, Cosby, being in England — overcharges of clothing, subsistence, etc., for troops.

without allusion to emolument, "proceeded," says Smith, "against Van Dam, in the exchequer." Van Dam endeavoured to institute a suit at common law. This, Cosby and his friends dreaded—as the president of the council was popular, and the jury would allow a set off. In the court of chancery, Cosby himself presided.

In certain instances the judges of the supreme court had proceeded according to the course of the exchequer. Their commissions directed them to "make such rules and orders as near as may be, to those of the English courts of king's bench, common pleas and exchequer." This had given the hint to Cosby's advisers for proceeding in equity, "as De Lancey and Phillipse were the governour's intimate friends."

1733 The counsel for Van Dam, were Mr. William Smith, (the father of the historian,) and Mr. James Alexander, (the father of William Alexander, afterwards Lord Stirling.) These were the two most eminent lawyers in the colony, and had, as before observed, arrived at the same time, 1716: they, in defence of Van Dam, excepted to the jurisdiction of the court to which the governour resorted. Chief Justice Morris supported the exception; but Messrs. De Lancey and Phillipse, two of the judges, overruled the plea. Morris published his opinion, and Cosby removed him from office and placed De Lancey in his seat. This the military governour did, without consulting his own, and his majesty's council, and thereby set himself in opposition to that body.

The order for overruling the plea of Smith and Alexander was delivered in presence of a crowded court room; where was expressed great indignation, and immediately after, (the 9th of April, 1733,) Governour Cosby departed to his province of New Jersey. On his return, in August, he presented Mr. James Delancey at the council board, (where there was then no quorum,) as chief justice, without asking any opinion from those present; and Phillipse as second judge. The council at this time consisted of Messrs. Clark, Harrison, Kennedy, Horsemanden, Colden, De Lancey, Lane, Cortlandt, Livingston and Phillipse. These judges (De Lancey and Phillipse) were appointed during pleasure.

The province was now divided into two violent parties; the democrattick or popular, sided with Van Dam; the aristocratick or people of figure, with Cosby; who, notwithstanding his unpopular measures and conduct, still held a majority in the house of representatives. His advisers caused him to propitiate the people
1734 ple by several popular acts in the session of June, 1734, but the opposition assailed the court of exchequer, counsel was heard for and against it, but nothing definite resulted. During this session, the quakers obtained the same exemption from oaths as allowed in England; and appropriations were made for fortifications. The privilege of testifying without oath, which places the character

of a quaker higher than that of any other citizen, was at this time formally obtained, in consequence of the sheriff, at an election, insisting upon the oath from the people of that sect, contrary to existing custom.

Bradford, who had in 1687, set up the first printing press in Pennsylvania, while yet there was none in New York, was at this time the government printer, and issued a newspaper weekly, in the latter city.*

This publication was occupied exclusively by the governour's friends, and in support of his measures: but the patriots, as they were then called, who sided with Van Dam, did not lack an engine for offence and defence. Zenger, who acknowledges in one of his journals, that he was indebted to Queen Anne for paying his passage to America, published at this time a weekly paper in New York; and this was the mouth-piece of opposition to Cosby, and support to Van Dam. The writers in Zenger's journal attacked every branch of the government, for Cosby had with him a majority of the council and house of assembly.

Mingled with this controversy, was a charge brought against Mr. Harrison, one of the council, of having written a paper threatening Mr. Alexander and family, unless money was deposited in a certain spot for the writer. It was supposed that Harrison, wished (the writing was declared to be his,) to provoke a criminal prosecution for the purpose of establishing a precedent of convicting, "on the proof of a similitude of hands," and then by imitating the hand writing of one of the popular leaders, convict him on the same proof, punish him, and by the governour's pardon protect Harrison. The paper being brought before the grand jury, Mr. Alexander, argued against their finding an indictment upon such grounds. The matter was laid before the council, who declared Mr. Harrison incapable of the act, and offered £50 by proclamation, for the discovery of the writer.† The suspicion still rested

* Bradford's press, in Philadelphia, was situated near the tree called the "treaty tree," under whose boughs William Penn made his purchase of soil from the Delawares. The first sheet printed by Bradford was an almanack; and the first book printed by him, was written by George Keith, teacher of the first school established in Pennsylvania. Keith had entered into a controversy with the quakers who had employed him, and their wrath drove the printer to New York; where, in 1725 he commenced the first newspaper which had been published in that province. It will be recollected, that the earlier governours sent from England, were instructed not to permit such a pestiferous engine to be erected.

† In William Bradford's New York Gazette, for February the 25th, 1733, will be found a proclamation, offering a reward of £50. for discovering the author of a letter, threatening James Alexander, and his family, with destruction, if certain "villanous demands" are not complied with: and reward and pardon, to any accomplice making discovery. In Zenger's (or the democrattick) Journal, Francis Harrison, one of the council, is charged with writing this "villanous" incendiary epistle containing said threatnings; and the idea is conveyed, that he wrote the

upon Harrison, and some other mal-practices coming to light, he left the country.*

This, although not the commencement of the division between the aristocratick party, who looked to England for riches and honour; and who were supplied from thence, with leaders and authority, and the democracy, ever ready as it has been found in this country, to assert its rights, and present an undaunted front of opposition; yet it may be well to trace the progress of this division, until it resulted in throwing off that transatlantick authority, which claimed the right of legislating for those who had sought a refuge in America, from *European legislation*—until the hand which (under the pretence of protection,) was stretched forth with chains, disguised as garlands, was repulsed with indignation, and blows, by those who saw the irons through the roses.

Great Britain found many of the leading men in the provinces of New York, and in New Jersey, ready to accept offices, and titles of supposed honour; but there were among the leaders, those who saw the intended vassalage of the country; and others who joined in the cry of patriotism from jealousy of rivals. We know that the mixed motives on both parts, will not bear the appellation of pure, or deserve the unqualified reproach of being sordid; individuals of both parties, deserve either appellation. I will endeavour to trace the effects we now feel to their causes, within the limited sphere, I have assigned to my researches.

It is well, both as it is curious, and instructive, to keep in mind the leading families, who at this time and before, took part for or against the people. In 1689, all the aristocratick party were linked together, and opposed to the people: in 1734, we find them divided, and that division is to be perceived more distinctly, at the period of final rupture with England, in 1776. We find in 1734, on the part of the aristocracy, and of England, the names of Colden, Kennedy, De Lancey, Cortlandt, and Phillipse: these families were all friends to the same part in 1776: but Morris and Alexander, and their descendants, as now in 1734, were ranged on the popular side; and in 1776, the Schuylers and the Livingstons were fully with them.

I return from this digression, if it is one, to the affairs of 1734, and particularly those of Zenger, and Van Dam.

The squibs, ballads, serious charges, and above all, home truths in the Democratick Journal, irritated Cosby and his council to madness.

letter for the purpose of throwing odium, or otherwise injuring the democratick party. In Bradford's paper, again Harrison declares the charge false and malicious. Out of this, in part, grew the imprisonment and trial of Zengre.

* See Appendix, V.

The objections raised against the court, in which Cosby wished to decide his controversy with Van Dam, lay principally against the judges of the supreme court, being at the same time, barons of the exchequer. "Had the governour appointed other barons, all clamour against the legality of the court must have ceased," says Chief Justice Smith. But this was not Cosby's aim. The new Chief Justice De Lancey in vain laboured to procure an indictment against Zenger. In the October term he renewed his efforts. He called the attention of the grand jury to certain low ballads, which he charged to be libels. "Sometimes, (says the judge,) heavy, half-witted men get a knack of rhyming, but it is time to break them of it when they grow abusive, insolent, and mischeivous with it." The ballads being presented, were ordered to be burnt by the common whipper; and the inquest, on their addressing the governour for a proclamation offering a reward for a discovery of the author, received a gracious answer.

The council, about the same time, urged the assembly to a conference for detecting the writer of certain other libels in Zenger's Journal. The council addressed the governour, desiring the printer to be prosecuted. The papers were laid before the assembly, but they ordered them to lie on the table.

The council on the 2nd of November, made the following order: "Whereas, by an order of this board, of this day, some of John Peter Zenger's Journals, entitled, The New York Weekly Journal, containing the freshest advice, foreign and domestick, No. 7, 47, 48, 49, were ordered to be burnt by the hands of the common hangman, or whipper, near the pillory in this city, on Wednesday, the 6th instant, between the hours of eleven and twelve in the forenoon, as containing in them, many things tending to sedition and faction, to bring his majesty's government into contempt, and to disturb the peace thereof, and containing in them likewise, not only reflections upon his excellency the governour in particular, the legislature in general, but also upon the most considerable persons in the most distinguished stations in this province; it is therefore ordered, that the mayor, and magistrates of this city, do attend the burning of the several papers or journals aforesaid, numbered as above mentioned.—Fred. Morris, D. Cl. Con."

"To Robert Luring, Esquire, mayor of the city of New York, and the rest of the magistrates for the said city and county."

"When the sheriff moved for the compliance of the magistrates at the quarter sessions, the court would not suffer the order to be entered, and the aldermen offered a protest against it, as an arbitrary and illegal injunction. Harrison, the recorder, was present, and put to a defiance for its justification. He mentioned the example of the lords in Sacheverel's case, and their proceedings against bishop Burnet's pastoral letter, and withdrew. They for-

bade even their whipper to obey it, and his place was supplied by a negro slave of the sheriff's; the recorder, and a few dependants upon the governour, honoured the solemnity of executing this edict with their presence. Not many days after, Zenger, in pursuance of a proclamation, was seized, thrown into jail, and denied pen, ink, and paper. His friends procured a habeas corpus for his enlargement. The exceptions to his return were argued by his council, Messrs. Alexander and Smith.

“The prisoner swore, that, except the tools of his trade, he was not worth forty pounds in the world, and yet bail was exacted in the penalty of £800; upon this he was enlarged, and being well supported, prosecuted his paper.”

But before this enlargement, which Chief Justice Smith speaks of, (unless it was the enlargement, of communicating through the hole in the door,) Zenger, on the 25th of November, 1734, in his paper of that date, apologizes for not printing the last weekly journal, as the governour, by warrant, had put him in jail;* but as now he had the liberty of speaking through the hole in the door, he could continue to entertain his customers by publishing his journal. In answer to one of his opponents, he acknowledges, that he “was brought over, at the charitable expense of the crown,” for which he returns thanks to Queen Anne. In another passage, he says, that Harrison had threatened to cane him; but his sword would protect him. In those days, swords were almost as common as wigs, and worn as part of the dress.

1735 In April term, 1735, Zenger's council, or the champions of the people, Messrs. Alexander and Smith, filed exceptions to the commissions of the judges, De Lancey and Phillipse. First, to the tenure, which was at will and pleasure. Second, to the investiture. Third, to the form. And lastly, to the want of evidence, that the council concurred with the governour in their appointment.

The judges, of course, repelled this attack, and on the 16th of April, Mr. De Lancey, chief justice, addressing Mr. Smith, said: “You have brought it to that point, that either we must go from the bench, or you from the bar.”—And the counsel were silenced.

The court assigned Mr. Chambers as counsel for John Peter Zenger, who pleaded the general issue for his client, and obtained a rule for a struck jury.

The trial was brought on at the court in July, and nothing omitted by the silenced lawyers to give it a favourable issue. The press had groaned all the preceding vacation, with every species of com-

* It must be constantly borne in mind, that the prisons, jails or dungeons, of New York, were at this time, and until 1756 or 1760, all under the roof of the City Hall, in Wall street; consequently the jail Zenger speaks of was a room in this building.

position, tending to animate, alarm, inform, or captivate the minds of the multitude; and the stratagem to deprive the defendant of help, disserved the end for which it was intended. Aware of the inadmissibility of all proof to justify the libels, they had the art to exhibit them to the public by the press, and at clubs, and other meetings for private conversation; and, considering the inflamed state of a small county, consisting at that time of less than a thousand freeholders qualified for jurors, it was easy to let every man perfectly into the full merits of the defence. Besides, he drew some advantages from a struck jury, since he could nearly conjecture, out of a pannel of twenty-four men, which of the twelve would be charged with his cause.

These preparations being made, Mr. Hamilton, who had been secretly engaged, presented himself on the day of trial as the champion of liberty. He was a member of one of the inns of court, an opulent citizen of Philadelphia, in high reputation at the bar. He had art, eloquence, vivacity, and humour, was ambitious of fame, negligent of nothing to ensure success, and possessed a confidence which no terrors could awe.

He asserted, that the matters charged were *the truth*, and therefore *no libel*. He ridiculed the notion advanced by the judges, that "a libel was more dangerous for being true." His debates with the court persuaded the jury, before he addressed them, that the refusal of the judges to permit evidence of the truth of the publications, added to the tyranny of which the people complained; and then, turning to the jury, he recapitulated the passages in the journal — asserted them to be true — and left his client in the hands of the jury, who pronounced him not guilty.

Shouts shook the hall. The judges threatened the leader of the tumult with imprisonment; when a son of Admiral Norris declared himself the leader, and invited a repetition of the huzzas. The judges had no time for a reply, for the shouts were instantly repeated, and Mr. Hamilton was conducted from the hall, by the crowd, to a splendid entertainment. The whole city renewed the compliment at his departure the next day; he entered the barge under a salute of cannon, and the corporation presented him with the freedom of the city in a gold box, on which its arms were engraved, encircled with the words, "Demersæ leges — timefacta libertas — hæc tandem emergunt;" in a flying garter within, "Non nummis, virtute paratur;" and on the other front, "Ita cuique eveniat ut de republica meruit."

I will here give a note, made by Chancellor Kent:

"Report of the case of Peter Zenger, printer of the New York weekly journal. [This paper was commenced November 5th, 1733.] On the 17th of November, 1734, Zenger was arrested and imprisoned by the order of the council, for printing and

publishing seditious libels. He was then brought before the chief justice, on habeas corpus, and his counsel objected to the legality of the warrant, and insisted on his being admitted to bail. (James Alexander and William Smith were his counsel.) He was ordered to give bail in £400, with two sureties, each in £200. As he swore that he was not worth £40, the tools of his trade and wearing apparel excepted, he could not give bail, and was re-committed. On 23th January, 1735, the grand jury having found no bill against him, the attorney-general filed an *information* against him, for a false, scandalous, malicious and seditious libel. His counsel took exceptions to the commissions of the chief justice and Judge Phillipse, because the commission ran *during pleasure*, and not during good behaviour, and were granted by the governour, without the advice and consent of the council. The court, on the 16th of April, refused to hear or allow the exceptions; and to punish the counsel for making them, they, by order, *excluded them from the bar*, for denying the legality of the commissions of the two judges. The court then, on the petition of the printer, appointed John Chambers, Esq., his counsel, and he pleaded not guilty to the information. The court, on motion, ordered a *struck jury*. The trial came on in the supreme court, before those two judges, (James De Lancey, chief justice, and Frederick Phillipse, puisne judge; R. Bradley, attorney-general.)

“The printing and publishing were confessed, and Mr. Hamilton, of Philadelphia, the counsel for the prisoner, in conjunction with Mr. Chambers, insisted in his defence, on the truth of the facts charged as libellous. The chief justice told the counsel for defendant, that he could not be admitted to give the truth of the libel in evidence. Mr. Hamilton insisted that the jury were judges of both the law and the fact. Verdict, not guilty.

“The corporation of New York, in common council, thereupon presented *Andrew Hamilton, Esq.*, of Philadelphia, barrister at law, with the freedom of the city, in a gold box, ‘for his learned and generous defence of the rights of mankind and the liberty of the press.’”

The trial of John Peter Zenger makes so important a feature in the picture of New York in 1734 and 1735, that I will, before closing this chapter, dwell at length upon the subject.

Dr. John W. Francis tells us, in his description of the city of New York,* that the late Gouverneur Morris told him that “the trial of Zenger, in 1735, was the germ of American freedom—the morning star of that liberty which subsequently revolutionized America.”

It throws light upon the state of the province, the feelings of the

* Printed in the American edition of Dr. Brewster's Encyclopedia, and p. 400, of Hinton's History and Topography of the United States of America.

people, their opposition to the mode of government fastened upon them by England, and consequently upon their conduct thirty and forty years after. It proves the prevailing opinion entertained of Governour Cosby, his council, and his judges; and it exhibits the character and talents of Andrew Hamilton, which is passed over slightly by William Smith, the son of one of the silenced lawyers.*

I have given the brief and luminous note of Mr. Kent; but as the trial, published at the time, by Zenger, and republished in Lancaster by W. Dunlap, in 1756, is scarce, and the state trials rarely consulted, I will, for the above reasons, make extracts from it, and endeavour by comment, to elucidate it.

The words charged to be a false, scandalous, malicious, and seditious libel, are these; "Your appearance in print at last, gives a pleasure to many, though most wish you had come fairly into the open field, and not appeared behind retrenchments made of the supposed laws against libelling: these retrenchments, gentlemen, may soon be shewn to you and all men to be very weak, and to have neither law nor reason for their foundation, so cannot long stand you in stead: therefore, you had much better as yet leave them, and come to what the people of this city and province think are the points in question. They think as matters now stand, that their liberties and properties are precarious, and that slavery is like to be entailed on them and their posterity, if some past things be not amended, and this they collect from many past proceedings." "One of our neighbours of New Jersey being in company, observing the strangers of New York full of complaints, endeavoured to persuade them to remove into Jersey; to which it was replied, that would be leaping out of the frying-pan into the fire; for, says he, we both are under the same governour, and your assembly have shown with a witness, what is to be expected from them; one that was then moving from New York to Pennsylvania, to which place it is reported several considerable men are removing, expressed in terms very moving, much concern for the circumstances of New York, and seemed to think them very much owing to the influence that some men had in the administration; said he was now going from them, and was not to be hurt by any measures they should

* This gentleman was the Andrew Hamilton, whose speech, Proud, the historian of Pennsylvania, gives upon the occasion of his taking leave of the assembly, of which he had been the speaker, on account of age and infirmities. This was in 1739, only five years after his celebrated defence of Zenger. He died in 1741, "in the latter end of the summer," says Proud.—"He had filled several considerable stations both in the government of Pennsylvania and the lower counties, with honour, integrity, and ability. He was a lawyer of great note, and acquired much reputation, particularly in Zenger's famous trial in New York." This celebrated barrister was an Englishman, educated and in practice before coming to this country, and must not be confounded with the Deputy-governour of Pennsylvania, who died in 1703 or 4.—See Historical Review, published in London, 1769.

take ; but could not help having some concern for the welfare of his countrymen, and should be glad to hear that the assembly would exert themselves as become them, by shewing that they have the interest of their country more at heart, than the gratification of any private view of any of their members ; or being at all affected by the smiles or frowns of a governour ; both which ought equally to be despised, when the interest of their country is at stake. You, says he, complain of the lawyers, but I think the law itself is at an end. We see men's deeds destroyed, judges arbitrarily displaced, new courts erected without consent of the legislature, by which it seems to me, trials by juries are taken away when a governour pleases ; men of known estates denied their votes, contrary to the received practice of the best expositor of any law. Who is then in that province that can call any thing his own, or enjoy any liberty longer than those in the administration will condescend to let them do it, for which reason I left it, as I believe more will."

We have seen, that the grand jury would not find a bill against the printer, and that his adversaries proceeded by the infamous mode of information. When the trial came on, Mr. Hamilton avowed the printing and publishing as being the truth.

Even the names of the struck jury possess interest at this day : Harmanus Rutgers, Stanly Holmes, Edward Mann, John Bell, Samuel Weaver, Andries Marchalk, Egbert Van Borson, Thomas Hunt — foreman, Benjamin Hildreth, Abraham Keteltas, John Goelet, Hercules Wendover.

Hamilton confessed the printing and publishing. Bradley observed that "the jury *must* find a verdict for the king." "Not so, Mr. Attorney," said Hamilton, "there are two words to that bargain : I hope it is not our bare printing and publishing a paper that will make it a libel : you will have something more to do, before you make my client a libeller ; for the words themselves must be libellous, that is, false, scandalous and seditious, or else we are not guilty." Bradley gave the usual definition of a libel : he asserted, "that whether the person defamed is a private man or magistrate, whether living or dead, whether the libel is true or false, or if the party against whom it is made is of good or evil fame, it is nevertheless a libel : for in a settled state of government, the party grieved, ought to complain for every injury done him, in the ordinary course of the law. And as to its publication, the law had taken so great care of men's reputations, that if one maliciously repeats it, or sings it, in the presence of another, or delivers the libel or a copy of it over, to scandalize the party, he is to be punished as a publisher of a libel. He said, it was likewise evident, that libelling was an offence against the law of God : Acts xxiii, 5. Then said Paul, I wist not, brethren, that he was the high priest ; for it is written, thou shalt not speak evil of the ruler of the people.

2 Pet. x, 11.—Despise government, presumptuous are they, self-willed, they are not afraid to speak evil of dignities, &c. He then insisted that it was clear, both by the law of God and man: that it was a very great offence to speak evil of, or to revile those in authority over us; and that Mr. Zenger had offended in a most notorious and gross manner, in scandalizing his excellency, our governour, who is the king's immediate representative, and the supreme magistrate of this province. Mr. Chambers, who had been appointed by the court to defend Zenger, after Smith and Alexander were silenced, addressed the jury; and then Hamilton followed. He insisted, that the just complaint of a number of men suffering under the bad administration of a government, was no libel. He said, that Bradley, by reading and expounding the *information*, had shown that the prosecution had been directed by the governour and council; and by the appearance of the crowded court, it was apparent that people think there is a great deal more at stake than appears on the surface of this business; and, therefore, he should be both plain and particular in what he had to say. He pointed out, that the authorities Bradley had cited, were from that terrible and long exploded court, the star-chamber. "Is it not surprising," he said, "to see a subject, upon his receiving a commission from the king to be a governour of a colony in America, immediately imagining himself to be invested with all the prerogatives belonging to the sacred person of his prince? And which is yet more astonishing, to see that a people can be so wild as to allow of and acknowledge those prerogatives and exemptions, even to their own destruction? Is it so hard a matter to distinguish between the majesty of our sovereign, and the power of a governour of the plantations?" He showed the folly of such supposition. He insisted on the rights of a freeholder in New York being as great as those of a freeholder in England.

Bradley, the attorney-general, interrupted the barrister, and insisted that the confession of publication, was a confession that Zenger was guilty of what was charged in the *information*, as scandalous and leading to sedition.

Hamilton observed, that Mr. Attorney now omitted the word *false*. "We are charged," he said, "with printing and publishing a certain false, malicious, seditious and scandalous libel. This word *false*, must have some meaning, or else how came it there? I hope Mr. Attorney will not say, he put it there by chance, and I am of opinion his *information* would not be good without it. But to show that it is the principal thing which, in my opinion, makes a libel, I put the case, if the *information* had been for printing and publishing a certain *true* libel, would that be the same thing? Or could Mr. Attorney support such an *information* by any precedent in the English law? No; the falsehood makes the scandal, and

both make the libel. And to show the court that I am in good earnest, and to save the court's time and Mr. Attorney's trouble, I will agree, that if he can prove the facts charged upon us to be false, I will own them to be scandalous, seditious, and a libel. So the work seems now to be pretty much shortened, and Mr. Attorney has now only to prove the words *false*, in order to make us guilty." He then offered to save Mr. Attorney the trouble of proving the papers to be false, and would prove them to be *true*. To this, Mr. Chief Justice De Lancey objects.—"You cannot be admitted, Mr. Hamilton, to give the truth of a libel in evidence. The law is clear, that you cannot justify a libel."

"*Mr. Hamilton.*—I own that, may it please your honour, to be so: but with submission, I understand the word *justify*, there to be a justification by plea, as it is in the case upon an indictment for murder, or an assault and battery; there the prisoner cannot justify, but plead not guilty. Yet it will not be denied but he may, and always is, admitted to give the truth of the fact, or any other matter in evidence, which goes to his acquittal; as in murder—he may prove it was in defence of his life, his house, etc.; and in assault and battery—he may give in evidence, that the other party struck first—and in both cases he will be acquitted. And in this sense I understand the word *justify*, when applied to the case before the court.

"*Mr. Chief Justice.*—I pray show that you can give the truth of a libel, in evidence.

"*Mr. Hamilton.*—I am ready." After referring to an authority in Coke's third Institute, he proceeds. "Now, sir, by this judgment, it appears the libellous words were utterly false, and there the falsehood was the crime, and is the ground of that judgment: and is not that what we contend for? Do not we insist, that the falsehood makes the scandal, and both make the libel?—And how shall it be known whether the words are libellous—that is, true or false—but by admitting us to prove them *true*?"

Mr. Hamilton proves it to be both monstrous and ridiculous to assert, that truth makes a worse libel than falsehood. He recites a case in which Lord Chief Justice Holt asks of the person accused as a libeller, "Can you make it appear they are true? Have you any witnesses? You might have had subpœnas for your witnesses against this day. If you take upon you to write such things as you are charged with, it lies upon you to prove them true, at your peril. If you have any witnesses, I will hear them. How came you to write those books, which are not true? If you have any witnesses, produce them. If you can offer any matter to prove what you have wrote, let us hear it."

After some consultation, De Lancey said, "Mr. Hamilton, the court is of opinion you ought not to be permitted to prove the facts

in the papers:" and the chief justice proceeded, "these are the words of the book: 'It is far from being a justification of a libel, that the contents thereof are true, or that the person on whom it is made, had a bad reputation, since the greater appearance there is of truth in any malicious invective, so much the more provoking it is.'"

These cases, Hamilton called star-chamber, and the court reproved him, but permitted him to address the jury.

"Then, gentlemen of the jury, it is to you we must appeal for witnesses of the facts." They being summoned out of the neighbourhood, were the best judges of the truth, and they are to take upon them to say, that the papers are false, scandalous and seditious.

After some further contest with the attorney and court, Hamilton said, "I know the jury have a right to determine both the law and the fact, and they ought to do so." Leaving to the court to determine "whether the words are libellous or not, renders juries useless, or worse." He afterwards said, "But when the ruler of a people brings his personal failings, but much more his vices, into his administration, and the people find themselves affected by them, either in their liberties or properties, that will alter the case mightily, and all the high things that are said in favour of rulers and of dignitaries, and upon the side of power, will not be able to stop people's mouths, when they feel themselves oppressed—I mean in a free government. It is true, in times past, it was a crime to speak truth, and in that terrible court of star-chamber, many worthy and brave men suffered for so doing; and yet even in that court, and in those bad times, a great and good man durst say, what I hope will not be taken amiss of me to say in this place, to wit: The practice of informations for libels, is a sword in the hands of a wicked king, and an arrant coward, to cut down and destroy the innocent; the one cannot, because of his high station, and the other dares not, because of his want of courage, revenge himself in another manner."

"Our constitution," said the barrister, "gives us an opportunity to prevent wrong, by appealing to the people." "And has it not often been seen (and I hope it will always be seen,) that when the representatives of a free people are by just representations or remonstrances, made sensible of the sufferings of their fellow subjects, by the abuse of power in the hands of a governour, they have declared (and loudly too) that they were not obliged by any law to support a governour who goes about to destroy a province or colony, or their privileges, which by his majesty he was appointed, and by the law he is bound to protect and encourage. But I pray it may be considered, of what use is this mighty privilege, if every man that suffers must be silent? And if a man must be taken up as a libeller, for telling his sufferings to his neighbour? I know it

may be answered,—have you not a legislature? Have you not a house of representatives, to whom you may complain? And to this I answer, we have: but what then? Is an assembly to be troubled with every injury done by a governour? Or are they to hear of nothing but what those in the administration will please to tell them? Or what sort of a trial must a man have? And how is he to be remedied—especially if the case were, as I have known it to happen in America in my time—that a governour who has places (I will not say pensions, for I believe they seldom give that to another, which they can take to themselves) to bestow, and can or will keep the same assembly (after he has modelled them so as to get a majority of the house in his interest) for near twice seven years together? I pray what redress is to be expected for an honest man, who makes his complaint against a governour to an assembly, who may properly enough be said to be made by the same governour, against whom the complaint is made?”

We here see the light in which Cosby's conduct was viewed by just men, and the opinion which the wise had of governours, in the year 1735. Again: “And when a house of assembly, composed of honest freemen, sees the general bent of the people's inclinations, that is it which must and will (I am sure it ought so) weigh with a legislature, in spite of all the craft, caressing, and cajoling, made use of by a governour, to divert them from hearkening to the voice of their country. As we all very well understand the true reason why gentlemen take so much pains, and make such great interest to be appointed governours, so is the design of their appointment not less manifest.”

He comes to the conclusion “that the man who was neither good nor wise before his being made a governour, never mended upon his preferment, but has generally been observed to become worse.” He alluded to those who might wish well to the present prosecution, from attachment to the governour, or “from their own or their relation's dependence on him.” The reader will remember that both De Lancey and Phillipse held their seats as judges, during the governour's pleasure. As may be supposed, the veteran barrister dwelt at great length on topics which are here scarcely noticed; and I consider his address to the jury not only eloquent, but as coming from an old man who saw all the vices of colonial government, and represented them pretty much as the people generally felt them, forty years afterward. “I think it will be agreed, that ever since the time of the star-chamber, where the most arbitrary and destructive judgments and opinions were given, that ever an Englishman heard of, at least in his own country—I say, prosecutions for libels since the time of that arbitrary court, and until the glorious revolution, have generally been set on foot at the instance of the crown or its ministers: and it is no small reproach to the law,

that these prosecutions were too often and too much countenanced by the judges, who held their places at pleasure, a disagreeable tenure to any officer, but a dangerous one in the case of a judge."

He mentioned the "complaisance of court judges," in the case of Sir Edward Hales, who enjoyed the office of colonel in James the Second's army, notwithstanding that he was an avowed Roman Catholic, (in despite of a statute to the contrary,) because the judges, holding their seats at the king's pleasure, declared the king's dispensing power above an act of parliament. A portion of Mr. Hamilton's argument went to show that juries might with propriety differ from the court; he instanced the case of Penn and Mead, "who being quakers, and having met in a peaceable manner, after being shut out of their meeting-house, preached in Gracechurch street, in London, to the people of their own persuasion, and for this they were indicted; and it was said, that they with other persons, to the number of 300, unlawfully and tumultuously assembled, to the disturbance of the peace, etc.: to which they pleaded not guilty; and the petit jury were sworn to try the issue between the king and the prisoners, that is, whether they were guilty, according to the form of the indictment? Here there was no dispute, but they were assembled together to the number mentioned in the indictment: but whether that meeting together was riotously, tumultuously, and to the disturbance of the peace? was the question; and the court told the jury it was, and ordered the jury to find it so; for, said the court, the meeting was the matter of fact, and that is confessed, and we tell you it is unlawful, for it is against the statute; and the meeting being unlawful, it follows of course that it was tumultuous, and to the disturbance of the peace. But the jury did not think fit to take the court's word for it, for they could neither find riot, tumult, or any thing tending to the breach of the peace, committed at that meeting; and they acquitted Mr. Penn and Mead: in doing of which, they took upon them to judge both the law and the fact."

The barrister showed, that by *innuendo*, scripture might be made libellous, and with great humour, quoted a passage from Isaiah: "His watchmen are all blind, they are ignorant, &c. Yea, they are greedy dogs, that can never have enough. But to make them a libel, there is, according to Mr. Attorney's doctrine, no more wanting but the aid of his skill in the right adapting his *innuendoes*. As, for instance: His watchmen *innuendo*, the governour's council and assembly are blind, they are ignorant, *innuendo*, will not see the dangerous designs of his excellency. Yea, they (the governour and council, meaning) are greedy dogs, which can never have enough, *innuendo*, enough of riches and power."

He concluded thus: "I am truly very unequal to such an undertaking, on many accounts; and you see I labour under the weight

of many years, and am borne down with great infirmities of body ; yet old and weak as I am, I should think it my duty, if required, to go to the utmost part of the land, where my service could be of any use in assisting to quench the flame of prosecutions upon informations, set on foot by the government, to deprive a people of the right of remonstrating (and complaining too) of the arbitrary attempts of men in power. Men who injure and oppress the people under their administration, provoke them to cry out and complain, and then make that very complaint the foundation for new oppressions and prosecutions. I wish I could say there were no instances of this kind. But to conclude : the question before the court, and you, gentlemen of the jury, is not of small nor private concern ; it is not the cause of a poor printer, nor of New York alone, which you are now trying : No ! It may in its consequences affect every freeman that lives under a British government on the Main of America. It is the best cause—it is the cause of liberty—and I make no doubt but your upright conduct this day, will not only entitle you to the love and esteem of your fellow-citizens, but every man who prefers freedom to a life of slavery, will bless and honour you, as men who have baffled the attempt of tyranny, and by an impartial and uncorrupt verdict, have laid a noble foundation for securing to ourselves, our posterity, and our neighbours, that, to which nature and the laws of our country have given us a right—the liberty—both of exposing and opposing arbitrary power, (in these parts of the world, at least,) by speaking and writing truth.”

It has been already said, that the jury pronounced the prisoner “not guilty.” The people applauded the verdict, and the Corporation of New York did themselves honour, by honouring the defender of the rights of man : I have to record transactions of the same body, of a very dissimilar character.

CHAPTER XX.

Colonial history of New York; why valuable—City; description of—Manners of the times—Lord Augustus Fitzroy; his reception, and the consequences—Death of Governour Cosby, and promulgation of the suspension of Van Dam—Struggle for power between Clarke and Van Dam, terminated by a mandate from England—Morris—Disfranchisement of the Jews—Management and abilities of Clarke.

1732 HAD it been possible to arrest the progress of New York, in its growth, from a few trading huts for buying peltry from savages, to its present state—a *great republican empire*—to have cut short its existence, before that great trial commenced, the issue of which proved the folly, and injustice, of depriving Englishmen of their rights, because they had removed to a distance from home, for the purpose of enjoying those rights uninterruptedly—if our history reached no further than that state of dependence, which the government and people of England wished to perpetuate, when the colonists were prohibited, for the supposed benefit of the mother country, from using, for their own good, the materials nature had given them, and the ingenuity they brought from home, and, in the language of the great Pitt, Lord Chatham, (a man so erroneously considered as the colonist's friend, when he advocated measures that were intended for England's enrichment, and the bond of the province,) in that expressive sentiment uttered by him, "that he would prohibit the colonies from manufacturing even a hob-nail,"—if we rested in that state of childlike dependence, instead of manufacturing according to our wishes, those things which our state of manhood required—if, in short, the history of New York had ceased, after recording the disputes of Van Dam and Cosby, and the intrigues of their enemies or friends, though we might lament that the actions of good men, would be lost to posterity; yet, as leading to no permanent political consequence, the history of New York, would have been nearly worthless. But as a chain of events characterizing the progress to our present greatness; every fact that can be rescued from oblivion, and so placed on the record, as to show the advancement from the paltry province to a mighty sovereign state, becomes of immense importance. It

is this consideration that has made me dwell with delight, on the characters of Peter Stuyvesant, Jacob Leisler, Peter Schuyler, Andrew Hamilton, and other patriots, Dutch, American, and English; as well as on the virtues of the Hibernian, Richard Coote, Earl of Bellamont, and the learned, wise, and benevolent Briton, William Burnet; and assures me, that by showing one continued chain of events, however trivial in the commencement, which led ultimately and inevitably, to the great results which we now witness, I am doing an essential service to my fellow men.

The origin of Rome, the boasted eternal city, is sought amidst fables; and every absurd legend is cherished as a part of the education of the modern race: how much more important to the Americans, is the true record, of the origin of this empire: and the steps by which the greatness was attained, which he now witnesses. With these views, I will here notice the state of the city of New York, about the period under consideration.

The advertisements in the old newspapers give one a more decided view of the manners of this time, than any intentional essay could do. I likewise gain some knowledge of the state of the city at that period; for example, in Zenger's Weekly Journal, dated Monday, July the 29th, 1734, I find, "to be sold, 6 lots of land, on the west side of the Swamp or Cripplebush, three of them fronts the row that leads from Spring Garden to the Fresh Water, the other three, the street next to the Swamp; there is three good houses on them, one in the possession of Mrs. Scott. Enquire of Anna Ten Eyck, near Coenties market." This I copy literally. I have before remarked, that the houses were not numbered, and the streets were not at all times called by the same name; in this instance we have a "street and a row," without names. It will be amusing to discover the situation of these advertised lots, and mark their present state. There were, as may be seen by the map of 1729, two swamps in the city: the swamp well remembered by me, as *such par excellence*, is in the map, called Beekman's Swamp, lying in Montgomerie's Ward, and is the most southerly of the two: now it is occupied by Ferry street, Frankfort street, Vandewater street, etc. To the east of this, is a more extensive swamp and meadow, which I suppose to be that called in the advertisement *Cripplebush*: now occupied by Oliver, James, Catherine, Roosevelt, Oak, and other streets, and lying between Cherry and Pearl streets. The *Fresh Water*, or *Kolk*, or *Collect*, is a part of Centre street, the Halls of Justice, the Five Points, etc. Chatham street was at this time (1734) the high road to Boston; and the part of present Pearl Street, from Cherry street to Chatham, (or the Boston road,) was nameless. Now we must look for Mrs. Anna Ten Eyck's six lots, and four houses, east of Pearl street, (before descending to the Swamp or Cripplebush,) perhaps in the neighbourhood

of Madison street. Spring Garden, (probably a place of rural recreation for the citizens,) was between Beekman's Swamp, and the Cripplebush; or on Pearl street, as now occupied and called, between the junction of Cherry, Pearl, and Chatham streets.

To return to our history. Colonel Cosby was one of those military gentlemen, who looked to their connexions with the nobility at home, for preferment abroad. His brother, Major Cosby, was of the same class, and had been lieutenant-governour of Annapolis, but finding the colonel had the power in New York, to give him preferment, (or for reasons unknown to me,) came hither, and thus the common council of our city speak on the occasion. "This corporation being very desirous upon all occasions, to demonstrate the great deference they have, and justly entertain for his excellency, William Cosby, captain general, etc., and for his noble family, order, that the honourable Major Alexander Cosby, brother to his excellency, and lieutenant-governour of his majesty's garrison of Annapolis Royal, and Thomas Freenan, the governour's son-in-law, be presented with the freedom of the city, in silver boxes." In consequence of this resolve, three days after, the corporation waited on the above, and took occasion to compliment the governour most *outrageously*, and likewise his lately married daughter, Miss Grace Cosby, and her wedded lord, Thomas Freeman. But to show the spirit of the times, and the provincial feeling of our city dignitaries, I must relate the manner in which a lord was received into the city and fort. The consequences were not worthy of the occasion.

In October, of the year 1732, arrived a young man, the son of a duke, and himself entitled my lord. He was received as a visiter by the noble family in the fort, and I find it recorded, that on the 20th, "the corporation being informed that the right honourable lord Augustus Fitzroy, son of his grace the Duke of Grafton, lord chamberlain of his majesty's household, etc., arrived in this city to pay a visit to his lady and family," therefore the aforesaid corporation resolve, to wait upon his lordship in a full body, and besides congratulating him upon his safe arrival, to present him with the freedom of the city in a gold box.

This important resolution was carried into effect on the 23d; and the largest article of intelligence to be found in the journals of this year, is, that the mayor, recorder, aldermen, assistants, and other officers of the city, "being informed the Lord Augustus Fitzroy, son of his grace, Charles Duke of Grafton, was arrived at Fort George, on a visit to his excellency, our governour, waited upon the lord, in a full body, and the recorder addressed his lordship, in a speech of congratulation, returning him thanks for the honour of his presence, and presented the freedom of the city in a gold box." I find by another record, that the common council

paid for the said box, £14 Ss. ; and that for one quarter's salary to the public schoolmaster, they paid £10.

A few lines more, and I will dismiss this subject. The Lord Augustus Fitzroy was a youth, and Mrs. Cosby had another daughter (besides that Miss Grace, who was congratulated by the corporation on her marriage with Mr. Freeman,) whose rank and fortune were to be advanced by a marriage with my lord : as this must appear as if done without the consent of the governour, a clergyman was introduced over the ramparts of the fort, and the ceremony performed without license.

If all this appears to be below the dignity of history, it must be remembered, that it is only by such details, that we can estimate the state of society in any given place, at a given time ; or form a true notion of the persons sent by England to rule a province in 1732.

When Governour Cosby died in New York, his wife returned to England, expecting to enjoy the honour secured by the marriage of her daughter to a lord ; but it is said, the great family frowned upon the intrusion, and the lady, like many other match-makers, only reaped shame and disappointment.

1735 The triumph of the people over the governour and his adherents, by the result of Zenger's trial, was not lost upon the leaders of the democracy. Objections were again raised to the exercise of the office of chancellor, by the governour. The citizens by petition represented the long sitting of the assembly, modelled to the governour's views, as a grievance. They attacked the existence of the court of chancery, without the consent of the people.

1736 On the 10th of March, 1736, Governour Cosby died. It may have been observed, that during the persecution of Zenger, by the governour and council, Mr. Van Dam absented himself from the meetings of the second member of the government. He was an oppositionist, and although the oldest counselor, took no part in the governour's measures. On the death of Cosby, the people looked to him as the temporary successor in the government.

The interference of Cosby in the grants by which property was held—his project for a re-survey of the old patents—in all which the people only saw designs for enriching himself—had rendered him extremely odious, and the accession of Van Dam to the rule, was hailed with joy and triumph. But this exultation was checked, by a report that Van Dam had been suspended by the governour, on the 24th of the previous November, although such act had not been made public.

The disappointment was aggravated, by learning that the repre-

sentations of Mr. Morris, (who was gone to England for the purpose of removing Cosby,) had been deemed insufficient.

The council consisting of Clarke, Alexander, Van Horne, Kennedy, De Lancey, Cortlandt, Lane, and Horsemanden, met, and recognizing the suspension of Van Dam, administered the oaths to Mr. Clarke, and issued a proclamation accordingly.

The proclamation was called the unanimous deed of the council, although Alexander protested against it. It is evident, that he must have been in the opposition during all the struggle, and in a very small minority—standing alone, as Van Dam had not appeared for some time.

Posterity has been inclined to judge Cosby more favourably than did Smith, the historian of the time, whose extreme partiality to his father, may have misled him : yet, when we consider the secret suspension of Van Dam, (whom as governour, he had a right to remove,) left to take effect at his death—after he had escaped from the effect of the suspension upon the people, which he knew would draw reproach and bitter enmity upon him : it must appear, as it was, a dastardly deed of policy—the arrow, like that of the Parthian, was sped while shunning the victim, and only intended to take effect when the archer had escaped from the dangers of the fight.

Van Dam, knowing his strength with the people, disputed the validity of this *post mortem* suspension ; and Clarke, supported by the creatures of the late governour, and the party united with them, immediately commenced to officiate as president of the council. Van Dam demanded the seals. Clarke appealed to the king. Van Dam claimed the government as oldest counsellor, and declared the suspension invalid, as being the act of an insane man, delirious at the time with the disease which caused his death. This contradicts the assertion of Smith, that the suspension had existed in private from November to March, and exhibits Cosby as gratifying his enmity on his death bed.

The 14th of October, being the day for appointing officers, each rival exercised that extraordinary function of the presiding office. Parties raged, and violence was threatened ; but a mandate arrived from England in favour of the aristocracy. George Clarke was declared the legal occupant of the colonial throne, and shortly afterwards appointed lieutenant-governour.* Previous to attaining this mark of ministerial favour, Clarke, on the 14th of October, met the assembly, and declared his first speech, in which he reminded them of their promises respecting the revenue made to Cosby,

* The reader is referred to the abstract of the minutes, of the common council, under the head of miscellaneous matters, for traces of this dispute.

touched on his intention to encourage ship building, strengthen the fortifications, and gain the good will of the Iroquois, by settling blacksmiths among them. He likewise introduced the practice of the governour's absenting himself from the council, when that body sat as part of the legislature.

The new lieutenant-governour was born in England, and had been sent out by a friend, to mend his fortune in New York. He came to this country during the reign of Anne, and had sagacity enough to see that the aristocracy possessed the offices of profit, and were supporters of the authority derived from England. Clarke sided with the governours, and they rewarded his services, until as we see, he stood the oldest member of the council, if Van Dam could be suspended, and at the same time his friends in England, were powerful enough to procure his nomination for lieutenant-governour upon Cosby's decease. He now had the game in his own hands, and in a short time could retire home with a governour's, if not a princely fortune.

Morris who had failed in his attempt to overthrow Cosby, managed to secure the government of New Jersey for himself; and seeing that the party who had supported Cosby, and now went with Clarke, were too strong for the democracy in the legislature of New York, he abandoned his seat (for he was at the same time a representative in one province and governour of another,) as an assembly man, and retired to the chair of state, beyond the Hudson.

Property was at this time considered as sufficient qualification for vote or office, without residence; and Mr. Morris was a great proprietor in both New York and New Jersey. He, his son Lewis, and his son-in-law Ashfield, had all rendered themselves obnoxious to the aristocratick party, by supporting Van Dam, and equally popular with the party who were defeated by Clarke's appointment in England.

While Morris was chief justice of New Jersey, he was regularly returned as a member of the assembly in New York, and the rule, which a more enlightened age has established, that residence is necessary to a qualification as a voter or candidate, was considered absurd, and is so represented by Chief Justice William Smith, the historian of New York, although it was even in 1736, upheld by his fathers' coadjutor, James Alexander.

Clarke, who is allowed by Smith to have been a man of genius, exerted himself to gain friends among the people, and at the same time to retain the opposite party. His management was sufficient for both: but he had to fear the appointment of a governour-in-chief, who would wrest the glorious opportunity for accumulating wealth from him. His letters to England, were such as to discourage candidates for the office, and while they hesitated, he employed the time to advantage. The length of time Mr. Clarke

had been in the province, and his acknowledged talents, enabled him to manage the judges, (men thoroughly known to him, and who held their offices at his pleasure,) the council—men within his power—and even the more unmanageable house of assembly, for his purposes. Smith and Alexander were restored to the bar.

1737 The house met in the summer of 1737. James Alexander represented the City of New York. Lewis Morris, the son of the Governour of New Jersey, was chosen speaker. The democrattick or party of the people, prevailed in this branch of the legislature. Their address, in reply to Clarke's very conciliatory speech, was bold and uncompromising. They impute the deficiency of the revenue to prodigality; impeach their predecessors in granting permanent funds, and tax the receivers with ingratitude; roundly assure him that they mean to discontinue that practice; "for," to use their own words, "you are not to expect that we either will raise sums unfit to be raised, or put what we shall raise into the power of a governour to misapply, if we can prevent it; nor shall we make up any other deficiencies than what we conceive are fit and just to be paid, or continue what support or revenue we shall raise, for any longer time than one year; nor do we think it convenient to do even that, until such laws are passed as we conceive necessary for the safety of the inhabitants of this colony, who have reposed a trust in us, for that only purpose, and which we are sure you will think it reasonable we should act agreeably to: and by the grace of God, we will endeavour not to deceive them."

Notwithstanding this, the lieutenant-governour was able to pass through a long session, from August to December, much to his mind. Many popular bills were passed: as to such as were rejected, the people placed the odium on the council, rather than to the opposition of the lieutenant-governour. The militia was remodelled; the practice of the law amended; triennial elections ordained; the importation of base copper money restrained; courts for the summary decision of petty suits established; a mathematical and grammar school encouraged; interest reduced from eight to seven per cent.; the fort at Oswego supported; the Indian trade promoted; paper money emitted for paying the provincial debt; a loan-office erected, and a precedent established of an *annual* provision by the legislature for the government.*

Clarke is said to have destroyed the popularity of many leaders of the democrattick party, by inducing them to accept offers of offices, which he never intended to bestow.

* See Gordon's Gazetteer of New York.

1738 Chief Justice Smith, in his history, attributes the disfranchisement of the Jews to his father's eloquence, and supposes the orator sincere. We have already noticed that this historian, an eminent lawyer in times long subsequent to those of which we treated, censures his father's coadjutor in Zenger's affair—Mr. Alexander—for entertaining an opinion that residence was necessary in a candidate for office. The Chief Justice of Canada upholds the contrary doctrine, which was received and acted upon in 1738 and afterward, and by which a man holding property in Albany was qualified to represent Westchester, or any other portion of the province, of which he knew nothing. We find in the case of the disfranchisement of the Jews, that the same historian praises his father's eloquence, when he persuaded the house of representatives to reject the votes of the Israelites, because their fathers, seventeen hundred years past, had demanded the death of one condemned by their rulers. What must we, at this day, think of either the orator or his audience, who by their decision, sanctioned such monstrous injustice? In a contested election, Mr. Smith is praised by his son, the historian, for asserting that the Jews of New York, though freeholders, were not entitled to vote for the candidate to whom he was opposed. Such were the opinions of men long after 1738.

I must not omit to mention, that Mr. Clarke visited Albany, and endeavoured to prevail upon the Iroquois to reject the offers of the French for the Valley of Irondequoit, where a settlement was projected by the Canadians, much to the injury of Oswego. He not only wished to defeat the designs of the French, by his negotiations with the Indians, but to establish a colony at Irondequoit for the support of the garrison of Oswego: here is a bay formed by an inlet of Lake Ontario, and the soil (now lying between the present Penfield and Brighton,) is rich and fertile. The governour was, however, unable to accomplish his purpose. Another of Lieutenant-governour Clarke's schemes, was to induce a body of Highlanders to emigrate to New York, and settle them as a frontier guard against the encroachments of the French, by the way of Lake Champlain; for they, by building a fort at Crown Point, commanded that lake, and contemplated advancing to what has since been called Skenesborough, and is now Whitehall, and by that means to seize the entrance of Wood Creek. Clarke intended granting to the Scotch emigrants, lands on Wood Creek, and thus throwing them as an avant-guard to impede the French. But Chief Justice Smith asserts, that avarice induced the governour to speculate in this as in other affairs of government.

One of the most atrocious acts of the government of New York, under Mr. George Clarke's administration, according to the statement of William Smith, the historian, was the inducing Laughlin Campbell to sell his estate in Scotland, and with the produce bring

out eighty-three families of Highlanders, to settle upon the wild lands of the north, induced by a promise of Mr. Clarke to grant 30,000 acres to Captain Campbell, for the purposes of cultivation, and as his own property, he becoming lord of this manor. The fact of Campbell being induced by the promise of the government to enter into this speculation, although asserted by Smith, and re-asserted by all who have followed him, is positively denied by Cadwallader Colden, then one of the council, and for many years subsequently, governour of the province.

That Campbell came to this country, (and visited the lands about Wood Creek, so memorable in our history, and which falls into Lake Champlain) is certain; and that, pleased with the soil and the prospect of becoming a great proprietor, he returned home and brought out with him 423 adults with their children, in the hope to settle them on our frontier; but Mr. Colden denies that he did this upon a promise of Governour Clarke to grant him 30,000 acres, or to make any agreement with him for more land than he could bring under cultivation; and he says, positively, that Captain Campbell's application to the government for 30,000 acres, was the first intimation the government had of his pretensions. Mr. Colden further says, that the greater number of the people who came out with Campbell, emigrated at their own expense, and with a view to becoming proprietors; only a part, and that the lesser portion, being brought out by the Highland chieftain, at his cost, and to become tenants to him.*

* For the whole of Governour Colden's letter, I refer the reader to the Appendix.

CHAPTER XXI.

Madness of the people of New York, in what is called the Negro Plot—Horsemanden—Hughson and family—Peggy Cary—Kane—Price—John Ury—Executions—Trial of Ury, and his execution—Reward of Mary Burton.

1742 Negro slavery, the curse of a portion of the United States of America, is a subject that cannot be passed over in silence, by any historian of New York; particularly when we reflect that its abolition has been one, and not the least efficient of the causes of the prosperity and greatness of the EMPIRE STATE. The first evidence of its existence within the territorial bounds, to which I limit myself, is on the first page of the Dutch Records, of 1638, as translated by Adrian Vander Kemp, and deposited in the secretary of state's office, being an agreement between William Kieft, director-general of New Netherland, and John Damen, for the lease of two lots of land, "the largest" it recites "thus far, has been cultivated by blacks." The date of this agreement, is the 19th of April, 1638.

In 1517, under the Emperour Charles V, commenced the practice of transporting Africans as slaves to America. We know in 1562, Sir John Hawkins, with the aid of Sir Lionel Ducket, Sir Thomas Lodge, and Sir William Winter, fixed the stigma upon England, of introducing the slave trade, as a branch of commerce at this early period, among the inhabitants of that trading country.

This trade in the blood, lives, and liberties, of human beings, was then, and has since been excused, and attempted to be justified, by stating that the negroes were benefitted by being kidnapped, chained, confined in floating prisons, of the most loathsome description, murdered if resisting, subjected to disease and death, to the cool mercantile calculation of the number per hundred to be thrown overboard, and to endless labour and stripes, on their arrival in America, inasmuch as the survivors, were transported to a land where they would become civilized, and taught the lessons of christianity.

Such arguments reconciled princes, and nations, to this most inhuman of all the practices which have disgraced civilized man. Such was the theory. In practice the negro was treated as a brute, and by law, prohibited from being taught either in a school, or the

church. But this practice is confined to those countries, where plantations are worked by gangs of slaves. Among the Dutch of New Netherland, and New York, slavery had generally a milder aspect. The number of slaves was comparatively small. The master and his children, if agriculturists, shared the labour of the farm, and in the towns domestick slavery was deprived of many of its odious features in the early days of the colony of New Netherland, and again at a later period; but in 1741, the accumulation of slaves, and the fear from various causes, of their attempting to free themselves, had caused their condition in New York, to be worse than at the earlier or later period.

But these are general characteristicks attached to the practice of slave holding which have their influence, more or less, at all times. It has been observed, that in some languages, the same word expresses slave and thief. When the slave is not a thief, he or she, must be an exception to a general rule. Habituated to experience injustice, debarred from instruction, deprived of the opportunity to accumulate property and the right to possess it, there is a propensity to appropriate the goods of the master, which is only restrained by fear of punishment.*

* Ten years before this period, (in which we, on the subject of slavery, were involved in total darkness,) in which, men hugging themselves in the notion of perfect guiltlessness, while accumulating property by buying and selling their fellow-men, or seizing and wresting them from their homes; in which, men fattening in idleness upon the compelled labour of others, could think they were without sin: even then, Anthony Benezet had settled in Philadelphia, and become a quaker.— This good man was born in England, though of French protestant descent, in 1713; and we may probably date the enlightenment of his mind on the subject of slavery, from the day he was converted to quakerism. He published several books on the subject—the first of which, was in 1762, wherein he exposed the iniquity of the African slave trade. In 1767, he published his “Caution to Great Britain” respecting the slavery in her dominions. He died somewhere about the termination of our revolutionary war; and it is said that an American officer, on viewing his funeral, exclaimed, “I had rather be Benezet in his shroud, than Washington in his glory!”

I must record, as a prominent feature in the picture of New York, an event only paralleled by the madness occasioned by panick in England, during 1679–80, when Titus Oates was so prominent an actor in scenes, that on a smaller stage have, in many of the circumstances and features, a striking resemblance. In New York, the dread of popery, which had produced the efforts of Leisler in 1691, was in 1741 capable of violent effects, and was combined with the natural fear suggested by having in every house persons held as slaves, and suspected of being enemies. The negro slave was supposed to be a fit instrument for the Romish priest to wield, in the destruction of the protestant master; and the desire of the papist, especially the clergymen of the faith of Rome, to substitute his religion for the protestant, could not be doubted. The celibacy of the clergy of the Church of Rome, one of the boldest as well as most efficacious devices, was conceived for the formation of a body distinct from society, was justly dreaded by every thinking man, and caused a chimerical dread at times in the unthinking. The fear of popery alone, drove England mad, in 1679; but in New York, it was combined with the dread of vengeance to be taken by the victims of the pernicious system of negro slavery. The Englishman *imagined* priests and Jesuits, but saw none: the inhabitant of New York could not turn his eyes in any direction, without seeing a black face, and every black was a slave.

That guilt which the state of slavery engenders, is chargeable to the master of the slave. To possess unlimited power over a human being, makes the possessor a tyrant, he is corrupted by its influence, while the subject of his power is debased. The tyrant may be merciful and kind, and the slave may be grateful. It has been so in empires and in families: but when so, it is from causes adverse to tyranny and slavery; their influence is ever the same.

The slave only works from the fear of punishment, and neglects his labour as much as possible. When he refrains from exertion, he only resumes a portion of that which has been forced from him. Every traveller who passes from a state where labour is performed by freemen, for their own profit, into a state where it is performed by slaves, will at once be struck by the contrast on the face of every thing produced by labour. Another evil is, that employing slaves to work, makes labour disreputable. The white man prides himself upon his idleness. The history of New York, in 1741, elucidates all this.

Panick in its most common form, is known to seize bodies of military men, and even whole armies; who, losing all self-possession, and dreading they know not what, fly from a supposed enemy, and rush upon certain destruction. But we have records, of panick and consequently, the most atrocious acts of cruelty and injustice, suffered and inflicted by whole communities, and even nations. Such an event and its consequences, I have to recite; and the popish plot of 1679, in the reign of Charles II, when the whole of the people of England, were panick struck, is the best parallel I know of the negro plot of New York, in 1741.

“Each breath of rumour,” says David Hume, “made the people start with anxiety: their enemies they thought, were in their bosom. While in this timorous jealous disposition, the cry of *plot* all on a sudden struck their ears; they were wakened from their slumber; and like men affrighted, and in the dark, took every figure for a spectre. The terror of each man became a source of terror to another. And an universal panick, being diffused, reason and argument, and common sense, and common humanity, lost all influence over them.”

Would not one think that the historian of England, was describing the state of the province of New York, at the time under consideration? He continues “from this disposition of men’s minds, we are to account for the progress of the *popish plot*, and the credit given to it; an event which would otherwise appear prodigious, and altogether inexplicable.” For *popish* read *negro* plot, and the description is that of New York, in 1741.

But Hume says, the people of England thought their enemies were in their bosom. The people of New York knew that every house was filled with those who had been injured by being de-

prived of their liberty—by being prohibited the common rights of humanity. Every black was a slave, and slaves could not be witnesses against a free man; they were incapable of buying *any*, the minutest necessary of life; they were punishable by master or mistress to any extent short of “life or limb;” as often as three of them were found together, they were punishable with forty lashes on the bare back; and the same legal liability attended the walking with a club out of the master’s ground, without a permit; two justices might inflict any punishment short of death or amputation, for a blow or the smallest assault upon a Christian or Jew. The mark which told that they were slaves, likewise denoted that they were without the pale of Christianity or Judaism—this mark was a black skin, and generally supposed to distinguish them as “the seed of Cain.” This injured race were seen in every dwelling; and when the cry of negro-plot was raised, conscience made cowards of all. And what deprives of reason so entirely, as *fear*?

Here we see the effects of that blind and wicked policy which induced England to pamper her merchants and increase her revenues, by positive instructions to the governours of her colonies, strictly enjoining them (for the good of the African company, and for the emoluments expected from the assiento contract,) to fix upon America a vast negro population, torn from their homes and brought hither by force. New York was at this time filled with negroes; every householder who could afford to keep servants, was surrounded by blacks, some pampered in indolence, all carefully kept in ignorance, and considered, erroneously, as creatures whom the white could not do without, yet lived in dread of. They were feared, from their numbers, and from a consciousness, however stifled, that they were injured and might seek revenge or a better condition.*

The wiser colonists foresaw increasing evil, and witnessed deplorably, present degradation, mingled with hateful injustice and cruelty. In vain they remonstrated with England, for casting that stain upon the colonies which the British writers, now that we are a free country, reproach us with.

Let the reader recur to the many instances in which slavery was forced upon this country by England; particularly the instructions to Lord Cornbury; and he will pity the fears, blindness, and guilt

* Born but twenty-three years after the cessation of this madness, the writer well remembers the state of negro slavery in the town of his residence, in 1775. Every person who had a servant, male or female, saw in that servant, a slave. There was one exception: one old man (blessed be his memory,) was served in his solitary, though well supplied dwelling, by whites, free as himself. His name was Thomas Barton. But slavery had by this time, become ameliorated in this region.

which must be attributed to the people of New York, in detailing the horrors of what is called the negro plot.

Daniel Horsemanden, the historian of what he was an actor in, was, as the reader will perhaps remember, the recorder of the city of New York, at the time the common council complimented Andrew Hamilton with the freedom of the city for his exertions in the cause of the rights of man. The recorder was an officer appointed by the crown, (or by the governour,) as was the mayor. Mr. Horsemanden was subsequently advanced to the council board, and during the events he records, was the third judge of the supreme court. When he published his book, he endeavoured to justify the decrees of the magistracy, (he being one,) by which the negroes were declared guilty of combining to burn the town and murder all the whites. No better evidence of the falsehood of the charge than his own statement, can be wanted.

The reader who will examine the story told by Titus Oates, in the time of the popish plot of 1679, and the testimony given by Bedlow, at that time of national panick and wonderful delusion, will see a most curious similarity to the tales told by the principal witness respecting the negro plot. The stories told by Oates grew, like those of Mary Burton, in proportion as they appeared to be wished for by the listeners or the magistrates; and Bedlow joined in the cry precisely as the followers of the first witness (the indented servant girl, Mary,) did at this time, in New York. Other parallels will be seen by the reader, on examining Hume or other English historians. The reader likewise will observe, that although the first representative assembly of New York, in 1683, had said, "no person professing faith in God by Jesus Christ, shall at any time be in any ways disquieted, or questioned, for any difference of opinion," yet John Ury was hung during this panick, upon the charge of being a Roman Catholick. But the tolerance granted and enacted by the assembly of 1683, was not confirmed by England, and they were murdered, as well as the negroes, under pretence of law. But we will begin the story told by Mr. Horsemanden.

On the 28th of February, 1741,* a robbery was committed at the house of Mr. Robert Hogg, merchant: pieces of linen and other goods, several silver coins, some medals, and some wrought silver, were taken off. Hogg's house fronted on Broad street, and had a side door in Jew's alley, sometimes called Mill street; of course, it was the corner of Broad street and Jew's alley. Suspicions were entertained of John Hughson, who kept a public house

* This year, the first literary journal of America saw the light. It was "The General Magazine and Historical Chronicle," printed and edited by Benjamin Franklin; but it lived only one year. This attempt was made at Philadelphia.

by the North River, where negroes resorted *in defiance of the laws*, and the house was searched without effect; but Hughson had an indented servant, by name Mary Burton, (whether purchased by him from the convict ships, or sold to pay her passage, does not appear,) who had been with him from the preceding midsummer—being a girl of sixteen years of age; and this girl mentioned to a neighbour, that goods had been brought to the house and concealed; but intimated that if Hughson knew she said so, he would kill her. This communication being carried to the under sheriff, the girl was taken out of Hughson's house and carried to Alderman Banker's, where, having been promised her *freedom*, she was lodged in the city hall; which was at that time in Wall street, corner of Nassau, and was likewise the jail. On the 4th of March, the justices met at the city hall, and John Hughson, with his wife, and Mary Burton, were brought before them. Hughson confessed that some goods had been brought to his house, and he delivered them up to the court.

At this same examination, another in-dweller of Hughson's tavern was brought forward: this was a girl of notorious ill fame, called Margaret Sorubiero, alias Solinburgh, alias Kerry—commonly called Peggy Carey. She had been an inmate at Hughson's, the previous summer, but had removed to John Romme's, near the new Battery, and again returned to Hughson's. The indented servant, Mary, who had been promised her liberty, deposed that a negro man, called Quin, (but whose name was Cæsar Vaarck, now called Varick, from which comes the present Varick street,) came to Hughson's, and got in at the window of Peggy's room. That next morning she saw some speckled linen in Peggy's room, and the negro, Cæsar, gave deponent two pieces of silver; and the negro had two mugs of punch, and bought of Mary's master a pair of stockings, and gave him a lump of silver. That her master, Hughson, and his wife, saw and hid away the linen. But not a word was said, of any conspiracy, or meeting, or plotting of negroes.

Cæsar was taken up, denied the robbery, and was committed; as was another negro, Prince Auboyman.

John Vaarck, a baker, who was Cæsar's master, lived in a house, the kitchen of which adjoined the yard of Romme's house, near the new Battery, and he found some of Hogg's goods under his kitchen floor, and delivered them to the mayor. Romme, a shoemaker, and tavern-keeper of the lowest order, absconded, but was afterwards taken at Brunswick, New Jersey.

Peggy denied every thing charged. Hughson admitted the receiving and secreting certain linen and pieces of silver.

On the 18th of March, at or about mid-day, the house in the fort, (sometimes called the king's house, sometimes the province-house,

and the governour's house,) adjoining the king's chapel, was discovered to be on fire. The lieutenant-governour then lived in this house. Notwithstanding the efforts to save it and the other buildings in the fort—king's chapel, the secretary's office "over the fort gate," (next the Parade, now the Bowling-green,) the barracks and the stables—were all burnt. At the time, the misfortune was attributed to a plumber's having left fire in a gutter, between the house and chapel; and so said Governour Clarke, in his communication to the legislature: but other fires occurring, and alarms of fires spreading, a panick seized the whole population, which produced effects similar to the terror which drove men mad respecting witches and witchcraft, both in Europe and America, and which made all England insane in Titus Oates's time.

Captain Warren's chimney took fire, near the long bridge at the south west end of the town, and the roof caught fire, but was extinguished; a week after, Mr. Vanzant's store house took fire from a smoker's carelessness, and was quenched immediately, as it was near the river. Three days after fire was twice called, but no harm done. Suspicion and terror seized the people; the negroes were watched: a woman saw three negroes "walking up the Broadway towards the English Church," (Trinity,) and one of them said, with a vapouring sort of air, "fire, fire, scorch, scorch, a little—damn it by and by," and then threw up his hands and laughed. This was said by Mr. Walter's negro Quaco. All this was made known to a neighbouring alderman, who informed the rest of the justices thereof at their meeting next day.

A few days after another chimney took fire; and Mrs. Hilton's house, by the Fly Market was discovered to be on fire in the roof, but immediately put out. It was suspected that the fire had been wrapt in a bundle of tow, for some tow was found near the place. Thus the fact was plain. They would not attribute the burning chimneys to the want of chimney sweeping—that would have been too obvious and natural a cause.

Some time before, a Spanish vessel partly manned by negroes, had been brought into New York as a prize, and all the crew that were black had been condemned as slaves in the court of admiralty, and sold accordingly at vendue; now these men had the impudence to say, notwithstanding they were black, that they were freemen in their own country, and to grumble at their hard usage of being sold as slaves.* One of these Spanish negroes had been bought by Captain Sarly, and the captain's house stood on that side of Mrs. Hilton's house on which the fire was disco-

* I quote from the serious account published by Judge Horsemanden, as may be seen.

vered. A cry was raised among the people, "the Spanish negroes! the Spanish! take up the Spanish negroes!" And when certain persons asked Sarly's Spanish negro some questions respecting the fires, he behaved himself insolently; upon which he was sent to jail by a magistrate, who was informed of his insolence, and direction was given to a constable to commit all the rest of that cargo, in order for their safe custody and examination. Thus "conscience does make cowards of us all," and cowardice is only assuaged by the blood of that it fears. The magistrates met that afternoon, and another alarm of fire confirmed their fears, although the Spaniards were under lock and key; for Peggy, the prostitute, Mary Burton, Hughson and wife, the Spaniards, and all the negroes caught in the streets, had been incarcerated together. Some fire was seen, or supposed on the roof of Phillipse's store-house, and immediately extinguished; but a cry of fire was raised, and of "negro, negro," and then "Cuff Phillipse" was the cry; and poor Cuff, frightened, ran to his master's house; but was followed, dragged out and carried to jail. "Many people," says the historian of the plot, "had such terrible apprehensions on this occasion, that several negroes, (many of whom had assisted to put out the fire,) who were met in the streets, were hurried away to jail; and when they were there, they were continued some time in confinement, before the magistrates could spare time to examine into their several cases."

Thus we see the jail, a small portion of a small building, called the City Hall, was crowded with receivers of stolen goods, thieves, prostitutes and slaves; while the people ran wild with terror, and the panick-struck magistrates met daily, as if to sanction the panick,* or as it would seem, to propagate the epidemick.

* I transcribe names in the above instance, and some others, to show the antiquity of some very few of the present families of New York. There is a curious coincidence in the names and situations of the dwelling houses of some late persons in this city, which I now mention. One of the negroes afterwards accused, belonged to Rosevelt, a painter, in the Fly, i. e. at the east end of the town; and another belonged to Sleydal, a tallow chandler, in the Broadway. Now in 1776, and after, Cornelius Rosevelt, (or Roosevelt,) a painter and paint vender, lived in a house but recently removed or pulled down, (1836) at the bottom of Ferry street, crossing the street and facing Peck's slip, which was in 1741 the east end of the town: and John Sleydal, (or Sleydle,) a tallow chandler, lived for many years in Broadway, and died perhaps ten years since. He was the first president of the Mechanick's Bank. The Fly, mentioned above, seems to have included all the east side of the town. It will be seen, that the negroes are said to have been divided into the "Fly boys," and "Longbridge boys." Whether the Longbridge meant the Coffee-house-bridge, (bottom of Wall street,) or a similar planking over a sewer, by the Exchange, (bottom of Broad street,) I do not know. In 1728 and 1729, the white boys of New York were divided into hostile parties, called "Smith's Fly," and "Broad Way," and fought with stones in the streets. I remember the two parties throwing stones in such showers, that the shop keepers in Queen street closed their doors and windows.

On the 11th of April, the common council met : present, John Cruger, Esq., mayor ; the recorder, Horsmanden ; aldermen Gerardus Stuyvesant, William Romaine, Simon Johnson, John Moore, Christopher Banker, John Pintard, John Marshal: assistants, Henry Bogert, Isaac Stoutenburgh, Philip Minthorne, George Brinckerhoff, Robert Benson, and Samuel Lawrence. It must be always kept in mind, that the recorder, Mr. Horsemanden, is the historian of the plot, and supports to his utmost the supposed facts upon which so many wretches were tortured and murdered.

At the above meeting of the common council, the recorder proposes that the governour be requested to offer rewards for the incendiaries, their associates, and accomplices, and that the city should pay the costs. Accordingly it was resolved, that his honour, the lieutenant-governour, be requested to offer a reward to any white person, of £100 current money of this province, and pardon if concerned, and freedom to any slave, with £20 and pardon, (the master to be paid £25,) and to any free negro, mulatto or Indian, £45 and pardon, if concerned. With this ordinance, the mayor and recorder, waited upon the lieutenant-governour, Mr. Clarke.

Such was the consternation, that many people removed their household furniture, and gave any price for vehicles and assistants. Thieves triumphed, and the affrighted inhabitants were plundered. Then it was ordered that search should be made for strangers, and on Monday, the 13th of April, each alderman, assistant, and constable, searched his ward, and the militia was turned out, and centries posted to guard all avenues. While this was going on, the justices were examining the negroes, who protested they knew nothing of any plot, or of the origin of any fires. No strangers or suspicious persons were detected. But one alderman found in possession of Robin, Chambers's negro, and Cuba, his wife, some things which he thought unbecoming the condition of a slave, and he took the things, and committed their owners to jail.

Poor Cuff Phillipse, was proved to have been active in putting out the fire at his masters store : but "it was thought proper," to keep him in jail, "to wait further discovery."

In the meantime, the offer of reward was proclaimed : here was money and pardon to the free, and money pardon and liberty, to the slave, who should accuse himself and others, according to the dictates of the magistracy, prompted by their fears ; and give testimony, and confirm the general opinion. We shall see its effects.

We now come to Mr. Recorder's journal of the proceedings against the conspirators. Supreme court, 21st of April, 1741, present Frederick Phillipse, second judge, Daniel Horsemanden, thir'd. *Grand jury*, Robert Watts, merchant, foreman, Jeremiah Latouche, Joseph Read, Anthony Rutgers, John M'Evers, John

Cruger, junior, John Merritt, Adoniah Schuyler, Isaac De Peyster, Abraham Ketteltas, David Provoost, Rene Hett, Henry Beekman, junior, David Van Horne, George Spencer, Thomas Duncan, and Winant Van Zandt; all described as merchants. Mr. Phillipse, charges and tells them, that the people "have been put into many frights and terrors," respecting burning; and that they must inquire, and "by all lawful means discover the perpetrators, for there is much room to suspect," that these fires were not accidental. That there are many persons in jail suspected: that arson is felony at common law, even if the fire is put out, or goes out of itself: that it is a shocking crime, and if any guilty of it escape, "who can say he is safe, or where it will end?" He then commands to find out all persons who sell strong liquors to negroes, and descants on the unlawfulness of selling "penny drams," without the consent or direction, of the master of the slave. In general, they, the grand jury, are to present "all conspiracies, combinations and other offences."

Accordingly, the grand jury had Mary Burton before them, (this was the bought servant of Hughson,) and she refused to be sworn. They asked her questions concerning the fires, and she gave no answer. They read the proclamation to her, promising protection, pardon, liberty from her master, and £100, and after refusals to her examination, being very "glib-tongued," she said, she would tell what she knew about the stolen goods, but would say nothing about the fires. This was interpreted, that she could, but would not. They then told her that if she did not prevent the burning, etc., she would answer for it at the day of judgment; that she need not fear any body, and her reward was sure, (liberty, protection, and £100,) and she then made deposition, that Prince, (Auboyman's negro) and Cæsar, (Vaarck's) brought the stolen goods; and Hughson, his wife, and Peggy, received them. That Cæsar, Prince, and Cuffee Phillipse, used frequently to meet at Hughson's tavern, and talk about burning the fort, and that they would go down to the Fly (the east end of the city) and burn the whole town: and that her master and mistress said they would assist them. Here were three poor negroes, observe, who were to burn a fort, garrisoned, and a town of many thousand inhabitants, assisted by a poor tavern and brothel keeper, and his wife. All the words seem to be put in the mouth of the wretched girl. That when all this was done, Cæsar should be governour, and Hughson should be king; that Cuffee used to say, that a great many people had too much, and others too little: that his old master (Phillipse) had a great deal of money, but that in a short time he should have less, and Cuffee have more. That these redoubtable three used to say, that when they sat fire to the town, they would do it in the night,

and as the white people came to extinguish it, they would kill and destroy them.

It is to be recollected that this girl had been in custody from the beginning of March to this time, 22d April: that she at first only mentioned the stolen goods, and Cæsar as the thief; and that now after hearing the conspiracy, and intended destruction of the city, for forty or fifty days, and of the reward for pointing out the conspirators, she brings out King Hughson, and Governour Cæsar, and two assistants, Prince and Cuffee. We shall see how she multiplies her victims to please her patrons. We must likewise notice, that although the conspirators had determined to set fire to the town at night, all the fires that had terrified the people, and all the alarms, had occurred in the day time.

This deponent goes on to state, that Hughson threatened to poison her, if she told of the stolen goods, and the negroes swore they would burn her, if she told of their plot to destroy the town. She further swore, that she never saw any white person in company, when they talked of burning the town, but her master, mistress, and Peggy.

The simple recorder says, that the evidence of a conspiracy, not only to burn the city, but also to destroy and murder the people, was most astonishing to the grand jury. But that any white people should confederate with slaves, in such an execrable and detestable purpose, was very amazing. But the grand jury seem not to have doubted the story, and informed the judges accordingly. The grand jury then required the presence of Margaret Sourabiero, alias Kerry, or Peggy Carey; and the judges summon all the gentlemen of the law to meet them, and accordingly Messrs. Murray, Alexander, Smith, Chambers, Nichols, Lodge, and Jameson, attended. Thus we know the strength of the bar of New York, in 1741, all being present, but Mr. Bradley the attorney-general.

It seems, that there was an act of the province for trying negroes, in a summary way, as in other colonies, by the justices: but as in this case, white people were concerned, and a conspiracy so deep and dark, that they could not see into it, but was certainly in operation, it was determined to place the matter under charge of the supreme court, and all the lawyers offered to assist on every trial by turns.

Peggy Carey, being impeached as a conspirator, by Mary Burton, the judges examined her in prison, where she had been for forty or fifty days. They endeavoured to make her accuse others, by promising her pardon and reward, as in the case of the other wretched girl, who accused her: but she said, "that if she should accuse any body of any such thing, she must accuse innocent persons, and wrong her own soul." Before the grand jury, she denied all knowledge of the fires.

On the 24th of April, Cæsar Vaarek, Prince Auboyman, John Hughson, his wife, and Peggy Carey, were arraigned for felony, and pleaded not guilty; the trial commenced of Cæsar and Prince; who, not challenging any of the jury, Messrs. Roger French, John Groesbeck, John Richard, Abraham Kipp, George Witts, John Thurman, Patrick Jackson, Benjamin Moore, William Hammersley, John Lashiere, Joshua Sleydall, and John Shurmer, were sworn. The prisoners were found guilty of the robbery.

On the 3rd of May, one Arthur Price, committed to jail for theft, gives information, that he had discourse with Peggy Carey, through the hole of the prison door, and she said, "she was afraid of those fellows," (the negroes as he understood,) but if they told any thing of her, she would hang every one of them, but she would not forswear herself, unless they brought her in. He asked what she meant by forswearing herself, and she said, "there is fourteen sworn." What, about Hogg's goods? No, about the fire. What, Peggy, were you going to set the town afire? And she answered, she was not, but said, since I knew of it, they made me swear. He asked, was "John and his wife in it?" She answered, "yes: they were sworn with the rest." She was asked, if she was not afraid the negroes would discover her? She answered, "no: Prince, Cuff, Cæsar, and Fork's negro—not Cæsar, but another, were all true hearted fellows." All this is accompanied with oaths and black-guardism. Price further states, that Peggy told him, Mary Burton had accused her, made her as black as the rest. But that if they did hang the two poor fellows, (Cæsar and Prince) they would be revenged on them yet. And she concluded, with warning him not to tell what she had said to him. This is the representation made by the thief and informer: who answered to Bedlow as Mary Burton represents Titus Oates.

About this time, seven barns were burnt at Hackinsack. Two negroes were suspected. The one, because he discharged a gun, saying it was at a person who fired his master's barn, but killed nobody: the other, because he was found with a gun, and loading it with two bullets. They were condemned, and both burnt at the stake. One, it is said, confessed that he burnt three barns. The other denied all guilt. This was adding to the terrors of New York.

On Wednesday, the 6th of May, John Hughson, his wife, and Peggy Carey were tried for receiving stolen goods, and found guilty: and Sarah Hughson, the daughter of John, was committed as one of the confederates in the conspiracy: and Jack, (Sleydall's negro) was committed, on suspicion of putting fire to Mr. Murray's hay-stack.

Next day, Peggy Carey, after being convicted as a receiver of stolen goods, and, as the simple recorder says, "seeming to

think it high time to do something to recommend herself to mercy, makes voluntary confession.”

This wretched creature was an Irish prostitute, and appears to have been a most depraved blackguard. She changes the scene of the conspiracy from Hughson's to John Romme's, (a shoemaker and tavern-keeper of the same description, living near the new Battery.) There she says, that she saw meetings of negroes; and once, in particular, in December last: and she names Cuff, Phillipse's—Brash, Jay's—Curacoa Dick—Cæsar, Pintard's—Patrick, English's,—Jack, Beastead's—Cato, Alderman Moore's. We may observe, that her friend, Cæsar Vaarck, is not implicated. All these negroes Romme swore; that is, administered an oath to. She makes the shoemaker propose to the negroes to burn the fort and the city, and to steal, and rob, and bring the goods to him; and he would carry them (the negroes) to a strange country, and give them their liberty and set them free. That Romme's wife was by; and after the meeting, Romme made his wife and the confessor Peggy, swear secrecy.

All this is so plainly a tale made up to gratify the magistrates and save herself, that even the recorder does not seem fully to believe it, especially as it does not agree with Mary Burton's story. This *voluntary* confession, extorted by the fear of the cart's-tail, the cat-with-nine-tails, and the gallows, was altogether denied by the wretched woman, when she found that she was condemned to be hanged, on the testimony of creatures as worthless of credit as herself. She had made out a story of Romme's swearing the negroes to burn the fort and city, evidently because she hoped to save herself.

Romme's wife, he having absconded, conscious of having received stolen goods and sold liquor to negroes, denied the swearing to the conspiracy, but acknowledged that her husband had received stolen goods. If a slave is not a thief, he is an exception to the rule implied by his condition. The tipping-house keeper was very likely to be an encourager of other vices, as well as drunkenness.

Romme's wife said that a negro kept game-fowls at their house, and that the negroes used to come and drink drams there; and never more than three at a time.

All the negroes mentioned by Peggy, were apprehended, brought before her, and identified—she accusing them as being sworn, or conspirators, and they denying. They were then passed in review before Mary Burton, Peggy's successful rival for magisterial favour, and she acquitted them of being among *her gang*. No matter—they are all locked up in the city hall jail. Now, the negroes begin to accuse one and another, as it would seem, by way of injuring an enemy and guarding themselves. All accused are locked up.

Cæsar and Prince are released, by being hanged. “*Ordered,*

'That the gibbet on which Cæsar is to be hanged in chains, be fixed on the island, near the powder-house.'" The powder-house, within my remembrance, stood on a small island made by an arm of the Kolic, or Collect, embracing it, where now Centre street proceeds from Chatham and comes into Pearl street. It appears from the following paragraph, that the horrible torture of hanging *alive* in the chains, was not resorted to.

"Monday, 11th of May. Cæsar and Prince were executed this day at the gallows, according to sentence: they died very stubbornly, without confessing *any thing about the conspiracy*: and denied that *they knew any thing about it to the last*. The body of Cæsar was accordingly hung in chains." These negroes were thieves, without doubt; and from the above statement of their denial of the conspiracy, I infer that they confessed the thievery.

Such was the panick to which the people of New York had wrought themselves, that the 13th of May, 1741, was by proclamation of the Lieutenant-governour, kept as a solemn fast, because "his most gracious majesty, for the vindicating the honour of his crown, had declared war against Spain, and because of the severity of the cold last winter, and because many houses and dwellings had been fired about our ears, without any discovery of the cause or occasion of them, which had put us into the utmost consternation."

In the meantime, Hughson, his wife, and Peggy Carey, are indicted for conspiring, confederating, and combining with divers negroes, to burn, kill and destroy, &c.; and the two first are arraigned—they pleading not guilty.

Mary Burton, who is in possession of the sheriff, and promised protection, liberty, and £100, deposes that Hughson, his wife, his daughter, and Peggy, conspired with certain negroes, naming them, to burn the town, and kill all the whites. The negroes are apprehended. Whoever this poor ignorant wretch mentions, is immediately put in jail. Among other particulars, she swears that one of these negroes paid Hughson £12, in Spanish pieces of eight, to buy guns, which Hughson did, and hid them away under the garret floor in his house; but they could not be found, nor ever traced.

Hughson, his wife, and daughter being in jail, the magistrates employ a wretch, (who had been committed for thieving,) Arthur Price, to go to the negroes in the jail and give them punch, to get out of them (what are called) confessions; and Price is likewise employed to go to Sarah Hughson, to endeavour to make her accuse her father and mother. Price accordingly tells of a conversation he says he had with this girl, who being examined and confronted with the informer, denies it to his face.

The whole proceedings are a monument of absurdity, meanness, and cruelty, instigated by cowardice and an innate sense of the guilt

of holding men in slavery. One poor negro is accused of saying that he knew he must be hanged, as the two others had been.

The negroes gave themselves up as lost, the moment they were committed, unless they could escape by accusing others, and making what are called confessions.

Romme was apprehended at Brunswick, New Jersey. He stands accused as a conspirator, by Peggy, and Mary Burton goes so far *now* as to say, Romme was intimate at Hughson's.

A simple negro boy of the neighbourhood is accused, brought to town, and placed before the grand jury. He denies all knowledge of the conspiracy; but is told, that if he will tell the *truth*, he shall not be hanged. The negroes by this time knew, that by telling the truth, is meant to tell of a plot to burn the town. Accordingly, he says, Quack asked him to set the fort on fire; and Cuffee said he would set fire to one house, and Curacoa Dick to another, and so on. Being asked, "what the negroes intended by all this mischief?" he answered, "to kill all the gentlemen and take their wives; that one of the fellows already hanged, was to be an officer in the Long Bridge Company, and the other, in the Fly Company."

It appears that on most occasions, the town was divided into two parts—one from the eastern extremity, the Fresh-water or the Swamp, now Ferry street, and called the Fly, and sometimes Smith's Fly, extending along the East River to Wall street—and the other the Long Bridge, perhaps from the bridge covering the sewer in Broad street, near the Exchange; and sometimes this division was called Broadway, as including the upper part of the town.

This negro boy is called Sawney, and said to be Hiblett's: he took a good deal of urging and persuading before he could be made to confide in the white people. He said, "the time before, after the negroes told all they knew, the white people hanged them." This was traditionary among the slaves, relative to 1712.

Fortune is apprehended and examined; who tells of Quack's taking him to the fort sometime before the fire there, and giving him punch, and that Quack told him he would burn the fort; and after it was done, the last fellow examined (Sawney) told him he was one that did it: thus criminating him. On the 25th, more negroes were committed, and next day Sawney being again examined, says, "at a meeting of negroes he was called in and frightened to undertaking to burn the Slip Market," probably the meat market; and he saw some of the attempts to fire houses, and was sworn at Comfort's house, to be true to one another: he said he was never at Hughson's or Romme's houses, and accused a woman (whom he had before accused of setting fire to a house) of murdering her child, by laying it where it would freeze to death. More are taken up and examined, day after day. Quack and Cuffee are

tried for wickedly and maliciously conspiring with others to burn the town and murder the inhabitants; and the attorney general makes a speech, telling the jury that this was the mystery of iniquity, that these negroes were monsters, devils, &c., and they will find Quack and Cuffee guilty. The principal witnesses for the king, are Mary Burton and Price, who tell the same story as before; the others tell the most frivolous circumstances; negro evidence being good against each other. Fortune and Sawney are accordingly witnesses, and say that Quack and Cuffee said so and so—that they wanted to set fire to the fort, &c. Roosevelt, master of Quack, deposed that he was at home when the fire took place at the fort; and Phillipse, Cuff's master, testified much the same of him. A soldier swears that Quack did come to the fort, (he being sentry,) and would go in, (his wife living there,) the sentry knocked him down, but the officer of the guard admitted him on the day of the fire. The prisoners protest their innocence. Mr. Smith, who had disfranchised the Jews by his eloquence, summed up. He is aware of the folly of the plot, still he insists on the proofs of it. He observes, that the negroes had been indulged with the same kind of trial as is due to freemen; though they might have been proceeded against in a more summary and less favourable way. Of the negro witnesses, he observes, "the law requires no oath to be administered to them; and indeed it would be a profanation of it to administer it to a heathen in a legal form." He says, "the monstrous ingratitude of this black tribe is what exceedingly aggravates their guilt." He then represents their happy situation, very much as is still done. "They live without care; are commonly better fed and clothed than the poor of most Christian countries; they are indeed slaves, but under the protection of the law: none can hurt them with impunity; but notwithstanding all the kindness and tenderness with which they have been treated among us, yet this is the second attempt of this same kind that this brutish and bloody species of mankind have made within one age." The court charged, the jury found them guilty, they protest their innocence, and the judge sentences them to be chained to a stake and burnt to death—"and the Lord have mercy upon your poor wretched souls." He tells them they ought to be very thankful that their feet are caught in the net, and the mischief fallen upon their pates. He calls them abject wretches, the outcasts of the nations of the earth; and tells them of the tenderness and humanity with which they have been treated. He advises them to take care of their souls, but as to their bodies, they must be burnt; and, accordingly, on Saturday, the 3d of May, about three o'clock, they were brought to the stake, surrounded with piles of wood. The spec-

tators were very numerous, and impatient to set fire to the wood. The poor wretches showed great terror in their countenances, and looked as if they would gladly have confessed all they knew, but on being interrogated by Mr. More, the deputy sheriff undertook to examine them without effect. Then Mr. Rosevelt undertook Quack, (his slave,) and More examined Cuffee; and these examiners drew up minutes of what they called the poor terrified wretches confessions: that Hughson contrived the plot to burn the town and kill the people—that Quack did set fire to the fort with a lighted stick, &c.,—that other negroes named (voted) Quack the proper person, as he had a wife in the fort—that Mary Burton had spoken the truth, and could name many more. Both made confession, and the execution was suspended until the governour's pleasure should be known as to a reprieve, which they are flattered with, if they confess as required. It being thought that more discoveries might be made, and persons of more consequence than Hughson, &c., implicated; but the people were so impatient and determined for the show, that the sheriff did not dare take them back to jail, and the execution proceeded. More negroes were taken up.

The confessions, so called, of Quack and Cuffee, when chained to the stake and surrounded by the wood ready to be fired to consume them alive, are evidently mere words put in their mouths, and repeated in the hope of saving their lives. On the 1st of June, Sawney (or Sandy) was examined again, and implicated more negroes as being sworn in, and threatening him if he would not join them; and talks of penknives produced and sharpened to kill white men. Accordingly more negroes are put in jail! Fortune is examined, and he accuses Quack (who had been burned,) and Sawney; but never heard of a house where conspirators met, nor knew Hughson. Sarah, a negro wench, is examined, and is in violent agitation; foamed at the mouth, and uttered the bitterest imprecations, denying that ever she was at Comfort's house, or knew any thing of the conspiracy: but being told that others had said so and so, and that she could only save her life by confessing, she affirms all that is told her, and implicates a great number of negroes; but on hearing read to her what she had confessed, denied and excused many persons. Hughson desires to be sworn, apparently that he might in the most solemn manner deny the conspiracy; but the recorder tells him, that he and wife and daughter being convicted felons, must be executed as such, and exhorts him to confess the conspiracy. He demands to be sworn: it is refused: and he in the most solemn manner denies all knowledge of the conspiracy to destroy, &c., and exculpates his wife and child: but is sent back to jail unheard.

Although Hughson and family were already sentenced to be

hauged respecting the robbery, they were tried for conspiracy, on the 4th of June, 1741. There were three indictment: 1st, that Hughson, his wife, his daughter, and Peggy Kerry, or Carey, with three negroes, Cæsar, Prince, and Cuffee, conspired in March last, to set fire to the house in the fort: 2d, that Quack (already burnt,) did set fire to and burn the house, and that the prisoners, Hughson, his wife, daughter Sarah, and Peggy, encouraged him so to do: 3d, that Cuffee (already burnt,) did set fire to Phillipse's house, and burnt it; and they, the prisoners, procured and encouraged him so to do. The prisoners pleaded not guilty. The attorney-general's address to the jury is full of invectives the most outrageous: Hughson is infamous, inhuman, an arch-rebel against God, his king, and his country; he is a devil incarnate, &c. Besides this eloquent attorney-general, there were counsel for the king, Jos. Murray, James Alexander, William Smith, and Jno. Chambers. The witnesses, Moore and Roosevelt, testify to the confession of Quack and Cuffee, at the stake, in hope to save themselves from the flames.

North and Lynch, constables, testify that they saw negroes eating and drinking at Hughson's, and dispersed them; and that Peggy was waiting on them with a tumbler; and they had knives and forks.

Mary Burton swears, that negroes came to Hughson's at night, eating and drinking, and bought provisions. She swears to all stated by others, viz. Hughson's swearing the negroes, procuring arms, that she had seen seven or eight guns and swords, a bag of shot, and a barrel of gunpowder at Hughson's; that he said he would kill her if she told, and wanted her to swear, and offered her silk gowns and gold rings; but she would not.

Arthur Price, the fellow employed by the magistrates to go into the jail and drink with the negroes, to make them confess to him, and who is praised for his cleverness in convicting them, confirms his former stories.

Five men testify, that they heard Quack, Cuffee, &c. say, when in jail, to Hughson, "this is what you have brought us to."

Of the witnesses for the prisoners, one stated that he lived in Hughson's house three or four months the last winter, and never saw any entertainments there for negroes. Two others stated, that they never saw harm in him or his house.

None but the wretches, Burton and Price, pretend to speak of a conspiracy; and the prisoners protest their innocence, but have no counsel.

Mr. Smith then addressed the jury, and told them that it is a horrid thing to burn the town and kill them all—it is "black and bellish"—that John Hughson's crimes have made him blacker than a negro—that the credit of the witnesses is good—and if they

find the prisoners guilty, they cannot acquit them without the greatest injustice and cruelty to their country.

The judge tells the jury, that the evidence against the prisoners is ample, full, clear, and satisfactory. And the jury find them guilty in a short time—merely going out and returning. On the 5th of June, Hughson and family are brought up, and the judge tells them that they are guilty of an unheard of crime, in not only making negro slaves their equals, but even their superiours—by waiting upon, keeping company with, entertaining them with meat, drink, and lodging; and, what is much more amazing, to plot, conspire, consult, abet, and encourage these black *seed of Cain* to burn this city, and to kill and destroy us all. He further tells them, that although “with uncommon assurance they deny the fact, and call on God, as a witness of their innocence, He, out of his goodness and mercy, has confounded them, and proved their guilt, to the satisfaction of the court and jury.” This may serve as a specimen of judicial eloquence at that day, although he *berutes* them still more, before he sentences them all “to be hanged by the neck till dead,” on Friday, the 12th of June, four days after, and John Hughson to be hung in chains. On the 12th, Hughson, his wife, and Peggy, are accordingly hanged, protesting their innocence of the conspiracy—Hughson acknowledging his guilt in receiving stolen goods. Peggy, who had accused Romme, declared to the last, that she had in that forsworn herself. In the meantime, the court go on; and on the 5th of June, Sarah, the negro wench, is examined again, and names twenty negroes who were present at Comfort’s, whetting their knives and saying, “they would kill white people.” Accordingly, 6th of June, Jack, Cook, Robin, Cæsar, Cuffee, another Cuffee, and Jamaica, are put at the bar, and plead not guilty: and on the 8th, they are tried. The evidence against these poor creatures, is the *confession* of Quack and Cuffee *at the stake*, and the stories of Sawney, Mary Burton, and black Sarah. They, of course, are found guilty, denying the charges. It was ordered, that Jack, Cook, Robin, Cæsar, and Cuffee, be executed the next day, and Jamaica three days after. But Jack promises, if his life is spared, he would discover more; and they “respite his execution, till ’twas found how well he would deserve further favour.” The others were executed. Jack is pardoned; and by his testimony, fourteen more are implicated, one of whom, for the same reward, *confesses*, as it is called, and accuses more still. Jack’s dialect was perfectly unintelligible: but two white interpreters were found; and as Jack mentioned negroes who had eat and drank at Hughson’s, they were taken up: “when they were eating, he said they began to talk about setting the houses on fire,” and afterwards mentions such and such blacks who said they would set their master’s houses on fire, and then go out to fight; five or six Spanish

negroes were with them ; but he could not understand them ; that they waited a month and a half for the Spaniards and French to come, but they not coming, set fire to the fort. On the 11th June, Francis, a Spanish negro, Albany, and Curacoa Dick were sentenced to be chained to a stake, and burnt to death. One who had confessed and was pardoned, said, that Hughson was to have the goods stolen, i. e. plundered on firing the houses, and Cæsar was to be king. King Cæsar had been hanged. Sarah Hughson was respited to 19th June. On the 15th June, Ben and Quack are condemned to be burnt, and three others hanged.

The five Spanish negroes had been taken in a prize, as I have mentioned, and not only denied the conspiracy, but said, notwithstanding they had been sold at auction, that they never were slaves at home ; but the jury found them guilty.

On the 19th June, the Lieutenant-governour proclaims pardon to all who will confess and discover, before the 1st July. Wan and London, two Indian slaves, are among the accused. After the proclamation, confessions and discoveries multiply, and more and more are taken up ; and the confessions are the evidences on the trials. They were to cut the white people's throats with penknives. When the town was on fire, they were to meet at the end of the Broadway, next to the fields.

June 25th, Mary Burton, who at first denied the guilt of any white man, except Hughson, accuses Jury, or Ury, a Roman priest, so called, as concerned with Hughson, and implicates Campbell, who once was a schoolmaster, in company with Ury.

London, who is called a Spanish Indian, confesses. Brash, Mr. Peter Jay's negro, confesses. Seven more negroes are apprehended.

June 26th, nine negroes are arraigned ; seven plead guilty, in hope of mercy ; two are tried and convicted on Mary Burton's testimony ; eight more are arraigned, and all plead guilty ; seven more are arraigned, and some plead guilty, others, not guilty.

June 27th, Adam confesses ; but makes Hughson engage him in the plot three years, or more, ago : he says, Hughson told him there was a man who could forgive him all his sins : the confession is aimed at Ury. Forgiveness of sins, and rum, reconcile him to the oath Ury, the priest, as accused by Adam, as making with the conspirators. One Doctor Hamilton is now brought in, who lodged at Holt's ; and Holt is accused as one concerned. Holt recommended his negro, Joe, to fire the play-house, at such time as he should tell him. All the early *confessors* and accusers, mention no whites but the Hughsons and Peggy Carey and Romme : now, four or five white men are seen, and Adam talks of seven or eight barrels of powder. It appears, that the negroes, after the proclamation, were afraid of each other, and each wanted to be first at confession. The confessions are repetitions, only bringing in more

individuals. The historian says, "Now many negroes began to squeak, in order to lay hold of the benefit of the proclamation." Before the proclamation, there were between sixty and seventy negroes in jail; and before the 27th June, thirty more slaves were added to the number: "'twas difficult to find room for them, nor could we see any likelihood of stopping the impeachments."

The judges were afraid the number might breed an infection; and the poor debtors confined with them, were suffering. The judges and lawyers meet, to get rid of their prisoners, and recommended some to mercy, for the purpose. They devised short modes of taking confessions—lumping the business. Still the accusations and apprehensions go on and increase. On the 30th of June, Braveboy gives an account of a frolick, at a free negro's, between Mr. Bayard's land and Greenwich lane. Rum is always the precursor of the proposition to burn and murder.

July 1st, the Spanish negroes, those taken by an English privateer, and adjudged to be slaves, and sold as such, were brought up and sentenced to be hanged; and the same day, five others are sentenced, one of them to be hung in chains, on the same gibbet with John Hughson; and likewise Sarah Hughson, still continuing inflexible, i. e. persisting that she was innocent of any conspiracy, is ordered for execution on Wednesday, 8th July. That day, this girl was brought up to Mr. Pemberton, who came to pray by her, and after all his admonitions, still denied her guilt; and being carried to her dungeon, where was the negro wench Sarah, also to be executed this day, Sarah Hughson at last owned to her that she had been sworn into the plot. This being reported by the negress, both are respited, and the girl examined again. She then confesses that she knew of the plot, speaks of seeing Ury and Campbell and a doctor, and thinks she heard the name of one Coffin. When sent back to her dungeon, she retracted again, and the judges ordered her execution, as the last experiment to bring her to unfold this infernal secret—at least so much of it as might be thought deserving a recommendation of her as an object of mercy. It is, in another page,* said by Horsmanden, that this girl accused Ury of saying "he could forgive all their sins, if they did not discover." But on the 11th July, being brought before the chief justice, she still denies all she had confessed, and afterwards again says it is all true. She is again respited, and again twice more, and finally, on the 29th July, pardoned and dismissed; for the business had grown upon the judges.

In several instances, negroes who were in jail accused others, from the notion prevalent, that, by so doing, they would save

* Horsmanden, p. 18.

themselves ; though they knew, as they afterwards confessed, that those they accused were innocent. Victims were required, and those who brought them to the altar of Moloch, purchased their own safety, or, at least, their lives.

On the 2d July, before Chief Justice James De Lancey—Will is arraigned, and pleading guilty, is sentenced to be burnt on the 4th July. By some of the examinations at this time, the plot appears better established. Scipio attributes his agreeing to be sworn, to his desire for drams, especially after having taken one ; and says, Hughson so enticed him. Three negroes are discharged, nothing being found sufficient against them. On the 6th July, eleven plead guilty. Dundee implicates Doctor Hamilton with Hughson, in giving rum and swearing him and others to the plot. William Nuill, a white, is sworn by the court, (negroes not sworn, as before stated, because heathen) and deposes, that London, a negro belonging to Edward Kelly, butcher, said and swore by God that if he, the said London, should be taken up on account of the plot, he would hang or burn all the negroes in York, whether they were concerned or not. This day, five negroes were hanged ; one of them upon the same gibbet with Hughson, who, it seems, was hung in chains : and the historian says that “ the town was amused,” by a report that Hughson had turned black, and a negro white ; and he gives a disgusting picture of the bodies, which “ numbers of all ranks” ran from curiosity to see. It was said, Harry, a negro doctor, had given poison to those who were to be executed, and certain changes were produced on their bodies by it. These appearances caused much controversy. On the 4th July, forty negroes, to get rid of them, were recommended for transportation ; and Ward’s “ Will” was executed, being burnt. At the stake, he accuses William Kane, a soldier belonging to the fort, and Kelly, another soldier. He said, that Morris’s Cato advised him and Pedro to bring in many negroes, telling Pedro that he would certainly be hanged, or burnt, if he did not confess ; but if he brought in a good many, it would save his life.

The pile being kindled, this wretch set his back to the stake, and raising up one of his legs, laid it upon the fire, and lifting up his hands and eyes, cried aloud, and several times repeated the names, Quack, Goelet and Will Tiebout, who, he said, had brought him into this plot. Other negroes were taken up, with Kane, the soldier, who is, on the 5th July, examined. He said, he never was at John Romme’s house, at the Battery ; acknowledges that he received a stolen silver spoon, given to his wife, and sold it to Van Dype, a silversmith ; denies any knowledge of Ury. Mary Burton is brought forward, and accuses Kane, who after denial, finally confesses that he was at Hughson’s, “ about the plot,” twice ; induced so to do by Corker, Coffin, and Fagan. He crimiates Ury, though

not by name. Hughson's father and three brothers, he criminales; and an old woman, a fortune teller, Hughson's mother-in-law, all sworn to burn and kill, etc. He says, Ury christened some of the negroes, and wanted to seduce him, Kane, to become a Roman Catholic!! Asked him, if he could read Latin? He said, No; then asked him, whether he could read English? He said, No. Then Coffin read and told him what a fine thing it was to be a Roman; that they could forgive him, and he should not go to hell. And if he had not gone away, they might have seduced him to be a Catholick. That Conolly, on Governor's Island, owned that he was "bred up a priest," etc. Holt, a dancing master, is accused by Kane, but he had gone off. Kane thus describes the ceremony of swearing the negroes:—

"There was a black ring made on the floor, about a foot and a half in diameter; and Hughson bid every one put off the left shoe and put their toes within the ring; and Mrs. Hughson held a bowl of punch over their heads, as the negroes stood round the circle, and Hughson pronounced the oath above mentioned, (something like a freemason's oath and penalties,) and every negro severally repeated the oath after him, and then Hughson's wife fed them with a draught out of the bowl." Nothing like this is told by any of the former confessors. He says, they intended burning the English Church; they advised to do it when the roof was dry, and a full congregation. To all this, Kane sets his mark. Coffin, the pedler, is taken up and examined. He protests he never saw Hughson until he was hanged, nor Kane, only as he once drank beer with him at Eleanor Waller's. Coffin is committed. Doctor Harry is committed, and two negroes discharged.

On the 17th of July, seven negroes pleaded guilty—and Sarah was ordered to be hung next day.

Adam, accused Doctor Harry, saying he came to the plotters in a little canoe from Long Island. The Doctor stoutly denied ever having been at Hughson's.

Kane, and Mary Burton, accused Edward Murphy—and Kane, accused David Johnson, a hatter. Accusations against whites now thicken. Mary Burton is the grand universal accuser, and Andrew Ryase, little Holt the dancing master, John Earl, and seventeen soldiers, are all mingled with the negroes, and with John Coffee, Ury, the priest, and Crocher, (a kind of half priest.)

On the 16th of July, Sarah, the negress, is respited till the 18th, and nine negroes being arraigned, four pleaded guilty. Quack and Othello, sentenced to be burnt, and Braveboy hanged.

The deposition of John Schultz is material to understanding the negro confessions. He swore that a negro man slave, called Cambridge, belonging to Christopher Codwise, Esq., did, on the 9th of June last, confess to this deponent, in the presence of said Mr.

Codwise, and Richard Baker, that, the confession he had made before Messrs. Lodge and Nichols, was entirely false, viz: that he had owned himself guilty of the conspiracy, and had accused the negro of Richard Baker, called Cajoe, through fear: and said, that he heard some negroes in the jail talking together, that if they did not confess they should be hanged; and that was the reason of his making that false confession: and what he said relating to Horsefield Cæsar, was a lie. That he did not know in what part of the town Hughson lived; nor did he remember to have heard of the man, till it was a common talk over the town and country that Hughson was concerned in a plot with the negroes.

Quack and Othello, under sentence to be burnt, made confession of all the particulars of the story, and Bastean, a negro, tells much the same. Kane, Mary Burton, and two of the negroes, give testimony against several negroes, and Burton says, that Earl, who lived in Broadway, used to come to Hughson's, with ten soldiers at a time. That the white men were to have companies of negroes under them. Ury used to be with them. A man, by the Mayor's market, who lived at a shop, where she, Mary, used to fetch rum from, is brought in; and a doctor, a Scotchman, that lived by the Slip, and another dancing master. This dancing master, she is prompted to call Corry, who being examined, says, that he never was at Hughson's house in his life.

Burton and Kane persist in accusing Corry, and he is committed. On the 14th of July, John Ury, schoolmaster, is examined, and denies ever having been at Hughson's, or knowing anything of a conspiracy: never saw the Hughson's or Peggy Kerry. Notwithstanding Kane persists in charging Ury, with being at Hughson's with Corry, and a young gentleman with a pig-tailed wig—Old Hughson, (the father of John Hughson,) and three of his sons, were sworn in, in their presence.

On the 15th of July, fourteen negroes are pardoned—and eight tried upon the same charges, and the same witnesses produced, Kane, Mary Burton, etc., and they are found guilty.

Now comes on regularly the case of Kane against John Ury, alias Jury. He is charged with having counselled, procured, etc., a negro slave, Quack, to set fire to the king's house in the fort, and pleaded not guilty: a second indictment, is, that being a priest, made by the authority of the pretended see of Rome, he did come into this province and city of New York, after the time limited by a law against Jesuits and popish priests, passed in the eleventh year of William III; and did there remain for the space of seven months, and did profess himself to be an ecclesiastical person, made and ordained by authority from the see of Rome, and did appear so to be, by celebrating masses and granting absolution, etc. To this Ury pleaded not guilty, and prayed a copy of the indictments, but only a copy

of the second was granted him. The use of pen, ink, and paper, was granted him.

As the trial and fate of this man are indicative of the period, I shall follow the course of his story, and after return to the others, whose trials are going on at the same time.

A journal kept by him was seized, and an extract taken by the grand jury, viz: arrived at Philadelphia, the 17th of February, 1738. At Ludinum, 5th March—To Philadelphia, 29th April—Began school at Burlington, 18th June—Omita Jacobus Atherthwaite, 27th July—Came to school at Burlington. 23d January, 1740—Saw —, 7th May—At five went to Burlington, to Piercy, the madman—Went to Philadelphia, 19th May—Went to Burlington, 18th June—At six in the evening to Penefack, to Joseph Ashton—Began school at Dublin, under Charles Hastie, at eight pounds a year, 31st July— —, 15th October,— —, 27th ditto—Came to John Croker, (at the Fighting Cocks,) New York, 2d November—I boarded gratis with him, 7th November—Natura Johannis Pool, 26th December—I began to teach with John Campbell, 6th April, 1741—Baptized Timothy Ryan, born 18th April, 1740, son of John Ryan, and Mary Ryan, 18th May—Pater Confessor Butler, two Anni, no sacramentum non confessio. On the 21st July, Ury's trial was put off to next term, and next day he was arraigned on a new indictment, to correct some legal error in the first.

Sarah Hughson being again examined, says, that she had often seen Ury, the priest, at her fathers house—that she had seen him make a ring with chalk on the floor, and make all the negroes then present stand round it, and he used to stand in the middle of the ring with a cross in his hand, and swear the negroes. Here we have Kane's ring, with the priest, for mother Hughson, and the cross for the punch bowl. There was nothing of the kind in the first confessions. That she saw Ury baptize some of the negroes, and forgive them their sins, and preach to them. That Ury wanted her to confess to him—and Peggy confessed to him in French, etc.

On the 24th July, Elias Desbrosses, confectioner, deposes, that Ury came to his shop, with one Webb, a carpenter, and wanted sugar-bits, or wafers, and asked him, "whether a minister had not his wafers of him? or, whether that paste, which the deponent showed him, was not made of the same ingredients as the Lutheran minister's?" or, something to that purpose. And told Ury, if he wanted such things, a joiner would make him a mould: and asked him if he had a congregation? but Ury, "waived giving him an answer."

On the 27th of July, Webb, the carpenter, is brought up and deposes:

That at John Croker's, at the Fighting Cocks, he became acquainted with Ury. He heard him read Latin and English, and

admired him so much, that he employed him to teach his child, as he found that he was a schoolmaster, and invited him to board, gratis, at his house. That he understood from him, that he was a non-juring minister, and had written a book which was censured and called treason, which was what he did not mean;—that he was taken into custody, but a great man got him away; and by leaving England he lost fifty pounds a year. That on religious subjects, the carpenter could not always understand him. As to negroes, Ury thought they were only fit for slaves: put them above the condition of slaves, and, in return, they will cut your throats. The historian recorder, in a note, says, that he was well acquainted with the disposition of them.

Webb proceeds to say, that after Campbell removed to Hughson's, Ury went thither, and this deponent went thither three times and heard him read prayers in the manner of the church of England, but in the prayer for the king, he only mentioned our sovereign lord the king, and not King George. He pleaded against drunkenness, debauchery, and Deists: admonishing every one to keep to his own minister. He said he only gave a word of admonition at the request of the family where he was. That in his third sermon, Mr. Hildreth was present, and Ury found fault with certain doctrines, and insisted that good works, as well as faith, were necessary to salvation. And he gave out, where, on a certain evening, he should preach from, "upon this rock I will build my church, and the gates of hell shall not prevail against it; and whosoever sins ye remit, they are remitted, and whosoever sins ye retain, they are retained." This is to the best of deponent's remembrance: but deponent has not heard that he preached according to that warning. And he has heard him say, that such and such a day was his sacrament day; and thinks he has heard him say, that he must administer the sacrament, but cannot be positive. The judges think, that if Sarah Hughson would be affected by a sense of gratitude, for saving her life, and kept to her history, concerning John Ury, she would be a material witness against him. So they recommend her for mercy. That is, she is to be pardoned, if she will say what is put in her mouth against the poor schoolmaster. On the 28th of July, another grand jury is sworn, composed of merchants; the names point to ancestors of some remoteness: Joseph Robinson, James Livingston, Hermanus Rutgers, junior, Charles Le Roux, Abraham Bocken, Peter Rutgers, Jacobus Rosevelt, John Auboyman, Stephen Van Cortlandt, junior, Abraham Lynsen, Gerardus Duykinck, John Provoost, Henry Lane, junior, Henry Cuyler, John Rosevelt, Abraham De Peyster, Edward Hicks, Joseph Ryall, Peter Schuyler, and Peter Jay.

Sarah Hughson being pardoned, Ury is brought to the bar, the prisoner challenging some of the jury. William Hammersley,

Gerardus Beekman, John Shurmur, Sidney Breese, Daniel Shalford, Thomas Bohenna, Peter Furman, Thomas Willet, John Breese, John Hastin, James Fisher, and Brandt Schuyler, are sworn to try him. The indictment, except formalities, is given above: it was a charge of felony, in counselling Quack to set fire to the governour's house. The counsel arrayed against this poor individual are Richard Bradley, attorney general, Mr. Murray, Mr. Alexander, Mr. Smith, and Mr. Chambers. Mr. Bradley tells the jury the evidence to be produced, and goes over the testimony, as above given of Kane, Sarah Hughson, etc., and further, a letter from Ge'n'l. Oglethorpe, governour of Georgia, saying, that the Spaniards had employed emissaries to burn all the towns, and many priests were employed under characters of physicians, dancing masters, etc. The attorney general says, that this, and much more, will be proved. His main discourse is to show the wickedness of popery. The first witness is the wretch, Mary Burton. She goes over the charges: the fire was to be begun at Croker's, (near the coffee-house, by the long bridge in my time, 1775 to 1783, called the Coffee-house Bridge, a sewer passed under it from Wall street.) She now tells the story of the ring chalked on the floor, and talks of seeing things in it that looked like rats, (which the commentator says, were the negroes black toes.) And another time she peeped in and saw a black thing like a child, and Ury with a book in his hand, and she let a spoon drop that she had in her hand, and Ury came out and chased her down stairs, but she falling into a butt of water, she escaped from him! When they were doing anything extraordinary at night, they would send her to bed.

Prisoner—You say you have seen me several times at Hughson's, what clothes did I usually wear?

Answer—She could not tell.

Prisoner—That's strange, and know me so well?

She then says, several kinds, but particularly, or chiefly, a riding coat, and often a brown coat, trimmed with black.

Prisoner—I never wore such a coat. What time a day did I use to come to Hughson's?

Answer—Chiefly in the night, and when I have been going to bed: I have seen you undressing in Peggy's room, as if you were to lie there: but I cannot say that you did, for you were always gone before I was up in the morning.

Prisoner—What room was I in, when I called Mary, and you came up, as you said?

Answer—In the great room, up stairs.

Prisoner—What answer did the negroes make, when I offered to forgive them their sins, as you said?

Answer—I don't remember.

Kane, the soldier, next called, and tells his story, and answers to

Ury's questions very boldly : that Ury wanted to convert him—could forgive sins—and saw him baptize a child.

Sarah Hughson being called, Ury objects her conviction and condemnation ; but was told, that being pardoned, she was competent. The historian says, she was brought this morning to plead her pardon, out of the condemned hole, where she had been confined from the time of her condemnation : and when her pardon was pleaded, she was taken from court into a room, in custody of the under sheriff, where she was to be near at hand for call upon this trial, and there she remained till wanted, and was sent for.

The letter of General Oglethorpe (before mentioned) was read in court. It is addressed to George Clarke, Lieutenant-governour. The historian gives extracts from newspapers, to prove that the court of France endeavoured to excite revolts and disturbances in the English colonies. He tells a story of an Irish school-master, in Ulster county, about the time of the fires in New York, drinking the king of Spain's health.

The wretches, Kane and Hughson's daughter, are the only witnesses examined against Ury. They are notorious as liars, and it is evident that they only testified against this man to save themselves, and as prompted by the court. Ury commenced his defence, by a speech showing the incongruity of the charges with his known behaviour, and the silence of Quack, and others first accused and executed. Campbell took the house Hughson had occupied, and Ury went with him to take possession, on the 1st of May : Hughson and his wife being in custody, charged with felony, and Sarah being in the house. She abused Campbell ; and Ury reproved her for her foul language. This seems to have added to the motives for accusing him. Ury denies all knowledge of Hughson and his family, and it appears that he knew nothing of them. He is stopped in his address to the jury, and told to produce his witnesses. Croker's testimony exonerates him from keeping company with negroes, or their coming to him, while at the house, (before the 1st of May,) and all the plotting is charged long before that time. He represents him as a pious preacher and a good school-master. Ury always declared himself a non-juring clergyman of the church of England. He taught Webb's child ; and Webb made a kind of desk for him, which is constructed into an altar, and the jury, without proof, make him a catholick priest, and guilty of the crimes imputed to him by Kane and Sarah Hughson. Campbell and his wife, testify to the material facts asserted by Ury, he was a grave, sober, honest man. Hildreth, a schoolmaster, swears that Ury was a conjurer. The attorney-general and chief justice, however, tell the jury that he is a Romish priest, and dilate on the errors of the church of Rome, all of which, by implication, are charges on Ury. It was acknowledged by the attorney-general,

that it was not proved that Ury was a Roman catholick; yet all the absurdities of the Church of Rome, and all its enormities, are declared to the jury, to prejudice them against him. He is hanged on the 29th of August, 1741, declaring his innocence, submission to death cheerfully, and exhorts sinners to repentance.

The details, as given by the recorder, his friends and advocates, of the persecution, is to us of this day, a most sickening record of prejudice and glaring injustice, consummated in torture and murder.

I will be as concise respecting the negroes as possible, being heartily tired of the disgusting subject.

Quack and Othello were sentenced to be burnt; but being slaves of two of the great men of the town, one the chief justice, interest was made to save them, which failed; but their sentence was changed to hanging. Those two, with four others, were hanged on the 18th July. In the afternoon of the same day, Harry, the negro doctor, was executed. He had been sentenced on the most trivial and improbable testimony; and his "heart was so hardened," says our historian, that he confessed nothing. On the contrary, he said that he had been told that he would be hanged or burnt, and persisted in declaring, that if he knew of any plot, he would confess it, to save his soul.

On the 23d July, a number of whites were fined for keeping disorderly houses, and entertaining negroes; and nine negroes discharged from jail, for want of evidence to convict them. How could that be?

On the 30th July, four negroes pleaded guilty, and ten are pardoned; but four more are apprehended.

August 4th: on this day, a Spanish negro ordered to be hanged, which was executed the 15th.

The 31st of August, Corry, Ryan, Kelly, and Coffin, whites, were discharged—no one appearing to prosecute. The testimony against these men, from the wretches Kane, Burton, and Sarah Hughson, was as strong as that against Ury, or any of those executed.

The 24th of September was set apart for a thanksgiving for the escape of the citizens from destruction. The father and four brothers of Hughson petition to be released from jail, where they had been confined for months on the improbable testimony of one of the abandoned informers. The court consents to *pardon* them! but only on condition of leaving the province.

All these executions and banishments could not quiet the fears of the good people of New York. Some negroes, at the Christmas holidays, had amused themselves by playing soldiers: this alarmed the lieutenant-governour, and the attorney-general sent to the magistrates of Queen's county, where this happened; and the negroes

were chastised for this daring piece of insolence, i. e. whipped at the whipping-post, on the 26th January, 1742.

1742 On the 15th February, all the apprehensions of the magistrates are realized; live coals of fire are seen in the gutter of a house. The mayor summoned all the magistrates together, and they determine to go in a body to "inquire what negroes were in the neighbourhood." They find that a poor widow, who keeps a bakehouse, has a negro—a sort of a simple, half-witted boy—and he was without ceremony committed.

This fool is called Tom; and he confesses that he put the fire on the gutter; that Jack told him to do so; that he got up early, lit a candle, made a fire in the bakehouse, heated water to melt the sugar to make cookeys, and threw a lighted coal of fire upon the shed. It is confessed by the writer, that they could not give entire credit to his story; and on a fourth examination he stated, what he said about Jack, and others, was false—he did it of himself; and being asked, "why he did so?" he said, "he could not help it." Tom is brought to the bar, and charged with conspiring to burn, &c. &c. Tom pleads guilty to putting the fire; and all the stories he has told, are repeated to him; and the assembled magistrates and freeholders (no jury,) having condemned him to be hanged, he is told, he will be damned in the bargain. Tom then returns to his charges against his companions: but they cannot "be brought to confession."

They, the magistrates, get hold of another black boy, Philip, and he says he was with Tom, called Monkey, and Jack, &c., on Sunday, playing pennies, and lost two pennies; but he heard nothing of what Tom says about burning.

Tom is brought to the gallows. They hang him, and apprehend the others; "but nothing could be got out of them."

The whole of this is revolting, as stated by one who believes there was this second conspiracy.

On the 15th of March, a tanner's barkhouse, in the Swamp, was found to be on fire: set on fire, of course. The tanners hold their ground on this spot, to this day, in Ferry street. The people were put in great consternation; but as there was no building near, except some of the tanner's sheds, it only burnt them. It was proved that some of the tanner's boys had made a fire to warm themselves, and left it with negro Sam to put out, and they went to dinner. It was concluded, that the shed was burnt on purpose. But notwithstanding *such* proofs of a "diabolical conspiracy," many people did not believe in it; and the believers could not make out a charge against Sam. Still, the diabolical conspirators kept at work; and on the 20th of April some rags were found burnt to tinder; and, as they could not indict Sam for arson, they indicted him for a felony, committed some time before. No discovery

having been made, on the 3d of August the grand jury was sworn and charged by the recorder to search into all dram shops and tippling-houses, &c., for notwithstanding great pains and industry (as it should seem) had been taken to bring the notion of a plot into contempt, he tells them he has no doubt but that popish emissaries are at work, like moles in the dark, in the shape of dancing-masters, schoolmasters, physicians, and such like, to accomplish the work of the devil. He therefore charges them, that if they find any such obscure persons, they shall present them to the court, to be apprehended and examined according to law. Nothing follows on this terrible charge. And on Thursday, 2d September, Mary Burton, the wretched bought servant who had detected the conspirators, i. e. had been the witness against Ury and all the others, is rewarded according to promise, with £S1, which is the balance of £100—she having already been paid £19. This wretched woman was an indented servant, as it was then called, to Hughson; and one part of her reward was to be liberated. She had sworn at first, that no other white persons but Hughson, his wife, and Peggy Carey, had been seen by her, as conspirators, but as the business goes on, she sees Ury and as many others as circumstances require.

John Ury fell a sacrifice to the panick which the arts and power of the Jesuits had instilled into the minds of men.

To account for the blind injustice exercised towards Ury, we must remember the evils which popery had inflicted on many parts of Europe, and particularly on England. A just dread was felt of the return of those evils, by the restoration of the race of the Stuarts—the tools of France and Rome. Ury had confessed himself a non-juror; and the minds of his judges were not in a state to appreciate or allow freedom of opinion, in any case: to be an opponent to that revolution, on which they supposed their religion and civil liberties to depend, was a deadly crime; and a jacobite, suspected of Jesuitism, or the Roman Catholick religion, especially a priest, was, in their minds, already convicted.

In conclusion, the historian gives thirteen close printed quarto pages, in recapitulation of all the stories sworn to: and, giving them as undoubted facts proved, he supports his plot by the *history of popery* and all the plots and pretended plots of England and Ireland.

Two features appear in the summing up of the writer: first, that there was an outcry of many against Mary Burton and her testimony: second, that she threatened to impeach people of consequence in the city. This, however, she was afraid to do, or the magistrates were afraid to permit. When the people of consequence were likely to be implicated, the proceedings stopped; as in the case of the prosecutions for witchcraft in Massachusetts.

The whites executed, were four. Negroes, eleven burnt,

eighteen hanged, fifty transported and sold, in the West Indies principally—a few to Madeira and Newfoundland.

While New York was in this deplorable state, Franklin, the benefactor of mankind, was laying the foundations of the Philadelphia Library.*

The year 1742 is memorable in medical annals, by the prevalence of a malignant epidemic fever in the City of New York. The disorder was similar to that more recently called the yellow fever, and is described by Colden. Out of a population of seven or eight thousand, two hundred and seventeen persons died.†

* In connection with the negro plot of 1741, I will here remark, that Clarke, in his speech on occasion of the fire in the fort, ascribed it to accident; but when the panick was rife, it appeared plain that it was a thing designed. The government party, the officers of justice, the judges, all joined in the cry of "plot," and perhaps believed in it.

William Smith, the historian of New York, says of Mary Burton, that she "was the bought servant to John Hughson, a shoemaker and keeper of a low tavern, in the west quarter of the town." Peggy Carey he calls another maid servant in the house of Hughson: but she was a lodger or boarder. The historian says, "the jails were crowded." By jails, is meant the apartments so called, in the city hall, which building was council chamber, court house, jails, and dungeon. I have since ascertained, by studying the records in the clerk's office, that it was common to speak of the apartments in the above building, as so many jails. The same records furnish me with the testimony that the indentures of Mary Burton were purchased by the corporation, and kept by them until March the 6th, 1742, when they were delivered to her, and she was discharged from the further term of her service: so that she was the bought servant of the magistracy, all the time she was giving her testimony. In September, 1742, Joseph Moore, appointed guardian to this girl by the court of chancery, applies for and receives the balance of the reward, £81.

† See Hosack's and Francis's American Medical and Philosophical Register, vol. 1, in which work may be found Colden's account of this fever.

CHAPTER XXII.

Arrival of Admiral Clinton, as Governour of New York—Capture of Louisberg—Distress of the frontiers—Destruction of Hoosick and Saratoga—Sir Peter Warren—Governour Clinton at Albany—Failure of England to second the projected conquest of Canada—Governour Clinton's insolent language to the House of Assembly, and their spirited reply—David Brainard—Murder by a shot from a man-of-war in the harbour of New York—Sir Danvers Osborne—Congress at Albany.

1743 WHATEVER may have been the arts by which Lieutenant-governour Clarke managed the lords of trade and others at the Court of Great Britain, who were interested in the government of the Colonies, at length it was determined (for the benefit of his finances) to send out Admiral Clinton, as governour-in-chief of this province. He was the younger son of an earl, and uncle of an earl. He was connected, by marriage, with other nobles, and this opportunity was taken to mend his fortunes from the purses of the colonists, though he knew nothing of the art of governing further than directing the movements of a ship of war.

On the 22nd of September, 1743, Admiral Clinton arrived, with his wife and family, and his commission was published the same day. The people showed their pleasure at a change by the usual shouts; and he was instructed that it would please them still more if he dissolved the present assembly and convened another.

The new governour fell into the hands of James De Lancey, the Chief Justice; who, though he cuts but a poor figure during the panick of 1741-2, had acquired sufficient knowledge of colonial affairs to guide Clinton, and had, unquestionably, sufficient talents to direct him in the course that was popular. The new assembly sat from November 8th to December 17th. They gave the governour a salary of fifteen hundred and sixty pounds, one hundred pounds for his house-rent, four hundred pounds for fuel and candle light to himself and the garrison of the independent companies, one hundred and fifty pounds to enable him to visit the Indians, eight hundred pounds to make presents to those tribes, and one thousand more for the unsuccessful solicitations of the king's aid, at their instance, towards rebuilding the fort, and obtaining a supply of ammunition. They continued the salary of three hundred pounds to

the Chief Justice ; and now, without opposition, voted one hundred pounds a year to Mr. Justice Phillipse ; half that sum to Mr. Horsmanden, the third judge ; and, on motion of Mr. Morris, began the practice of enabling the governour and council to draw upon their treasurer for contingent services, now limited to sixty pounds, but afterwards increased to one hundred pounds per annum. The governour, in return, assented to all the bills that were offered him, without any objection to those limiting the support to a year.

1744 The enmity (formerly called *natural*) between France and England had been displayed by doing each other as much injury as possible for some time past ; and the reader will recollect the endeavours of "Onas," or Pennsylvania, to enlist the Iroquois on the side of the English colonies ; but, in 1744, formal declarations of war were made by the great powers of Europe, and the northern frontiers of New York were exposed to all the horrors which had formerly attended the inroads of the French and their Indians from Canada. The traders fled from Oswego, and, indeed, the province was left to the guardianship of the Five Nations.

Doctor Abeel, speaking from his own knowledge of this time, says :—"On the hill, near the run of the fresh water to the East River, was a wind mill. Some years before this, there was a wind mill between what is now called Liberty and Courtlandt streets. Here it was that, less than forty years ago, the Indians, still residing in the lower parts of the state, at particular seasons of the year, came to the city and took up their residence until they had disposed of their peltry, their brooms and shovels, trays and baskets. I have seen wheat growing, in 1746, where St. Paul's Church now stands. Then there were not twenty houses from Division street to Fresh Water. I have seen, in 1744, and afterwards, several Indian canoes come down the East and North Rivers, and land their cargoes in the basin, near the long bridge, [at the foot of Broad street.] They took up their residence in the yard and store-house of Adolph Phillips ; there they generally made up their baskets and brooms, as they could better bring the rough material with them than the ready made articles. When the Indians came from Long Island, they brought with them a quantity of dried clams, strung on sea-grass, or straw, which they sold—or kept for their own use—besides the flesh of animals, &c. Clams and oysters, and other fish, must have formed the principal food, together with squashes and pumpkins, of the natives of the lower part of the state."

1745 The English provinces were again impressed with the just conviction that their only safety lay in the conquest of Canada ; and Governour Shirley, of Massachusetts, made known a project for capturing Louisburg, which was the French stronghold,

and, at that time, the key to all their possessions. The government of New York was wise enough to join in this plan of conquest, and sent field pieces, and other military equipments, to Governour Shirley. They likewise despatched succours to Oswego, strengthened the frontier forts, took measures to engage the Iroquois in the war, and to combine the forces of the other provinces in their defence.

On the 13th of May, 1745, the governour dissolved the second assembly which had met him, who were neither so complaisant or complying as the first. They parted, bearing ill will to each other, and the people, taking part with their representatives, returned the same men to the subsequent house. The assembly, however, in June, saw the necessity of forwarding the views of the governour, or his directors, and aided in the preparations for defence at home and conquest abroad.

1746 Louisburg, situated on the island of Cape Breton, was justly considered the Gibraltar of America, yet it was besieged and taken by provincials, from New England, by a plan contrived in the mind of a lawyer, and an army commanded by a merchant. Pepperel, the commanding officer, was seconded by Vaughan and Wolcot. The vessels, the officers, and men, were all Yankees; but were joined, unexpectedly, by four ships of war, commanded by Captain Warren, from New York—unexpectedly, for he had refused his aid, but received orders from England to assist the provincials. After a two month's siege, this formidable fortress surrendered. Warren claimed the victory, and England awarded it to him. He was dubbed Sir Peter Warren; but Pepperel was likewise complimented with a title.

The French flag was kept flying to decoy their ships in, and many thus were made prizes. The prizes altogether were valued at a million sterling, which was appropriated to Warren and his fleet; and the claim of the men who took the town was disallowed by the British government. This was the only conquest made under the flag of England during the war: it was made by Americans. It was of great importance to their future security; but England gave it up to purchase a peace.

New York contributed in money to this expedition, but had none of the honour of reducing Cape Breton.

Great Britain and her government magnified the services of Warren, and the naval heroes of England, while they depreciated the just claims of the colonists to the conquest of Louisburg. The official accounts, published by the ministry, suppressed the truth in respect to the American project, energy, and success; and the colonists, with surprise and disgust, saw their expense, labour, and bloodshed, represented as nothing by the government of Great Britain. This Captain Peter Warren, a provincial, and Lady Warren, took rank among the aristocracy of Great Britain, in con-

sequence of the reduction of Cape Breton. While at New York, this Captain Warren commanded several vessels of war, and, of course, was called commodore. He issued his notice, by way of proclamation, that the boatmen and market men should not be impressed for his majesty's service; but says, he will impress "such as belong to inward bound vessels from sea." Now Commodore, or Admiral, Warren was as ignorant as Admiral, or Governour, Clinton that an act of parliament had been passed in the sixth year of the reign of Queen Anne, (1707,) by which, for the encouragement of trade in America, it was enacted that "no person serving as a mariner on board any privateer, or trading vessel, should be impressed, unless such person shall have deserted from a ship of war;" and, doubtless, thought he was very kind in permitting boats to supply New York with provisions. But what shall we say of the judges and learned lawyers of the time, who were ignorant of the existence of the statute?

On the subject of Cape Breton, we have the testimony of Tindal, the continuator of Rapin, that 3850 volunteers, new to military service, "embarked at Boston, and proceeded to the reduction of the strongest fortifications in the new world with regularity and unconquerable spirit; with the assistance of some officers, lent them by Sir Peter Warren, who commanded a naval force, they mounted a large train of artillery, and compelled the garrison to surrender on the 13th of June, thus gaining a fortress which secured the command of this country and relieved their frontiers; but which England, for her own purposes, gave up to the French, in exchange for fortresses in Europe." Smollett calls this the most important achievement of the war; and the authors of the Universal History state that New England gave peace to Europe by conquering this fortress, which, at the peace of Aix-la-Chapelle, in 1748, proved an equivalent for all the French successes. But notwithstanding all this, Sir Peter Warren (after whom we of New York call one of our streets) did, on the 29th of September, 1747, depose "on oath," in the High Court of Admiralty, in England, that, with the assistance of his majesty's ships, *he*, the deponent, "did subdue the whole island of Cape Breton."*

Meanwhile the country, north of Albany, was kept in perpetual alarm by parties of French and Indians, who perpetrated, as usual, all the horrors of savage warfare. The French garrison at Crown Point, under M. Vandrueil, sent out a force sufficient to attack and destroy the Fort at Hoosick, where Col. Hawks, the commandant, after a spirited defence, surrendered. In November, the settlement at Saratoga was surprised: a brother of Schuyler, with many others,

* See Robert Walsh's England and America, and others on this subject.

was slain—captives carried off—and destruction spread over the neighbourhood. Even the counties of Ulster and Orange were struck with panick, and expected the arrival of Canadians and Indians.

The Assembly of New York voted monies for defence, and offered rewards for the capture or scalp of an enemy. We are glad to find, that double the sum was awarded for a captive, to that given for a scalp.

Hostilities were carried on by the French and their Indians, in their worst shape. The destruction of private property, devastation of the scenes of rural happiness, and wanton waste of the product of agricultural industry, with the murder of the aged and defenceless, the sprinkling of the blood of women and children over the blazing ruins of their peaceful domestic joys, seem to have been the only end proposed by these christian Europeans and their converted savage allies.

Thirty families, with the thriving village of Saratoga, were sacrificed to the demon of invasive war. A detail would be a repetition of the story of Schenectady, in 1690, and anticipate the horrors of Wyoming and Cherry Valley.

The destroyers of Saratoga issued from the stronghold of Crown Point, which, by criminal negligence, the French of Canada had been suffered to fortify, in pursuance of the great scheme of the Court of Versailles, for accomplishing a restrictive chain of garrisons to confine the English hereticks to the sea-shore, previous to their expulsion from America, or subjugation: for such appears to have been the vast plan formed by the Court of France. By surrendering Cape Breton to Louis, England subsequently facilitated these great views; and if, as was urged by the Governour of Canada, the City and Port of New York had been secured, the Hudson and the northern lakes gave an opportunity of dividing the colonies before conquering them.

The same savage irruption which passed over Saratoga and left it a heap of ruins, swept with equal desolation the village of Hoosick, after destroying the fort existing in that quarter.

In August and September, 1746, Governour Clinton held a council at Albany with the Iroquois, for the purpose of keeping them in alliance with New York, and to counteract the intrigues of the French of Canada, carried on through their Jesuits and priests, who fomented the discontents of the Indians which arose from the character of the traders sent among them by the English; and, as Colden says, “the misconduct of those who were entrusted by the government of New York with the management of Indian affairs.” The Indian agent was Mr. Johnson.

As England and France were then at war, and an expedition intended against Canada, orders were sent to Clinton, directing

him to engage the Iroquois to take part in this enterprise; and he proceeding to Albany with Colden and Livingston, of his majesty's council, (the others declining) and with Captain Rutherford, stationed at Albany, likewise of the council, a sufficient number for business was convened. The Iroquois were invited to meet the governour at Albany, in July; and on the 21st, he arrived there, but found the small-pox prevailing in the town, and never having had it, he continued on board the sloop till next day, and then determined to take up his residence in the fort. On landing, he was received by the corporation, the regular troops in the place, and the militia. That same day, three Iroquois came into Albany, and presented the governour with two French scalps, which they said they had taken at noon-day, within sight of the French fort at Crown Point. These Indians had already received the reward given by the act of assembly, but the governour gave, in addition, his thanks, four Spanish dollars each, and to the leader, a finelaced coat and hat, and a silver breast-plate: to the others, each a stroud blanket and laced hat.

These Indians had been in the bushes several days, watching the fort gate; and when two Frenchmen came out unarmed, shot them, tomahawked and scalped them, before assistance arrived from the fort. For this, they are honoured and rewarded by christians. Such is war.

Other scouts came in, and informed that there was a great force of French and Indians at Crown Point. The French Indians were the Algonkins, and Cagnawahgas, or christian or praying Indians, considered by the French as converts—most of them originally Mohawks. Sixteen Mohawks, who had been sent by Mr. Johnson, afterwards Sir William, to take prisoners and gain intelligence near Crown Point, arrived at Albany. Clinton endeavoured to prevail on them to return to Crown Point, and offered for every prisoner or scalp they might take, a piece of stroud and a suit of laced clothes, besides the bounty; but they chose to go home. The Mohawks were apprehensive of an attack from the French, and the Governour of New York sent a captain of militia and thirty men to reinforce their lower castle, and wrote to Mr. Johnson, that the French exaggerated their force, to prevent the Iroquois coming to the treaty. There were appearances of some secret understanding between the Mohawks and the French Indians (Cagnawahgas) residing near Montreal.

William Johnson exerted himself to rouse the Mohawks to war against the French, by dressing himself like them, and feasting them—by setting them to dance their war-dances, and other artifices—for all which, the governour promised to pay him. Still, some of the sachems insisted on remaining neuter in the war between the two European nations. This neutrality was what the

French endeavoured to influence, as they had no hopes of engaging the Iroquois in hostilities with New York. At length, a large number of the Iroquois came to Albany; but divided among themselves so much, that the Mohawks separated from the others, marching on the opposite side of the river as they came to Schenectady.

When the Indians came near the town of Albany, on the 5th of August, Mr. Johnson put himself at the head of the Mohawks, dressed and painted as an Indian war captain. The Indians followed him, painted for war. As they passed the fort, they saluted by a running fire, which the governour answered by cannon. The chiefs were afterwards received in the fort hall, and treated to wine. A good deal of private manœuvring with the individual sachems was found necessary to make them declare for war with France before a public council was held. After the governour's speech was arranged, he fell ill; and to prevent delay, Mr. Colden was appointed to speak; and on the 19th of August, the three counsellors and the commissioners of New York, with the commissioners of Massachusetts, met the Indians; and Mr. Colden tells the Indians, in Clinton's name, the events of the war: that the French had attacked Annapolis and been beaten off; that Massachusetts, Connecticut, and New Hampshire had taken Louisburg; that a message had been sent to the Governour of Canada, saying, if he should revive the inhuman custom of murdering private people by skulking Indians, that all the colonies, "and you, our brethren," would make reprisals, and carry on the war in like manner; that the Iroquois had promised Governour Clinton last fall, that if any of the English should be killed by any Indians, they would join against them and the French; that since then, the French Indians have murdered the people, at Saratoga and near Albany, and in Massachusetts; and therefore he demands the fulfilment of their promise. He then tells them of the second and principal object of the meeting, i. e. to engage them to assist in taking Canada from the French; that troops from all the colonies are on the march by land, or on their voyage by sea; that the king, the father of the Iroquois, has sent forces enough to take Canada, "but expects and orders you, his children, to join with your whole force," giving an opportunity to gain renown by subduing the enemies of the Iroquois. He then boasts of the superiour magnanimity of the English, in comparison with the French. He reminds the Iroquois of the French invasion of Onondaga—of their treachery, in seizing the sachems at Cadaraqui, (Fort Frontignac)—of the revenge the Iroquois took on the French of Montreal, a revenge which he tells them the French have neither forgotten nor forgiven. He invites them to join in the expedition, and the Governour of New York would furnish arms, ammunition, provision, clothing, &c., and protect their wives and children in the absence of the warriors. During this, belts are given

and received with the Indian *Yo-lu*. The Iroquois took to the 23d of the month for deliberation, and then answered—the governour being present. They agreed to join in the war generally against the French; and add, that they take in the Messesagues as a seventh nation.—These, I call the Mackinaws, from their situation: they are represented as having five castles or villages, containing eight hundred men, all ready to fight the French. The orator declared war, by throwing down a war-belt, with gestures of indignation. The orator says, if the French priests come among the Iroquois, they will roast them.

The Governour of New York, the commissioners of Massachusetts, and those of Virginia, make their presents to the Iroquois, and next day Clinton speaks to them, and the Onondaga orator answers: the Indians divide the presents, giving a due proportion to the Mackinaws. The next day was spent in dancing the war-dance and singing the song with solemnity, all the Iroquois being painted as for battle. The governour had private interviews with the chiefs, and gave them presents. One of the Mackinaw deputies died of small-pox, and his dying request to the governour was, that the first French scalp that was taken, should be sent to his mother. This, the christian chief magistrate promises, and the savage dies contented.

The Indians, commonly called Esopus, Minisink, Mehecandies and River Indians, perhaps the Mohicans, were now sent for, and the governour went through shorter and slighter ceremonies with them; receiving from them assurance, of joining in the war with him and the Iroquois. Then they had their war-belts, war-dance, and presents.

The Indians being sick and expensive, Clinton dismissed them, ordering Johnson to send out parties from Schenectady, and from his own settlement, near the lower Mohawk castle, to harrass the French of Canada: arms were delivered for that purpose.

On the 5th of September, Captains Skaats and Vromen, brought the Indians of the Susquehanna to Albany. They came marching in single file, and saluted by firing as they passed the fort: a salute was returned of cannon. Meeting them on the 8th, the governour repeated his speech to them in form. They in reply, hint, that they have jealousy of the Iroquois, but promise, in the usual form, to join in the war.—The governour threw down a hanger, which the orator took up, and began the war-dance: others joined, and the usual ceremonies, promises, and presents, were made.

A sergeant of Captain Livingston's company, was surprised about this time, and killed by the French Indians, near Albany, and parties were sent out to scour the woods; the Susquehannas, among the foremost, but no enemy was found. These Indians had

about sixty warriors in company, with many old men, women, and children. Many fell sick, and the governour dismissed them at their wish. A number of these, and of the Iroquois, died before they reached home. This retarded the war operations, and when Johnson pressed his Mohawks to go as war scouts, one of them answered him, "you seem to think that we are brutes, that we have no sense of the loss of our dearest relations, and some of them the bravest we had in our nation: you must allow us to go home to bewail our misfortunes."

They, however, did send out some scouting parties. The Iroquois received a message from Crown Point, by an Indian the French had taken, and dismissed for this purpose.

He said that the governour of Canada had called together his Caugnawahgas, and complained that the Iroquois had killed some Frenchmen; the Caugnawahgas were told to go to them, and say, if they continued hostile, he would punish them, but he sends back an Iroquois, "without eating his flesh," to show his love of their people. He further directs the Caugnawahgas, not to injure the Iroquois, but to attack the New England men. To this the Caugnawahgas are said to have answered, that the Iroquois would not bear to be threatened, and if he had such a message to send, he must carry it himself. To this they added, a message to the Iroquois, begging them to tell, if any plot is in agitation by New York against them; and, likewise, that Canada had 1,800 men at Crown Point, ready to fight New York. They concluded with desiring the Iroquois not to be angry with them for destroying Saratoga last fall, "Colonel Schuyler dared us to it," and we gratified him. The Iroquois immediately communicated this message to the governour of New York.

In the autumn, a party of Iroquois of thirty, with ten whites, fell upon a French settlement about ten leagues above Montreal, and brought off eight Frenchmen and four scalps. Another party visiting the Caugnawahgas, under pretence of making peace, were introduced to the governour of Montreal, took letters from him to persons at Crown Point, and in returning home, surprised a small French fort, killed five, and brought away one prisoner, and one scalp. The prisoner and letters they brought to the commanding officer at Albany.

In the foregoing transactions, Mr. William Johnson is a prominent personage; and the reader will find him still more so, in the subsequent pages.

Governour Clinton had quarreled with his friend and adviser, Chief Justice De Lancey, among whose intimates was Colonel Philip Schuyler, the son of the celebrated Peter. Philip had succeeded his father, as agent for the Iroquois. From this office Clinton removed him; and gave it to Mr. William Johnson, who

had emigrated from England, purchased a farm surrounded by the Mohawks, and with some property brought to the wilderness, was improving his land. He was a nephew of Commodore Warren and the governour, to chagrin De Lancey, and perhaps Schuyler, gave this important agency to Mr. Johnson. He appears to have gained the good will of the Indians, by mingling with them in a very intimate manner; for, besides his feasting the men, he acknowledged some of the half breed as his children.

Cadwallader Colden's History of the Five Nations, was published in London—he being at that time one of his majesty's council for the Province of New York, and surveyor-general of the same. This, and his other publications, have made him known and honoured more than the circumstance of being Lieutenant-governour of New York. Mr. Colden says of the Iroquois :

“ All the nations round them, (the Iroquois,) are and have long been tributary, paying them in wampums, or strings of beads wrought from conch-shells, the white wampum, or muscle-shells, (the purple,) and perforated so as to be strung on leather. Several of these strings united, form a belt, such as they use at their treaties. Every bead is of a known value. Two old men are sent every year to the tributary Indians to receive this tax and emblem of inferiority.”

1747* The discontent of the Americans was heightened by an outrage committed on the people of Boston, during Shirley's administration, under the orders of an English captain of a man-of-war, named Knowles.

The statute of Anne, above mentioned, seems not to have been known or thought of. With that insolence which characterizes the officers of the English army and navy in their intercourse with the provincials, Knowles, who was stationed at Nantasket, having lost men by desertion, sent his boats to Boston with a press-gang, which, landing early in the morning, swept the streets and wharves, as well as the decks of the vessels in harbour, carrying off landsmen as

* In this year, Robert R. Livingston, afterwards Chancellor of the State of New York, was born in the City of New York, where he graduated at King's College, in 1764. He was a student of law with William Smith, the historian of New York, in company with his cousin, William Livingston, the revolutionary Governour of New Jersey, and Whitehead Hicks, the Mayor of New York in 1775. Robert R. was a member of the Congress of 1776, from New York, and one of the committee who brought in the Declaration of Independence. This family originated in this country, from Colonel Robert Livingston, who emigrated in 1678, and purchased the land on the Hudson River, in 1689. They are by some supposed to derive consequence from certain Scotch lords of old time: but were here respected for talents exerted for the people. David Hume, a noble of God's creation, remarks on the value of praise from an “ English Earl and a Knight of the Garter, and a secretary of state,” that he has observed that the greatest rustics are commonly most affected with such circumstances.

well as sailors. Such treatment is patiently borne in London; but in America, it never was submitted to. The people of Boston, as soon as this outrage was known, repaired to the province-house, and demanded of Shirley that the English officers belonging to Knowles's squadron, then in town, and at the government-house, should be seized and held until the pressed men were returned. The officers armed themselves and resisted. Bloodshed was prevented by the intervention of some popular citizens, who assured the people of redress. They retired, bearing off in triumph a deputy-sheriff who had commanded peace in his majesty's name; with this king's officer, they were for the present satisfied, as a victim; and, putting him in the stocks, they dispersed. But when evening came, and their fellow-citizens were not restored, the storm raged with redoubled fury. The general court or assembly was in session, and the populace surrounded and assaulted the town-house, demanding that the English officers should be held as hostages for the impressed men. Shirley in vain addressed them, and was saved probably from insult or violence, by the tidings which reached the rioters that the barge of one of the ships of war was approaching the town. They rushed to meet her; and on her touching the wharf, she was lifted like a feather from the water, and borne to the front of the governour's house, where the blaze and crackling of the tarry timbers gave indication of the resistless fury of an insulted people.

The next morning the militia of the province were called out, but they refused to obey. The people, meantime, had seized the officers who were in town, and Shirley took refuge in the castle on an island in the harbour, from whence he wrote to Knowles, and urged the necessity of returning the impressed men. Knowles refused, unless his officers were released, and threatened to bombard the town. The assembly, after some debate, concluded to support the laws, and ordered the civil and military force to put down the riot. The militia turned out and escorted the governour from his place of refuge to his own house. A regular town meeting was held, which, while by its resolutions it expressed the utmost indignation at the conduct of Knowles, condemned the lawless violence of the rioters. The next day, the quiet of the town was restored. The naval officers were liberated, and the impressed men restored to their ships and homes. Knowles departed with his squadron from the coast, after having impressed upon the colonists another lesson, subsequently to be remembered, teaching the incompatibility of a foreign government with the rights of the people governed.

The capture of Cape Breton stimulated France to exertions against the Colonies of America, and a fleet was destined to capture New York and ravage all the sea-coast. Great Britain, meanwhile, contemplated the reduction of Canada and Nova Scotia. Her fleets were to rendezvous at Louisburg, and, with the combined forces of New England, proceed up the St. Lawrence; while the troops of

New York and New Jersey penetrated to Crown Point and Montreal. The colonies raised an army of 8,500 men, thus proportioned: New Hampshire, 500; Massachusetts, 3,500; Rhode Island, 300; Connecticut, 1,000; New York, 1,600; New Jersey, 500; Virginia, 100; Maryland, 300; and Pennsylvania, 400. But all the hopes of the colonists were disappointed. Great Britain sent no fleet or army. The summer passed, and the colonial governments determined to act without aid. Governour Clinton, of New York, with aid from New England, was to attack Crown Point, with the aid of the Iroquois. The New England men were to reduce Nova Scotia. But, tidings arrived of the arrival from France of a fleet and army, at Chebuild Bay, of 11 ships of the line, 30 transports, and 3,000 disciplined soldiers. To this force, were added 1,700 men from Canada, and more were anticipated to be raised in Nova Scotia.

The New England men armed by thousands, and raised forts to repel the enemy. They still hoped for succour from England; but they hoped in vain. But the wind and waves protected them; the French fleet, after various disasters, returned shattered and diminished to France. The government of England made no effort to protect the colonies; but sent a force to guard Louisburg, leaving those who had added it to the dominion of Britain to guard themselves.

Colonel Philip Schuyler, whose brother had been killed at the attack and destruction of Saratoga, demanded of the legislature that forces should be sent, and the fort rebuilt, for the safeguard of that part of the country; and with difficulty provision was made for the defence of Oswego, the building of block-houses and other measures for the protection of the frontiers, until the promises of aid from Great Britain produced the effect, mentioned above, of strenuous exertions, with the aid of New England, for the subjugation of Canada.

About this time, the inhabitants of New York, were aroused to make some exertion for the cause of literature. It was resolved to raise £2,250 by lottery, for the foundation of a college. New Haven commenced Yale College within six years of the time, when the purchase of the soil, on which the town stands, (then called Quinipiack) was made from the Indians. To England, or to Yale, such persons as had education above the grammar school, were sent. James De Lancey graduated at Cambridge, England; Philip Livingston, the second proprietor of the manor, was educated at Yale. Now, 120 years from Hudson's time, the first law was passed, for founding a college. Smith says,* he does not recollect

* The persons alluded to, were: Messrs. Peter Van Brugh Livingston, John Livingston, Philip Livingston, William Livingston, William Nichol, Benjamin Nichol,

above thirteen at this time, in the province of New York, who had received the benefit of a college education.

Shirley, who had originated the plan for taking Cape Breton, likewise prompted the attempt upon Canada. A squadron from England was to have united with the New England force at Louisburg, and thence proceed to Quebec; while the army raised by New York and the southern colonies, penetrated by the old route to Montreal. The provincials waited impatiently for the promised ships, troops, and general, from home—none came—and all the expense, labour, and loss of life, sustained by the colonies, went for nothing, in the European account.

After the governour's quarrel with the Chief Justice, James De Lancey, Dr. Cadwallader Colden seems to have been Clinton's main support. De Lancey now was on the popular part: and his coadjutors were Clarkson, Jones, Van Horne, Richards, Cruger, Phillipse, Morris, and Nichols—the consequences were, crimination and re-crimination, between the governour and the house of assembly.

The expedition against Canada being frustrated by England, the New England provinces wisely proposed, that New York should combine with them, in the reduction of Crown Point. Commissioners appointed by New York, Connecticut, and Massachusetts, agreed on a plan; but the province of Massachusetts raised objections, and nothing was done. New York retained 800 men 1748 for the defence of her frontiers. In the month of October, definitive articles of peace were signed at Aix-la-Chapelle—Cape Breton, won by Americans, was given up by England, and this country left to help herself as she could. Great Britain, however, assumed to herself the expense of keeping the Iroquois in good humour, by presents, and the governour of New York had the pleasure of strengthening the hands, and increasing the fortune of his friend, Mr. Johnson, the agent. The assembly appointed Robert Charles, as their agent in England, and he held the appointment until 1770.

Hendrick Hanson, William Peartree Smith, Caleb Smith, Benjamin Woolsey, William Smith, jun., John McEvers, and John Van Horne.

These being then in the morning of life, there was no academick but Mr. De Lancey on the bench, or in either of the three branches of the legislature; and Mr. Smith was the only one at the bar. Commerce engrossed the attention of the principal families, and their sons were usually sent from the writing school to the counting-house, and thence to the West India islands—a practice introduced by the persecuted refugees from France, who brought money, arts, and manners, and figured as the chief men in it—almost the only merchants in it, from the commencement of this century, until the distinction between them and others, was lost by death, and the inter-communion of their posterity, by marriage, with the children of the first Dutch stock, and the new emigrants from Great Britain and Ireland. The French church of New York contained, before their divisions, in 1724, nearly all the French merchants of the capital.—Smith's Hist. of N. Y.

1749 The subject of a permanent support bill was renewed by Clinton, backed by the power of the lords of trade, the English ministry, and the crown. The governour told the house of assembly, that he had the king's instructions to demand appropriations for the support of government for five years; i. e. to render him independent of the people, or the representatives, for that time at least. The delegates replied, that they would never recede from the method of annual support. The governour denied their authority to act, except by royal commissions and instructions; alterable at the king's pleasure, and subject to his limitations. He threatened them with punishment if they misbehaved. He told them, that the giver of authority, by which they acted, had, or could put bounds or limitations, upon their rights and privileges, and alter them at pleasure. The assembly declared the governour's conduct to be arbitrary, illegal, and a violation of their privileges.*

Here was a spirit to resist illegal power! Here was a sense of right and courage, to resist power, equal to any thing on record. Yet these people might be said to depend for protection, from the French and Indians, upon that power which they defied. Still they shrunk not; they repelled the aggressions of both secret and open usurpation with valour and wisdom: they sustained injuries from both, but they never swerved from determined opposition to the hostilities of France, and the encroachments of England. They knew that the frontiers of the colony depended for defence on the Iroquois, now become the vicious and degraded dependants upon England, who passed through Clinton's hands their payment, in the shape of presents, which he transmitted to Johnson, each retaining a share. Clinton likewise commanded the independent companies, and threatened to withdraw those from Albany, which were placed there to secure the place. The assembly were firm, denied his assumed power, and remonstrated. The insolent tool of kingly authority, forbade Parker, the printer, to publish the remonstrances. I fear that it will be found, that New York, in 1775, did not act with as proper a spirit as the men of 1749. In 1712, Governour Hunter set up the same pretensions, and was similarly resisted.

From these subjects, I turn with pleasure to one of a very different character. David Brainard, a man of feeble constitution, but undaunted perseverance in well doing, had seen with pity the helpless condition of some of the aborigines, and the ferocious vices of others: all oppressed by the whites, whether feeble and destitute, as on the sea-board, or rum-fed and stimulated to violence, as in the interior. Brainard died in the arms of Jonathan Edwards, at Northampton, on the 9th of October, 1747, aged thirty years. Mr. Edwards,

* See Kent, Smith, Colony Journals.

at this time, published an account of the life of Brainard, a life devoted to the instruction of such as would listen to him, and successfully employed as pastor of a church of christian Indians, in New Jersey, a portion of New Netherland. He appears to have been a most pious and sincere christain from his youth, and to have succeeded very far in making christians of the suffering people to whom he devoted himself. Certainly he made many of them better and happier than they were. At Crossweeksung, in New Jersey, he gathered about him an attentive congregation—lived among them in a house, built by himself—and acquired great influence, to the evident improvement and happiness of many. If there are now no remains of this improvement, at least I rejoice that the subjects of it were made better. It is said, that besides his influence over the Raritans, he persuaded some of the haughty and blood thirsty Iroquois to renounce their idol—rum. But in many (indeed most) instances, even his wishes could not deceive him, and he saw those who listened to him, departing to their feasts and dances, which he calls idolatrous, and devil worshipping.

The principal success of this good man, appears to have been at Crosswicks and Cranbury. In one of his journeys to the Susquehannah, he took six of the christian Indians with him, but he could only make the Indians listen, was annoyed by ungodly whites, and on a visit to a sick trader, found him “as ignorant as any Indian.”

At Cranbury, he had a school for his flock, but his health continued waning—he died—and no traces of improvement from his labours, (or even of their existence) can be found among Indians. Mr. Edwards’s book was published by subscription, in 1749, and sold at Cornhill, Boston.*

Among the many causes which produced that resistance, in 1775, to which we owe so many blessings, was one which perhaps has not been sufficiently noticed by our writers. But when the cup is full, a drop more causes overflowing.

As Colonel Rickets, of Elizabethtown, New Jersey, was returning from New York, in his own boat, with his wife and family, and some friends, they unfortunately, (says the newspaper,) left the little flag flying at their mast-head; and on coming abreast his majesty’s ship, the Greyhound, then lying in the North River, a gun was fired from her; but the company, not supposing they were concerned, took no notice; on which a second directly followed, and the shot passing through the mainsail, struck a young woman, nurse to Mr. Rickets, who had a child in her arms, in the head, and instantly

* It is remarkable that although Mr. Brainard was in New York, at times, in 1741, 1742, and 1743, his journal has no note of the Negro plot.

killed her. The boat put back, the party landed, a coroner's inquest was called, who brought in a verdict of "wilful murder." Captain Roddam, who commanded the Greyhound, was not on board at the time. The irritation of the people, at feeling that they were not only subjected to the humiliation of making a signal of servitude whenever one of their boats passed an English ship of war in their own harbour, in sight of their own houses; but that, if by accident, the signal of submission should be omitted for a momentary space of time, the limits to be judged of by a haughty foreign officer, or, perchance, a brutal or drunken sailor, they were obnoxious to a violent death. Their irritation under the feelings excited by this proof of their servile subjection rose for a time to madness. But there was no redress. It was only to say, "I obeyed orders; his majesty's flag must be respected—the death was accidental," and all must be silent.

The governour, in consequence of this murder, issued a proclamation, with an extract from his commission, containing a proviso disabling him from all jurisdiction over any action committed on the high seas, or in any haven, river, creek, &c. by any person in actual service and pay on board his majesty's ships of war; but, that any offender shall be proceeded against by commission, under the great seal of Great Britain, as directed by statute of Henry VIII.

This effectually screened any offender, if protected by a captain of a man-of-war, from punishment, if the offence was committed on the water.

If the abolishing this badge of servitude, was the only good achieved by the revolution, it was a gain worth all the blood shed in accomplishing it. The exaction of this signal from the boats in the harbours of our cities, was a memento of inferiority—a cause of constant irritation—and aided with other causes to produce that feeling which burst forth in a few years from this time.

The lords of trade, as may be supposed, supported the cause of the governour, who cultivated the friendship of Robert Hunter Morris, who, shortly after, went to England; and, in opposition to the views of both Colden and De Lancey, solicited, with Clinton's support, the office of lieutenant-governour of the province. This lost Mr. Clinton the support of Colden; and Mr. Alexander took his place as the adviser of the Admiral.

1750 The House of Assembly, of September, 1750, agreed better with the avowed views of Governour Clinton. Many acts were passed salutary to the province. The officers of the government were provided for in the ensuing year, and a digest of the laws of the colony authorised.

1752 Mr. Smith was raised to the council, and under his guidance, and that of Mr. Alexander, the governour and council moved in unison. Mr. Johnson was also raised to be a member of

the king's council, and appointed to conduct a congress with the Iroquois and to distribute presents among them: a wise way to give him additional influence with that people.

1753 Clinton, having amassed a fortune, retired from the government of New York to that of Greenwich Hospital, a sinecure; and, at his recommendation, Sir Danvers Osborne was sent to supply the vacancy. James De Lancey was appointed lieutenant-governour, and Morris transferred to the gubernatorial chair of Pennsylvania.

Mr. Clinton had not left the country when Sir Danvers Osborne arrived on the 7th of September, 1753, but he was at his residence in Flushing. As the governour was not at the new house in the fort, Sir Danvers went to Mr. Murray's house, who was one of the council. Next day Mr. Clinton came from Flushing, and having made Mr. De Lancey lieutenant-governour, he resigned the government to Sir Danvers Osborne. But while all the people were rejoicing, the new governour was melancholy. He arrived, as I observed, on the 7th, and in the morning of the 12th, was found dead, suspended by a handkerchief to the fence of Mr. Murray's garden. It was afterward known that he had been deranged before he left England.

This unfortunate gentleman had lost his wife, and had been, from the time of her death, very much depressed in spirit. His friends had hoped that by sending him to New York, the change of scene, and employment, would have cured him of the evident mental disease under which he laboured; but, on his arrival, he found that if he obeyed the instructions of the English ministry, he should be as odious to the people as his predecessor; the nature of his malady made the difficulties of his situation appear insurmountable—madness ensued, and he became a self-murderer. Mr. De Lancey, who had been chief justice, being now lieutenant-governour, was the head of the government until England sent out another ruler, in Sir Charles Hardy, who was by profession a sailor, knew nothing of the country he was sent to govern, and was guided by Mr. De Lancey during his stay in the colony, which was about two years, when he hoisted his flag as admiral, and left the province entirely to De Lancey.

Sir Danvers could not but observe that amidst the shouts and huzzas of the people who welcomed him, were mingled execrations and insults thrown upon his predecessor; and he knew that he came charged by the court of Great Britain with instructions even more tyrannical than the conduct which called forth those execrations upon Clinton. He learned from the conversation of those who received and feasted him, that he was ordered to pursue measures eminently displeasing to the colony, and his morbidly sensitive mind saw nothing before him but misery.

The 39th article of the instructions to the governour recited that great disputes had subsisted between the several branches of the legislature, the peace of the province had been disturbed, government subverted, justice obstructed, and the prerogative trampled upon; that the assembly had refused to comply with the commission and instructions respecting money raised for the supply and support of government, had assumed the disposal of publick money, the nomination of officers, and the direction of the militia and other troops; that some of the council, contrary to their duty, allegiance, and trust, had concurred with them in these unwarrantable measures; and, therefore, it enjoined the commander-in-chief to endeavour to quiet the minds of the people, to call the council and assembly together, and in the strongest and most solemn manner to declare the king's high displeasure at their neglect and contempt, to exact due obedience, to recede from all encroachments, to demean themselves peaceably, to consider without delay of a proper law for a permanent revenue, solid, indefinite, and without limitation, giving salaries to all governours, judges, justices, and other necessary officers and ministers of government, for erecting and repairing fortifications, annual presents to the Indians, and the expenses attending them; and, in general, for all such other charges of government, as may be fixed, or ascertained. It then permits temporary laws for temporary services, expiring when these shall cease; but such laws, also, are to be consistent with the prerogative royal, the commission, and instructions. It also directs, that all money raised for the supply and support of the government, or for temporary emergencies, be applied to the services for which it was raised, no otherwise than by the governour's warrant, with the advice and consent of the council, not allowing the assembly to examine any accounts: and afterwards it commands, that if any counsellor, or other crown officer in place of trust or profit, shall assent, advise, or concur, with the assembly, for lessening the prerogative, or raising or disposing money in any other method, the governour shall suspend the offender and report it to the board of trade. By the 47th, the governour was prohibited from assenting to a law whereby any gift was made to him by the assembly, in any other manner than above mentioned; the 48th allowed him to take a salary of twelve hundred pounds sterling per annum; the 49th, to receive a further sum, provided it be settled on himself and his successors, or during the whole of his administration, and that within a year after his arrival; the 50th required the three last to be communicated to the assembly at the first meeting of the assembly, after Sir Danvers Osborne's*

* The circumstances attending the unhappy fate of this unfortunate gentleman, will be found, as given by Chief Justice Smith, in the Appendix to this volume.

arrival, and to be entered in the registers both of the council and assembly.

1754 Notwithstanding the treaty of Aix-la-Chapelle, the French still continued their aggressions and encroachments upon the American Colonies. That treaty was little better than a hollow truce. Hostilities had been, and were now, actively carried on by both Great Britain and France, although there was no solemn declaration of war until two years afterward. Consequently, on the 14th June, 1754, a congress of deputies from certain of the provinces was held at Albany, to devise a union for defence. It is said that the Iroquois were dissatisfied, in consequence of "neglect lately experienced from the agents of the Province of New York."* One great object of the congress was to gain their friendship or secure it—they being the barrier of defence between the English and French colonies.

The instructions given to the commissioners of two out of the five colonies that sent deputies to this congress, viz. Massachusetts and Maryland, were to enter into articles of union and confederation with the other governments for the general interest, as well in peace as war. One hundred and fifty of the Iroquois attended, and their attachment was strengthened by presents and speeches. It was determined to build forts and vessels on the lakes. It was agreed, that all purchases of lands made of the Iroquois, unless when assembled in their publick councils, or when made by the governments within whose jurisdiction the lands lie, should be made void; and that patentees of large unsettled territories should be obliged to settle them in a reasonable time. Redress was to be afforded to the Iroquois for all fraudulent conveyances of their lands. It was agreed, that *the bounds of those colonies which extended to the south sea* should be contracted to *the Alleghany and Apalachian mountains*; and that there should be an union of the colonies, so that their strength might be exerted in due proportions against the common enemy. Application was to be made for an act of parliament, to sanction one general government, including Massachusetts, New Hampshire, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina—each to retain its present constitution, except as directed in the second article, which was to be as follows: That this general government be administered by a President-general and Council, *to be appointed by the crown*; and a grand council, or house of representatives, elected by the people of the colonies, met in their assemblies. The proportion of members for this grand council, was to be: Massachusetts, 7; New Hamp-

* See Minot.

shire, 2; Connecticut, 5; Rhode Island, 2; New York, 4; New Jersey, 3; Pennsylvania, 6; Maryland, 4; Virginia, 7; North Carolina, 4; South Carolina, 4: to meet, at first, in Philadelphia. Other regulations specified the meeting to be once a year; but to be called together on emergencies, etc. The pay of members was to be 10s. sterling, per day, and travelling expenses. Rules were adopted for Indian purchases. New settlements were to be governed by laws made by this general government, till *the crown* formed them into separate governments. They were to raise soldiers, build forts, make laws, lay duties; and other objects were provided for.

We certainly see here the germ of the present constitution of the United States. Great Britain, or its ministers, feared this union: they preferred advancing money to secure their American dominions, which was to be repaid by the colonies. England rejected the plan; and the colonial governments also rejected it, for fear of too great power being given to the crown.

The members for this great council were to be in the proportion before enumerated. How the relative strength and consequence of these districts have changed!

The plan of union was the production of Franklin; but was submitted to, and approved of, by a committee, composed of—Hutchinson, of Massachusetts; Atkinson, of New Hampshire; Hopkins, of Rhode Island; Pitkin, of Connecticut; Smith, of New York; Tasker, of Maryland; and the original contriver, Franklin, of Pennsylvania. It is remarkable, that this plan of confederation was signed on the 4th of July, and that, on the same day, Washington surrendered to the French and Indians.

CHAPTER XXIII.

The Congress of 1754—Progress of the French—Debasement of Provincials, by the English government and by British officers—Affairs at Oswego, and other parts of Lake Ontario—Expedition of General William Johnson against Crown Point—Hendrick—General Lyman—Fort Edward—Johnson arrives at Lake George—Lyman, leaving a garrison at Fort Edward, joins him—Baron Dieskau—Defeat of Williams—Attack upon the Provincials—Johnson wounded—Lyman commands—Dieskau wounded, and his troops defeated—Affair of McGinness—Campaign of 1755—Lord Loudon—M. Montcalm takes Oswego, and Fort William Henry.

AT the great congress of 1754, Lieutenant-governour James De Lancey presided, and was the only person who opposed the plan for the union of the colonies which Benjamin Franklin devised. Though adopted, the scheme was never carried into effect.

It has been justly remarked, that this great plan of government for the colonies was rejected by England, as favouring the people too much; and by the colonial legislatures, as giving too great power to the crown. Americans have thought that Franklin would have been handed down to posterity as an enemy to the liberties of his country, instead of an active friend, if this project had succeeded; but it is more probable that he saw in this union of American power and interests, the germ of future independence. James De Lancey might have seen it in the same light, and therefore opposed it. It must not be forgotten, that Franklin's scheme was adopted by this congress of 1754, on the 4th of July.

During the two years that Mr. De Lancey had the sole governance of New York, he had the confidence of the assembly, and preserved harmony in the province. Many and heavy were the charges made against the late Governour Clinton; but they were disregarded by the board of trade. The assembly accused him of being interested in privateers—of having hired out the royal cannon—of withdrawing troops from the frontiers for his private emolument—of embezzling the money raised for the Iroquois, and thereby causing their disaffection—of demanding money for troops which did not exist—of granting tracts of land for his own emolument, and

securing large districts for himself, under feigned names—and of selling offices, both civil and military.

1755 In the meantime, the French carried on their plans of subjecting the western country to their government, by a line of fortifications from the Mississippi to Canada. They erected forts on the Ohio, explored the country, and buried metal plates, with inscriptions declaratory of their claims. That they gained the affections of the natives of the west, by flatteries and presents, we know; and their power over these Indians was as complete as their habits would allow. Even the Onondagas, Senecas, and Cayugas, were, in a great measure, detached from the English.

Governour Spotteswode having penetrated the Apalachian mountains, and Virginia having pushed her settlements to the Ohio, while France persisted in the erection of a chain of forts from Canada to Louisiana, the collision called forth the military talents of Washington. The hostilities of 1753, in this quarter, are well known. They produced the convention at Albany, in 1754, and finally, the war between England and France, in 1755.

“The ministry,” says Belknap, “were determined to employ their own troops to fight their battles in America, rather than let the colonists feel their own strength, and be directed by their own councils. Some aid was to be exacted from them; but the weight of the enterprize, and honour of the victory, were to belong to British troops, commanded by British officers.” These officers treated the provincials with undisguised insolence and contempt; and the provincials retrieved their errors, and, as much as possible, saved them from disasters.

In the Gates Papers, in the library of the N. Y. Hist. Society, is a letter from Jas. Abercrombie, to Horatio Gates, both officers in the king's troops or regular soldiers, wherein Abercrombie says, the provincials are averse to “a junction with the king's troops,” and adds, “since they are unwilling to take our assistance, I would even let them try it themselves; but have regulars at hand, to secure the fools in case they should be repulsed.” In the same precious collection of sentiments and facts, is a letter from another brother officer, to Gates, in which are these words, “I send you a copy of Mr. Hughes's impudent letter, by which you may judge to what degree of insolence the rabble of this country will raise, if they are not brought down from home. This fellow was a baker lately, then a waggoner, and now, as an assemblyman, he thinks himself entitled to write to me in this style. Such letters should be answered with a stick, if the necessity of the service did not tie our hands.”

General Braddock was sent from Ireland, and arrived for the protection of Virginia. He called a convention of Provincial governours at Annapolis, in Maryland. Here it was determined

that the British general should march against Fort Duquesne—Governour Shirley, with the American troops, against Niagara—and the militia of the northern colonies, against Crown Point. As if to increase the disgust which the insolence of the English officers occasioned and kept alive in the breasts of the Americans, the British parliament passed an act, declaring that all troops raised by the colonial governments, whenever acting in conjunction with British soldiers, should be governed by English martial law; and it had already been determined, that all officers commissioned by his majesty, or his commander-in-chief, should take precedence of those commissioned by the provinces; and that the generals and field officers of the provincial troops should have no rank, when serving with the generals and field officers commissioned by the crown.

While preparations were making to carry into effect the plans of the convention of Annapolis, Nova Scotia was reduced by the New England forces, commanded by Winslow, and some English troops, under Monckton, then a colonel, but, as a British officer, assuming the command of the expedition. Of the unmerited sufferings of the French inhabitants, in consequence of this conquest, I refrain from speaking; neither is it in my province to detail the errors, misfortunes, and defeat of Braddock. While Winslow and his provincials conquered Nova Scotia, Braddock and his disciplined English veterans failed at Pittsburg; and the remnant of this proud army owed their safety to the despised Washington and his Virginians. Franklin says, “this whole transaction gave us, Americans, the first suspicion that our exalted ideas of the prowess of British regular troops had not been well founded.” The death of Braddock placed Shirley at the head of the British forces in America; for he had received a major-general’s commission from the king. The troops destined against Niagara and Crown Point were assembled at Albany. Shirley marched, with the forces of New England, New York, and New Jersey, together with some Iroquois; and, on his way to Oswego, received the tidings of Braddock’s defeat, which produced such an effect, that his Indians, his boatmen, and many of his soldiers, deserted.

Previous to this, the French had made preparations for subduing the garrison of Oswego, by passing their troops in batteaux up the lake, on which the English had no vessels of force. On the 7th of June, however, 320 ship carpenters arrived at Oswego, and on the 28th, the first armed schooner was launched on Lake Ontario. This vessel was forty feet keel, had fourteen oars, and mounted twelve swivels. The French force was on the opposite side of Onondaga river, but had no means of throwing shells into the English fort of Oswego, or even cannon which could annoy Colonel Bradstreet, or his garrison.

It was on the 9th of July, Braddock fell; and on the 20th, Colonel Schuyler's New Jersey regiment arrived at Oswego. Shirley arrived on the 17th of August. The French having retired, the English took possession of both sides of the river Onondaga: and, in September, had a fleet on the lake of four schooners and sloops, mounting sixteen cannon of four pounds, and forty-eight swivels. But the French at Fort Frontignac, below, had a squadron of superior force, and it was supposed the defeat of Baron Dieskau, at Lake Sacrement, or George, alone saved Oswego, and prevented many other evils. Shirley proceeded no further than Oswego.

Sickness assisted to weaken and disperse his troops; heavy rains set in; and the general, leaving a garrison of seven hundred men at Oswego, with orders to build two more forts, returned discomfited, without seeing an enemy, to Albany.

Mr. William Johnson, who, as we have seen, had emigrated to America, and settled in the vicinity of the Indians of New York, had, by his appointment as Indian agent, risen to wealth and influence, so great as to be one of the king's council for the province. This gentleman was appointed by Shirley to command the expedition against Crown Point. The army consisted of 6,000 men, supplied by New England and New York. Johnson is described as a man of great bodily strength, coarse, but vigorous mind, and enterprising temper. By long residence near the Mohawk River, and adapting himself to Indian manners, he had acquired great ascendancy over the Iroquois; and Hendrick, the famous chief, now accompanied him, with 300 warriors.

Gen. Lyman, second in command, had advanced to the carrying place, between the Hudson River and Lake George, and there had thrown up fortifications, known afterward as Fort Edward. He had left two hundred and fifty New England troops and five companies from New York at this place, and then joined Gen. Johnson. The remains of this stronghold are still visible. Johnson learning that the French were erecting a fort at Ticonderoga, on the isthmus between the north end of Lake George and Lake Champlain, determined to attack them while their fortifications were incomplete. This intention was suddenly dismissed, by learning that Baron Dieskau, who had recently arrived in Canada with reinforcements, was advancing with an invading army upon New York. Johnson despatched messengers with this intelligence to the provincial rulers, with requests for aid: but the affair was over before the reinforcements arrived.

Johnson was reduced to act on the defensive at Lake George; Dieskau, finding the inferiority of his enemy at the carrying place, advanced with the hope of seizing Fort Edward, and falling upon Albany; but his Canadians and Indians turned his course. The camp at the south end of Lake George having been fortified, in

haste, by Johnson, he rashly pushed forward a detachment under Col. Ephraim Williams, accompanied by Hendrick.

This Hendrick was an Indian sachein, of the Mohawk tribe, well known, previous to the time at which we have arrived, as the *great* Hendrick. He was firm in his attachment to the English, and excelled among the Iroquois any other chief, both in the council and the field. He had the appearance of a man born to command, and his eloquence and courage were conspicuous among the chief of a people famed for these qualities. Col. William Stone, the biographer of Joseph Brant, says, that his hero accompanied Hendrick in this expedition.

Baron Dieskau had a force of two thousand men, of whom only eight hundred were disciplined grenadiers, the rest Canadians and Indians. Having proceeded up Lake Champlain to Southbay, in the present township of Whitehall, he there landed, with a view of attacking the unfinished works of Fort Edward; but his motly auxiliaries, terrified at the idea of fortifications and cannon, refused to advance; at the same time, professing their willingness to march against Johnson, at the head of Lake George, who, as they had intelligence, was destitute of artillery.

The French commander was obliged to give up his first plan, and turned his whole force towards Johnson; who, in the dark respecting the movements of the enemy, detached twelve hundred men to the carrying place, as above mentioned, or Fort Edward. This body was commanded by Col. Ephraim Williams, a native of Newtown, Massachusetts.*

* He commanded a line of forts, in 1740, on the western side of Connecticut River, and resided at Hoosick, near the river of that name. In 1755, he commanded a regiment; and in passing through Albany, on his way to Lake George, he (on the 22nd of July) made his will; wherein, after certuin legacies, he directed his estate to be sold within five years from the establishment of a peace, and the interest of the proceeds applied to the establishment of a free school. After an accumulation of thirty year's interest, from the time of his death, a free school was established and incorporated, and the place called Williamstown. By the patriotick nursing of other good men, this free school thrived and grew to be Williams's College, a flourishing institution, surrounded by a town likewise commemorative of the name of this liberal minded man, who, marching at the head of a regiment of his countrymen, for the protection of a present population, looked forward to the prosperity of future generations, by the increase of the means of education and propagation of truth. He, and many of his neighbours who followed him, were sacrificed by the blunders of a man, who blundered into fame and the title of Sir William, without any portion of that elevated character which belongs to the founder of Williamstown and Williams's College. But Col. Williams has left a name which, in this country, will be imperishable, and a monument more glorious than was ever sculptured for a conqueror of nations; and even his remains—his bones—have been for a short time redeemed from the obscurity and uncertainty which attends the places of interment of many of our patriots; and the skull, perforated by a musket ball—with some other corroborating circumstances—identified, in the opinion of another patriot, all that remains of the body of Ephraim Williams.

Col. Williams, with this detachment, met the whole of Dieskau's army in a defile, about four miles from Johnson's fortified camp. This defile is formed by the barrier mountains of Lake George, continuing to the south, and extends several miles—a rugged, narrow pass, filled with forest trees. Through this Dieskau was advancing, to attack Johnson by surprise. The Indians accompanying Dieskau gave, from the sides of the defile, their deadly fire—themselves concealed by the thickets—and while Williams gallantly led his men to the charge, he fell by a ball, which entered his brain. The remainder of the detachment, after resisting until most were slain, gained their security by a rapid flight to Johnson's camp, and gave warning of the approaching foe.

The report of musketry had given the alarm in the encampment at Lake George, which was increased by the fugitives; and while the confusion existed, Dieskau's French forces appeared, marching in regular order, with all the indication of resistless strength, which the uniformly combined movements of disciplined troops always impress upon the beholder. The French commander, instead of taking advantage of any panick his flying enemies might have created, concluded that a surprise being no longer possible, a regular approach was to be made, and halted his men at about one hundred and fifty yards distance from the encampment. Time was given to the provincials to recover from confusion, and to bring up heavy cannon, in aid of the field artillery, upon the French columns, who commenced a systematick firing, by platoons, which did no injury to men covered by a breastwork. With renovated spirits, the provincials poured a deadly fire upon their assailants, who were immediately deserted by their Canadians and Indians. Baron Dieskau being left by his auxiliaries, and finding that he could make no impression upon the centre of the encampment, moved first to the right, and then to the left; but was repulsed by a deadly fire from the Americans, sheltered by their breastwork. The French obstinately continued their unavailing attacks until the severe loss and fatigue created despondency and confusion among the troops, and an irregular retreat commenced. This was no sooner perceived by the provincials, than, without waiting for orders, they leaped from their covering and attacked their adversaries with fury. The French army was annihilated. Numbers were killed in their flight, and some surrendered as prisoners. A force, consisting of two thousand men, lost, in killed, about eight hundred. The remainder were dispersed in the woods, or made captives, with the exception of one body which retreated towards the Hudson. Baron Dieskau, mortally wounded, was among the prisoners. He had received a ball in the leg; and, unable to follow in the retreat, was found leaning against a tree, by a single soldier. The Baron seeing his approach, put his hand to his watch, thinking to indicate his surrender and

gain the favour of his enemy ; but the soldier mistook the motion for an attempt to draw forth a pistol, and discharged his musket, the ball of which entered the unfortunate general's hip. He was conveyed to the encampment and every aid given him ; but he expired upon the bed of his victorious adversary, the commander of the provincials.

Two battles had been fought this day, but still another scene of slaughter occurred. The body of the French, who kept together, passed over the ground on which they had in the morning defeated Col. Williams ; and when about four miles nearer Fort Edward, finding themselves unpursued, halted for rest and refreshment. They threw aside their arms, opened their knapsacks, and were seated on the ground, among the trees, when Captain McGinnes and Captain Folsom, with two hundred men, sent from Fort Edward, fell upon them ; and although the French attempted a defence, by seizing their muskets and fighting without order, they were routed, killed, or taken captives. McGinnes fell in this action, say our historians : but Johnson only says, he was brought to the camp wounded.*

Nothing could more elucidate the fortune of war than Dieskau's defeat and Johnson's triumph. The Frenchman was an experienced soldier, of high reputation ; and his object was an attack upon an entrenched camp, at Fort Edward, that must have fallen ; but when within a few miles of the place, he was informed that Johnson was at Lake George, unprovided with artillery, and that several cannon were mounted at Fort Edward. A prisoner had informed him that Johnson had neither breastwork or cannon to defend his encampment—which was true, when the man left it ; but the guns arrived next day, and Americans require but little time to throw up earth for defence, as Breed's Hill and New Orleans have since testified. Thus an experienced soldier was led to sacrifice his army and his life, when, if he had proceeded as was first intended, it is not improbable that both the forces at Fort Edward and Lake George would have fallen before him.

It does not appear that Johnson, whose fortune was made by the discomfiture of Dieskau, gave any orders for the pursuit of the French, when they were repulsed ; and the body which kept together in retreat, would have gone off unmolested, but for the encounter with Captains Folsom and McGinnes, an affair of pure accident, or, at least, not influenced by Johnson.

Baron Dieskau, though so severely wounded, lived to be con-

* Gen. Morgan Lewis informs me, that McGinnes lost an arm, and not his life ; and that in 1770-2-3, he remembers him well, attended by two bull dogs, at the bull-baits, in the Bowery.

veyed to Albany, and thence to New York and England, where he died. Hendrick, the Mohawk, fell in company with Williams, only regretting that the ball which despatched him, entered from behind; for it appears that the detachment was nearly surrounded, before the French Indians opened their destructive fire.

The most remarkable circumstance in the history of the event is, that Johnson, in his official letter of September 9th, 1756, to the governours of provinces who had furnished troops for this expedition against Crown Point, does not once mention General Lyman, the second in command, who must unavoidably have continued the defence of the redoubt, after Johnson received the wound in his thigh. President Dwight, (upon the authority of Mr. Burt, of Westmoreland, New York, who was on the spot; and a review, attributed to William Livingston, the revolutionary Governour of New Jersey,) says, this wound was received at the commencement of the battle, and that Lyman took the command, stationed himself in front, and issued his orders as occasion demanded.

It is likewise asserted, that Lyman urged a general pursuit of the enemy, which was overruled by Johnson. Lyman is represented by Dwight, as a man distinguished for learning, holding a high rank as a lawyer, dignified in person and manners, and beloved by his soldiers. Jealousy is attributed to the commanding officer, who omitted even the name of Lyman, in his official despatches.*

In the Pennsylvania Gazette, of September 18th, 1755, appeared a letter, from the aid of Johnson, adding in a postscript, "General Lyman, and all the officers, behaved with distinguished conduct and courage." Yet, Johnson was created a baronet, with a present of £5,000 sterling; and Lyman, unknown in England, or only named to be vilified, had justice only done him, by the praises and confidence of his countrymen. No writer, until President Dwight, represented to the public the true merits of this affair, or gave due credit to General Lyman. The second part of Chief Justice Smith's history was not published until 1830, by the New York Historical Society.

Instead of taking advantage of this victory, General Johnson continued to fortify his camp; and, although joined by the troops raised at his request, by Massachusetts, he made no attempt on Crown Point; and the French, undisturbed, raised Ticonderoga, yet further upon the territory of New York, to that point of strength, which soon after defied the power of Abercrombie.

* Smollet, in his continuation of Hume, says, that on Johnson's learning that the French were marching on Fort Edward, it does not appear that he called a council of war, until next day, and then despatched 1,000 men "to catch the enemy," as was the general's expression in his letter, though no one knew their number or force.

The defeat of Dieskau was considered as an equivalent for the fall of Braddock, by the English government: and I find an officer, writing to Horatio Gates, who, with a wound in his shoulder, was nursed by a relative of Colonel Washington, that happily for the remains of Braddock's army, Dieskau had been prevented from penetrating to the west.

On the 2d of September, 1755, Sir Charles Hardy, another admiral, arrived at New York, commissioned as governour. Although ignorant of the province, and of civil affairs generally, he was guided by De Lancey, who, in effect, continued governour. Oliver De Lancey was brother to James, and employed by him in the concerns of the province.

In October, the remains of Braddock's army passed New York city, in thirty-three transport vessels, from New Jersey, on their way to Albany.

General Shirley, the commander-in-chief of the English armies in America, summoned the governours of the colonies to a congress,* at New York, which met on the 12th of December, and agreed to raise 10,000 men, to reduce Ticonderoga, Crown Point, and the French forts on Lake Ontario. It was then proposed to reduce Duquesne, and conquer Canada. Of all this, nothing was done; and the French Indians proceeded, as usual, to distress, burn, and ravage the frontiers of Pennsylvania, New Jersey, and New York.

Though hostilities had been carried on during the year 1754, it was not until 1756, that England and France formally declared war—both sending troops to fight in America. Shirley, whose plans had all failed, was removed, and Abercrombie sent to succeed him, as commander-in-chief, *ad interim*, of his Britannick majesty's forces in America.

1756 Lord Loudon, the permanent commander-in-chief, arrived at New York, on the 23d of July, and proceeded to Albany, where Governour Hardy then was; but Hardy returned to the metropolis, 15th August, displeased that Loudon controlled him in military affairs.

The French who had previously, as has been mentioned, prepared to attack Oswego, had been vigorously opposed. Colonel Bradstreet had defeated their parties, in several skirmishes, on the borders of the Onondaga River, which falls into Lake Ontario, at Oswego.

The force of the enemy, on the lake, made it necessary to convey supplies to Oswego, by ascending the Mohawk River to the

* This Congress consisted of Shirley, Hardy, De Lancey, Governour Sharpe, of Maryland, Governour Morris, of Pennsylvania, Fitch, of Connecticut, Colonels Dunbar, Peter Schuyler, Majors Craven, St. Clair, and Rutherford.

carrying place, and descending Wood Creek to Lake Oneida, and the Onondaga River, to the fort. Hearing that such a convoy was on its way, an ambuscade was formed by the French, on the Onondaga River, to intercept it; but Bradstreet ascended the river, secured the convoy, and proceeded to encounter the ambuscaders. While ascending the stream, his batteaux were saluted by the war-whoop of the French Indians, and a discharge of musketry. He immediately landed his troops, and, sword in hand, fell upon the enemy, to their total rout and slaughter. He ascended the river to the carrying place, and then, by the Mohawk, descended to Schenectady, and carried intelligence to Abercrombie that the French were prepared, with an overwhelming force, on the eastern side of Lake Ontario, to cross and invest the garrison of Oswego: where, it will be borne in mind, two new forts had been erected, viz. Fort Ontario, on the east side of Onondaga River, and an additional fort at Oswego.

Before succours could be sent to Col. Mercer, who commanded at Oswego, Lord Loudon arrived at Albany, and assumed the command.* The army, on the first of August, was said to amount to two thousand six hundred regulars and seven thousand provincial troops. At Oswego were fourteen hundred men, besides workmen and sailors. The enemy, besides his force on Lake Champlain, had his chief strength ready for action at Fort Frontignac, on the north of Lake Ontario, and prepared to cross upon Oswego. Thirteen hundred regular French troops, with seventeen hundred Canadians, attended, as usual, by a large body of Indians, were led by the Marquis de Montcalm, duly prepared for this enterprize.—Two armed vessels were sent to block up the port, while a large body of Canadians were landed and pushed up the banks of the river, to prevent any succour by the way of the Mohawk, the carrying place, (Rome) and Wood Creek, on which route Gen. Webb had advanced. Montcalm then crossed the lake, and landed his artillery. After erecting a battery for the protection of his vessels, he opened his trenches before Fort Ontario, on the 12th of August; and, next day, entered the fort without opposition, the garrison having spiked the guns and crossed the river to Oswego. From Fort Ontario, Montcalm assailed at pleasure the English force, by means of his superiour artillery; and Col. Mercer being killed, by

* Loudon, the commander of the British forces in America, at this time, was a man utterly devoid of genius, or any substitute for it. Always in a hurry, and hurrying others, but never making any progress. He was compared to St. George on a sign-board, always on horseback, but never advancing.

A man of different character succeeded Dieskan, as the commander of the French army in America. The Marquis de Montcalm, always active and energetick, collected an army of five thousand regular troops, with militia and Indians, and marched rapidly upon Oswego, conveying his cannon by batteaux.

a cannon ball, a council of officers determined upon a capitulation, which was effected on the 14th—the garrison surrendering as prisoners of war, to be exempted from plunder, and also conveyed to Montreal.

The terms of capitulation were not observed ; and the usual plea was afterwards made, that the Indians could not be restrained ; that they fought for, and had been promised plunder ; and that some of their warriors having been killed, they would have the blood of the prisoners in return. British officers and soldiers were insulted, and their clothes torn from them. Several men, as they stood defenceless on the parade, were massacred ; and a lieutenant, who lay wounded in his tent, was killed, and with others (sick or disabled) scalped. Finally, Montcalm gave up twenty men to his Indians, to be sacrificed, in lieu of as many that they had lost. Such are the charges made against the French commander ; and they have the more force from the subsequent transactions at Fort William Henry.

The prisoners were afterwards, according to capitulation, carried in batteaux to Montreal, and had no reason to complain of their treatment. The victors demolished the forts, and removed the artillery and ammunition. One hundred and twenty one cannon fell into their hands, fourteen mortars, with warlike stores of every kind and abundant provision. Two sloops and two batteaux were made prizes ; and the loss of this post caused general consternation through the continent.*

This was the only important transaction of the campaign. Lord Loudon withdrew his army into winter quarters, and prepared for the conquest of Crown Point at a future day, which never arrived. Fort William Henry, at the head of Lake George, was erected, or strengthened, as was Fort Edward, on the Hudson.

The noble earl sent 1,000 of his troops to our city, and repaired thither himself. The difficulties respecting quarters for the officers, may be best told in the words of Chief Justice Smith ; “ the magistrates of the capital had crowded the privates into the barracks, and left the officers, about fifty, to find lodgings for themselves. When the earl came down in December, he sent for Mr. Cruger, the mayor, and insisted that the officers of every rank should be exempted from expense ; and, to soothe him, alleged that this was every where the custom ; and that he had, in consideration of our

* Gen. Webb, who, with a considerable force, had advanced by the Mohawk River to the carrying place, to the succour of Oswego—by descending Wood Creek by the Onondaga—was so alarmed, that he filled Wood Creek with trees, to prevent the approach of the enemy ; and Loudon pushed on Sir William Johnson, with Indians and militia, to support Webb, and prevent the French from descending the Mohawk River to the attack of Albany.

efforts, put the army to inconveniences by so wide a dispersion ; but signified, that if he made difficulties, he would convene all his troops here and billet them himself.

“The mayor desired time to consult the body over which he presided. The death of his sister made it necessary to apologize for the delay of the answer, until her funeral obsequies were performed. But his lordship insisted upon a speedy compliance, and told the committee he would meet them on the subject ; and to convince them that free quarters were every where usual, he would assert it upon his honour, ‘ which (says he) is the highest evidence you can require.’ The demand took air ; the citizens raved, and the corporation, consisting generally of elective officers, were at their wit’s ends, concerning the course to be pursued. They flew to the governour, but he answered them with reserve, caution, and duplicity : they called a meeting with the judges and city members : —Mr. De Lancey did not attend till the second convention, and excused himself from giving an extra judicial opinion, but it was supposed that Mr. Watts spoke his mind in favour of the people. The act lately passed, gave authority to billet first upon inns, and the surplus upon private houses ; but supposing the inhabitants were to be paid, authorized the magistrates to rate the allowance : beyond that, the magistrates durst not interfere through dread of prosecution. A committee was appointed to his lordship, and another to present a memorial to the governour, imploring his mediation, and asserting that free quarters were against the common law, and the petition of rights, the stat. 21. Car. II. and the muting and desertion act ; and that the colonists were entitled to all the rights of Englishmen. The governour escaped, for as soon as the earl saw the opinion of the corporation, he replied to the mayor, who alone was admitted to his presence, ‘ God d——n my blood ! if you do not billet my officers upon free quarters, this day, I’ll order here all the troops in North America under my command, and billet them myself upon this city.’ The magistrates, countenanced by the conscious dread and impotency of the citizens, promoted a subscription to defray the expenses, and a calm ensued ; but with a general abhorrence of the oppressor, who soon after proceeded through Connecticut to Boston.”

1757 On the 16th of February, 1757, Sir Charles Hardy met his assembly at Flatbush, and told them that reinforcements were coming out ; that the people of the Massachusetts Bay were to contribute, and pressing the immediate levying of our quota, renewed his importunity for money to settle the partition line with New Jersey and the Massachusetts Bay, blood having been lately spilled in the manour of Livingston ; and pursued his object for the vacating of the patents, which he was pleased to call exorbitant grants. They promised their proportion for the prosecution

of the war, to avoid the imputation of being instrumental in their own ruin by tedious delays and resolutions, or ill-timed parsimony: but waived any provision for the settlement of lines* till they could say with propriety that we had lands to divide; intimated that the quit-rents were a proper fund to defray that expense; and, respecting the grants, informed him that they were purchased by considerable sums, paid not only to the Indians, but the officers of the government, in fees equal often to the value of the land granted; that what he urged was a proceeding harsh and dangerous, and now not necessary, as the Indians were not obstructed in the use of the land; and that they thought it of consequence to lay out a line of townships on the frontiers, to be given to settlers without fee or reward; and, as the small-pox then compelled them to sit out of town, they wish to attend only to what respected the war.

Sir Charles having been appointed to command the expedition against Louisburg, hoisted his flag as rear-admiral of the blue, and embarked on the 2d of July, leaving the government to James De Lancey. The admiral-governour had been the fortunate captain of the yacht which brought his sacred majesty safely to England; for which service, the captain had been knighted, made a governour, and now commander of a fleet. We turn from Sir Charles to another noble, Lord Loudon, the commander of the king's army, who was to drive the French into (and from) Canada.

His lordship summoned the Governours of New England to meet him in New York; and attributed the disasters of last year to their supineness or negligence, at the same time demanding additional troops. The provinces overlooked his insolence, and complied with his demands. They were not to be dispirited by misfortunes caused by the government of England, or the incapacity of the men sent to command them. A respectable army was cheerfully raised by the colonies, and placed at the disposal of the British general. New York furnished 1,000 soldiers; New Jersey and New England their full proportion, and when his lordship departed for Halifax, he left an army of 6,000 men, under General Webb, prepared for operations against the enemy. Webb, with 2,300, was posted at the south end of Lake George; 1,500 were at the carrying place, on the Hudson, called Fort Edward; and the remainder scattered at various posts of the province. This divided force did not look like an attack upon the French; and, in fact, as we shall soon see, Montcalm was preparing on Lake Champlain, of which he had the full command, as well as of Ontario, to

* A long memorial, drafted by Mr. Scott, to urge the assembly to make the controversy with New Jersey a provincial charge, and presented the 13th of February, 1756, was now printed, on the motion of Mr. Oliver De Lancey, who was not then become interested as a proprietor of New Jersey.

penetrate Lake George, and act on the offensive. He collected at St. John's, an army, and 300 bateaux to transport them; and in July, Webb had intelligence that the French army were daily filing off from Crown Point to Ticonderoga, and he let Mr. De Lancey know that he was in expectation of an attack. Lord Loudon's attention, and that of the English commanders in America, was attracted towards Louisbourg, now deemed of great importance; and M. Montcalm seized the opportunity to advance by the strait near Ticonderoga, and by traversing Lake George from north to south, to fall upon Fort William Henry.

This fort had been erected on the spot where Dieskau had been defeated; but appears to have been on ground, otherwise, unmilitary. It is described as being a square structure, with regular bastions at the angles—bordered on the east and on the south sides by a swamp—on the west by a valley—and on the north by the lake, to the waters of which, it was almost on a level. It was overlooked by the lands in the neighbourhood, and commanded by the eminence on which Fort George was afterwards built.

On the 3d of August, De Lancey learned, by express, that the enemy were, on the 30th of July, within twelve miles of Fort William Henry; and the governour set out for Albany, ordering detachments of militia to follow, and collecting when arrived, which was not till the 8th of September, forces for defence. The New York militia marched on the 13th.

In the meantime, Montcalm had been forwarding troops toward Fort William Henry. Three attacks had been made by his advance parties, and repulsed. On the other hand, 400 men, provincials and Indians, had, under Colonel John Parker, proceeded down the lake to attack a post near Ticonderoga, which the French had established. The enemy, having intelligence from prisoners, of Parker's design, lay in ambush for him, and succeeded in cutting off the whole detachment—only two officers and seventy men returning to William Henry.

Lord Loudon and the other British commanders at Halifax, having ascertained, as they concluded, that the French force at Louisbourg was too great for the assembled armies which they had drawn from the colonies, and navies from England, gave up all thoughts of action: and Montcalm seized the opportunity given him, by Loudon's carrying a portion of the strength of New York on this fruitless errand to Halifax, and advanced rapidly with a force of 9,000 men, from his lake fortresses and Canada, to the siege of Fort William Henry and its garrison of about 3,000 men, under Colonel Monroe. This post had another in its vicinity—Fort Edward, with a force of 4,000 men, under General Webb. But Webb remained inactive at Fort Edward, within fourteen miles

of Monroe, and gave neither assistance nor advice, except by a letter, advising him to surrender.

The French general summoned Monroe to the same effect, and told him that humanity prompted him to desire the surrender of the fort before, by a vain resistance, the Indians of his army should be provoked beyond his power to restrain. "I have it, yet, in my power," he said, "to restrain them, (the savages) and oblige them to observe a capitulation; as hitherto none of them have been killed; which will not be in my power, in other circumstances; and your insisting on defending your fort, can only retard the loss of it a few days, and must of necessity expose an unlucky garrison, who can receive no succour, considering the precautions I have taken."*

The answer of the colonel was verbal; that he would defend the fortress to the utmost: and he did his duty faithfully; but his ammunition being nearly expended, and all hopes of succour from Fort Edward at an end, he capitulated: agreeing for himself and garrison, not to serve against the French for eighteen months: Montcalm, on his part, allowing the garrison to march out with the honours of war—their baggage secured—and an escort for safety from the allies of France, until their arrival at Fort Edward.

Montcalm knew that Webb lay, with 4,000 men, within fourteen or fifteen miles of him, and granted good terms, as he must have expected that aid would arrive to the besieged from Fort Edward. We must believe that he intended to fulfil his engagements; but when the savage is armed for murder, and his expectations of plunder disappointed by the avowed intentions of the general to protect the baggage of the garrison, we can easily imagine that the passions of the Indians would be aroused to fury; and probably he felt as if cheated, by the collusion of the whites, both of his feast of blood, and his much desired military equipments, arms, ammunition, glittering dresses—all wrested from his grasp, by the terms of capitulation. But, certain it is, that Montcalm and his troops did not risque the displeasure of the Indians, by defending those who had trusted to the sacredness of a treaty; and what makes his conduct appear more atrocious, is, that at Oswego, he had yielded to the demands of his Indians, and had given up to the hatchet or torture, twenty of his prisoners, to be immolated to the manes of twenty of their comrades, slain by their enemies. We know, likewise, that on former occasions, the French officers had rather encouraged than repressed the murderous ferocity of their allies; and the conduct of the commander at Michilimackinack, in 1693, is well known—when the Iroquois were invited to feast on the flesh of a prisoner, taken from a tribe at enmity with them.

* See Dwight's Travels, vol. 3, p. 377.

The details of tortures inflicted on the captive, as given by Colden, are disgusting; and the example set by men, called civilized and christian, makes us doubt the intention of Montcalm, in the present instance, to repress the cruelty of his allies. That his disciplined European soldiers could have protected the prisoners, cannot be doubted; that they did not, is equally certain. It is to be feared, that this accomplished general sacrificed honour and humanity to the policy which told him, that he must not shed the blood of the Indian warriors in defence of what should have been dearer to him than any aid such friends could afford, or any political advantage that could be gained to his country by their alliance.

Again: the conduct of Monroe and his garrison ought to have excited the respect, if not the admiration, of a soldier—and a brave one—as Montcalm certainly was. The place defended, was a wretched, untenable fortification; and the enemy was kept at bay six days; ten of the largest cannon of the English had burst; and Monroe's means of defence were exhausted, before he called a council to consider of terms or surrender.

Certain it is, that Montcalm knew the danger that the prisoners would be exposed to, from the Indians; his letter proves it; his conduct at Oswego, and all his experience prove it: yet he did not furnish an escort sufficient to protect the men he was in honour bound to secure from injury, or even insult; and the troops detached for the service, made no effort to resist the attack of the Indians upon the defenceless captives, they were, as we are to hope, ordered to guard from harm. It is to be feared, that the guard was a mere mockery.

No sooner did the Indians see the troops divested of their arms, than they rushed upon them, seized their baggage, stripped them of their clothes, and murdered, or led them off, as a prey to their avarice or cruelty, as the whim of the moment dictated. Eighty men, of New Hampshire, were carried off as prisoners, by the Indians. Many were murdered on the spot. A part escaped, in the confusion of the scene, and taking refuge in the woods, after intolerable sufferings, found their way to Fort Edward. The Iroquois, who were part of Monroe's garrison, were murdered instantly, except such as were reserved for the torture. Notwithstanding this outrage and confusion, it appears that the inadequate escort continued their march to the Hudson, and delivered a portion of the prisoners at Fort Edward; Smollet says, the greater part. It is stated, that at least 1,500 persons were murdered or carried off to captivity worse than death: many of these sufferers were butchered with the most savage cruelty, or dragged through the swamps and thickets of the wilderness, in bleeding nakedness; and many were women and children.

Webb appears to have determined to remain, unmoved by the

dangers to which the garrison of Fort William Henry was exposed. The provincials of his army begged to be led to the rescue of their brethren; but were refused. Montcalm, as if satisfied with inflicting this humiliating blow upon his armed adversaries, did not advance upon Fort Edward, which, if carried, would have exposed Albany to destruction; but the French general turned from the Hudson to the Mohawk River, and with fire and sword, laid waste the fruitful fields on its borders—burning the habitations of the German Flats, and subjecting the defenceless settlers to the tomahawk and scalping-knife.

Thus ended the campaign of 1757—begun with threats of invasion, and the expulsion of the French from America—exhibiting the imbecility of the English commanders, in every movement—and terminating in the disgrace of the British army, and the misery of the provincials they were bound to protect. The inhabitants of New York, however blind to the imperfections of any one distinguished by title, have remembered Lord Loudon with sentiments of contempt, to the present day. In Massachusetts, he distinguished himself, by boldly threatening to march his majesty's troops upon the town of Boston, whose magistrates had hesitated to comply with his demands for quartering soldiers on the inhabitants.

1758 The next year, saw a change in the ministry of Great Britain and in the efforts to carry on the war in America. Pitt, who complained that he could never ascertain what Lord Loudon was doing, superseded him, and by the same letters assured the provincial government, that Great Britain would send an armament sufficiently powerful to America, for offensive measures against the French, both by sea and land. Arms, ammunition, provisions, tents and boats, were to be furnished by the crown, for such troops as the provincial governours were required to raise for the approaching campaign. The provincial governments were ordered to levy clothes, and pay their soldiers; and to appoint officers to the various regiments. His majesty would recommend to his parliament to grant to the several provinces, such compensation as they might appear to merit.

New York and New Jersey, furnished their quotas of men for the intended conquest of Canada, with the same alacrity as was evinced by their New England brethren. The provincial troops were ready to take the field in May. Boscawen had arrived with a fleet at Halifax, on board which Amherst commanded 12,000 British troops, and had for his second in command the immortal Wolfe. These two officers, destined to be subjects of historic eulogium, were at this time subordinate to a man only entitled to be remembered with contempt and pity. General Abercrombie, had the chief command in America, and was at the head of the

greatest army that had ever been assembled in America. Of 50,000 men, 22,000, were regularly disciplined soldiers of Great Britain.

Benjamin Franklin now resided in London, as the advocate of America, being agent for several colonies: William Pitt, prime minister was much admired, and justly by the American statesman and philosopher. It might be supposed that such men would have been intimate—that their intercourse was frequent and familiar. No such thing. While Franklin ardently desired to see and converse with so great a man, Pitt with the arrogance of a man high in office, directing the destinies of a European nation, looked down coldly on a provincial post master, and colonial agent. Franklin made efforts to procure an interview, but says Grahame, was obliged to content himself with a complimentary assurance from another person, that the minister considered him *a respectable person*. A correspondence took place through the under secretaries, and the design of conquering and retaining Canada, owed much to the influence of the despised American.*

* See Appendix, W.

CHAPTER XXIV.

Fort William Henry—The Iroquois—Lord Loudon—Louisbourg—Abercrombie, his defeat ; and the death of Lord Howe—Charles Lee—Bradstreet takes Fort Frontignac—Licutenant-governour De Lancey, meets the legislature—Mr. Pitt's requisitions for the campaign of 1559—Wolfe and Quebec—Amherst—Ticonderoga—Crown Point—Isle aux Noix—Prideaux—Niagara taken by Johnson.

THE fall of Fort William Henry with its brave commander Monroe, and the miseries inflicted on the garrison, at a moment when General Webb, with 4,000 men lay within fifteen miles, carried terrour into the province, while it threw an indelible stain over the character of that general. To the demand of Monroe for assistance, he returned an answer advising him to surrender ; and the volunteers who offered to hasten with Sir William Johnson, to the relief of their companions, he refused permission to march.

The reinforcements Webb had received, probably prevented Montcalm's descent by the Hudson upon Albany, and caused his retiring into Canada with his army, after ravaging the valley of the Mohawk.

The Iroquois constantly degenerating from their once high stand as honourable savages, saw in the French a people more powerful than the English, and yielded to the mercenary spirit, which had been increasing among them, so far that many of the Senecas, Onondagas, Cayugas, and Oneidas, joined the French in burning and ravaging the defenceless settlements on the German Flats.

The Earl of Loudon after his vain or mischievous visit to Halifax, returned to New York, and the troops brought from thence, were idle and vexatiously distributed in New York, Albany, and up the banks of the Mohawk.

1758 The English ministry directed by a man of energy, who saw, that to make the colonies useful to Britain, Canada must be conquered, now forms plans and raises forces under competent commanders for the purpose. Amherst aided by Wolfe, 12,000 men and a fleet, laid seige to Louisbourg, and reduced it in the month of June. But still the French held possession of Crown Point, Ticonderoga, and Lake Champlain, and the commander-

in-chief of the British forces in America, General Abercrombie, was fated to experience disgrace, defeat, and the loss of the best blood of England, by a most unwise attack upon the long threatened French fort, in the bosom of New York, and on the peninsula of Ticonderoga.

The place of rendezvous was again Fort Edward, or the carrying place on the Hudson. The stores arrived from England. The New York troops were promptly at their post. Ten thousand provincials, and seven thousand English regularly disciplined troops, proceeded in all the pride and confidence of assured victory, to the head of Lake George, late the scene of French triumph, but now brilliant with British chivalry, glowing and glittering in scarlet and gold. On the 5th of July, this overwhelming army embarked on the bosom of Lake George, in a thousand and thirty-five batteaux, with all the pomp of military parade, in the glare of a summer sun glancing back the glitter of burnished arms, while the woods resounded with the drum, the fife, the bugle, and the clarion.

We have had occasion to speak of the pride, pomp, and circumstance, with which the French Count, Frontignac, astonished the wilderness when pouring a gallant French army upon the wigwams of the Iroquois; and others have described the stately march of Braddock through the woods leading to Duquesne; but the army of Abercrombie passing from the south to the north of Lake George, amidst the wooded islands, that stud those transparent waters under a clear July sun, must have exceeded in magnificence, and martial splendour, every scene yet beheld in America.

This army of 17,000 men was supplied with every requisite for success, as far as human foresight could discern. A young nobleman accompanied Abercrombie, and commanded a regiment. The mass of mankind pay deference to titular distinction; and none more than Americans; and no Americans more than the democratick citizens of the United States. But, at the time Lord Howe arrived in the country, such a propensity was legitimate. The advantages which title gave him, were increased by a thousand good qualities; and every good quality was exaggerated, because possessed by a lord. Polite attention to his *real* equals or superiours, was considered amiable condescension; and the duties of military station, when performed by my lord, appeared like a self-sacrifice for virtue's sake. Not to be indolent, dissipated, and arrogant, as the vulgar think a lord is privileged to be, was, in Lord Howe, considered as proofs of uncommon excellence, and, added to good education, courteous behaviour, youth, and a happy disposition, caused him to be almost adored by the British, and, perhaps, quite so, by the provincials. The unreal mockery of titular distinction, if it has such an effect, becomes a reality, through the force of

men's imaginations, and gives its possessor an additional power for good or evil.

Howe, like a good soldier, set an example, by doing that which he required of others. The strictest discipline in his regiment was enforced in a manner that conciliated esteem; he was known as the friend, and beloved as the father of his soldiers. In the very first operation of Abercrombie against Ticonderoga, this idol of the army fell, without producing any effect, but discouragement and an evil presentiment. The British army marched in four columns upon the advance guard of the French, who burnt their encampment and retreated. Howe advanced under the guidance of men not sufficiently skilful, and was soon bewildered in the surrounding thicket. The retreating French officer fell in with this very superiour force, but with admirable promptitude, formed, and delivered a deadly fire. Lord Howe and many of his men fell, and the French guard effected their retreat, though with loss.

This unexpected attack, and the fall of their commander, threw the British troops into confusion, already commenced by the labyrinth into which they had been led. Those who in 1839, viewed this ground may imagine what it was when covered with wood, in 1758. The provincials, who accompanied the party led by Lord Howe, more used to such scenes than Englishmen, rallied, pursued, and besides taking many prisoners, shot down many of the French before they could reach shelter.

The death of Howe was most sensibly felt by Abercrombie's army. His military talents had raised high expectations, and his amiable manners, had commanded unbounded esteem.

Without further opposition, Abercrombie took possession of ground pointed out for him by Colonel Bradstreet. The commander-in-chief, understanding that the French expected a large reinforcement, resolved on an immediate assault. His engineer, by his report, founded on a hasty survey of the place, encouraged the general's rashness. Without cannon it was determined to carry the works; and the troops were ordered to rush on the breastwork, reserving their fire until close upon the enemy.

The remains of the famous fortress of Ticonderoga, are yet seen by the traveller, as he passes on Lake Champlain. The peninsula on which they stand, is washed on one side by the outlet of Lake George, and on the other, by a cove setting back from Lake Champlain. Across this peninsula, the French lines were drawn, and defended by two redoubts and a high abattis.

With dauntless spirit, the British troops advanced; but found themselves opposed by trees with interlaced boughs, forming a barrier, before they could reach the works they expected to attack; and while bewildered and struggling with this unexpected impediment, they were exposed to the galling fire of an enemy altogether

sheltered and beyond their reach. For four hours, this scene of slaughter was continued: 2,000 of the English troops fell without making any impression on their foes; and when the signal for retreat was given, the fruitless attack was succeeded by a precipitate and disastrous flight.

The loss of the English in killed, wounded, and missing, is stated at 1,944, principally of the regular troops. The French force is now believed to have been less than 2,000, and their loss but two or three officers, and a few men. General Abercrombie took no part in this action, but to order the assault and the retreat; after which, the whole army was directed to return to the southern end of Lake George, where a fort called after his majesty, superseded the lines of William Henry, and commanded them. How crest-fallen must have been the return of this gallant host, as they were carried past the islands of the lake, so lately startled by their shouts of confidence and strains of triumphant martial music. The groans of the dying and wounded were now the mournful sounds, as the batteaux silently retraced their way over the waters. An overwhelming and humiliating consciousness of a fatal deficiency in their commanders, hung like a cloud over the disheartened and retreating troops.

Howe's corpse was escorted to Albany by a young hero of native growth—Philip Schuyler—and another very dissimilar character from Howe, was received and nursed in the mansion of the Schuylers, at the Flats. This was the afterward notorious Charles Lee.

Lee was a captain in the forty-fourth regiment, and is twice mentioned by Mrs. Grant; who says the army advanced in detachments from Albany by the Flats, to the residence of the Schuylers. "One of the first of these divisions was commanded by Lee, of frantick celebrity." She adds, "Captain Lee neglected to bring the customary warrants for impressing horses and oxen, &c.; he, however, seized every thing he wanted where he could most readily find it, as if he were in a conquered country; and, not content with this violence, poured forth a volley of execrations on those who presumed to question his right of appropriation. Even Mrs. Schuyler was not spared." Such is the testimony of a lady, herself the daughter of an English officer, and partial to the military of her own country.

In a few days, the wounded of this proud army, after their defeat, were brought back to the Flats, and received by the Schuylers as men and brethren. The barn was fitted up as a hospital, and a part of the house allotted to the surgeon, among whose patients, says Mrs. Grant, "was Lee—the same insolent and rapacious Lee—who had insulted the mistress of the mansion. He was received and treated as a child. Even Lee, says the writer, felt and ack-

nokledged the resistless force of such generous humanity. He swore, in his vehement manner, he was sure there was a place reserved for her in heaven, though no other woman should be there."

Colonel Bradstreet, a provincial officer, suggested to Abercrombie an attack on Fort Frontignac: and he was permitted, with 3,000 men, mostly provincial troops, to undertake the reduction of that fort on Lake Ontario. With eight pieces of cannon and three mortars, he marched to Oswego, by the way of Albany, the Mohawk River, Wood Creek, the Oneida Lake, and Onondaga River, promptly embarked upon Lake Ontario in open boats, and on the 25th of August, landed within a mile of the French fort. He opened his batteries, and the place surrendered on the 27th. All the Indian allies of the French fled at the first gun; and Bradstreet took possession of the fort, 46 pieces of cannon, 16 mortars, and a very great magazine of military stores, provisions, and merchandize. Bradstreet then returned, by Oswego, to the carrying place, now Rome, and garrisoned that post, so important for the command of the Iroquois.*

In the meantime, General Forbes, to whom the expedition against Fort Duquesne was entrusted, after many delays, and sur-

* The troops with which Bradstreet, a native born American, accomplished this important service, consisted of 135 regulars, 30 royal artillery, 1,112 New York provincials, 675 Massachusetts, 412 New Jersey, 318 Rhode Island, 390 batteau-men, and some provincial rangers. The first detachment of New York troops was commanded by Lieutenant-colonel Charles Clinton, of Ulster, under whom were Captains Jonathan Ogden, of Westchester, Peter Dubois, of New York, Samuel Bladgely, of Dutchess, and Daniel Wright, of Queens. The second was commanded by Lieutenant-colonel Isaac Corse, of Queens, and Major Nathaniel Woodhull, of Suffolk, and consisted of Captains Elias Hand, of Suffolk, Richard Hewlett, of Queens, Thomas Arrowsmith, of Richmond, William Humphrey, of Dutchess, Ebenezer Seeley, of Ulster, and P. Yates and G. Van Schaick of Albany.

Colonel Clinton was the father of George, our first republican governour, and James, a general of the revolution. Woodhull died—a general—of wounds received on Long Island, inflicted after he was a prisoner to the British invaders. Van Schaick commanded the first regiment raised by New York to resist the pretensions of Britain, in 1775.

The troops of Bradstreet descended from the sources of the Mohawk, the 14th of August, 1758; and Fort Frontignac, at the entrance of Lake Ontario from the St. Lawrence, surrendered the 27th. Colonel Peter Schuyler was exchanged for the commander.

Colonel Corse, above mentioned, of Queen's County, essentially contributed to the capture of Fort Frontignac. He volunteered, with his Long Island men, to erect a battery, on the night of the 26th of August, in the midst of the enemy's fire, which, opening in the morning, commanded the fort, and produced the surrender. Bradstreet's detachment returned to the carrying place, now Rome, by the 10th of September.—See T. Gordon's Gazetteer.

It would be a curious subject of inquiry, who, of the despised provincials of this time, were efficient officers in the war of the revolution? General Washington, General Philip Schuyler, General Starke, General Lord Stirling, General Nathaniel Woodhull, Colonel Prescott, Colonel Van Schaick, General Wooster, General Daniel Morgan, are immediately suggested by the thought.

mounting many difficulties, reached that important fortress in November. It was abandoned by the French, at his approach, and was called, in compliment to the English minister under whose auspices the war was conducted, Fort Pitt; and, in process of time, became Pittsburg.

Five regiments had been ordered from Louisbourg, to reinforce General Abercrombie, in the intended invasion of Canada—after driving the French from Ticonderoga and Crown Point. They arrived, only to be ordered to Albany for winter quarters.

Colonel Peter Schuyler, of New York, who had been made prisoner, with his New Jersey regiment, on the surrender of Oswego, was at Montreal when the news arrived of the loss of Louisbourg, on the one side, and of Fort Frontignac, on the other; and witnessed the consternation of the French, who called out their militia, and supposed Bradstreet would descend upon them from Lake Ontario. But Bradstreet had secured the lake, and restored that confidence to the Iroquois which was necessary to preserve them in the English interest.

The fall of Fort Frontignac, and defection of the Indians from the French, in consequence, prepared the way for the success of General Forbes; and Fort Duquesne was abandoned on the 24th of November. The garrison, after burning as much as they could, escaped by the River Ohio. The warlike operations in the Province of New York were concluded by the erection of Fort Stanwix, at the carrying place—a fort afterwards so famous in the annals of our revolutionary war, and now in the midst of the town of Rome.

Lieutenant-governour De Lancey met the assembly, and congratulated them upon all that was worthy of congratulation in the preceding campaign, passing over the defeat of Abercrombie as lightly as possible. Oliver De Lancey, the governour's brother, had served with Abercrombie, as commander-in-chief of the New York forces; and was, with Mr. John Cruger and Mr. Beverley Robinson, paymaster and commissary for laying out the £100,000 devoted for the campaign.

The assembly gave the lieutenant-governour £1,500 for a salary, £400 for fuel, candles, and lights; and for his three visits to Albany, £300.* This assembly expired in December; it was then known that General Amherst was to command the next campaign, and on the 12th inst. he arrived at New York.

1759 The pre-eminence given to the Episcopalians, by the modelling of the college, is supposed to have had its influence on the elections for the new assembly. Philip Livingston, a

* Smith

popular alderman, was elected by the city. William Livingston represented his brother's manor, while Robert R. and Henry were elected by Duchess. These, and several others, are represented as opponents to the De Lanceys. But the lieutenant-governour had his brother Oliver, with the mayor, John Cruger, and Leonard Lispenard, who likewise got in for the city, as well as Philip Livingston. The governour's cousins, Verplanck and Renselaer, were likewise members; and his cousin-german, Mr. Watts, with many others, his friends. In the council, he was paramount. Chief Justice Smith now calls the opposition, the Livingston party. I would observe, that the De Lancey party generally went with the British, in the great contest of 1775.

The assembly met the lieutenant-governour on the 31st of January, and in the latter part of February, Mr. Pitt's requisitions arrived. The colonies felt assured that their exertions would be applied to the removal of the French from Canada. They cheerfully complied with every demand made by England, and confided in the assurances that the crown would furnish arms, ammunition, tents, and provisions, for the troops raised, and even repay the expense of levying, clothing, and paying the forces.

New York authorized the raising of 2,650 men, to be completed by draughts upon the militia, in case volunteers could not be procured; bills of credit to £100,000, redeemable in 1768, were issued. The province maintained this force during the war, and provided liberally for every other purpose.

The prime minister, Pitt, was determined to secure the sole profit of the colonies to Great Britain, by overthrowing the French power in America. His wisdom and energy were sufficient for this great purpose; and, if not thwarted by others, he would have bound the provinces to Great Britain, for her benefit, in the times that followed. His present plan for the expulsion of the French, was to send Wolfe, with a fleet and 8,000 soldiers, to ascend the St. Lawrence and attack Quebec, while Amherst, with 12,000, took Ticonderoga and Crown Point, descending with the waters of Champlain, to join Wolfe. Prideaux was destined to capture Fort Niagara, and then join, by Ontario and the St. Lawrence, the generals below. To General Stanwix was confided the northern frontier.

It appears to me, that the possession of Quebec, was the key-stone of this great superstructure: that the occupation of this city, harbour, and fortress—the possession, of course, of the entrance from the Gulf of St. Lawrence—by a nation commanding the sea, gave that nation the provinces of Canada and the north.

The successes of Amherst fall particularly under my province; but Wolfe was left alone to contend with all the difficulties which attended the conquest of Quebec, where Montcalm, who had tri-

umphed over Oswego and Fort William Henry, commanded an army of the finest troops of France.

The English government had been stimulated by the recent successes at Louisbourg and Frontignac, and seemed now determined to prosecute the conquest of Canada. Amherst, the commander-in-chief of the army, was possessed of the confidence of the nation; and Wolfe was already considered a hero. The plan of operations was, that three armies should invade Canada as nearly as possible at the same time, by different routes. Amherst was to subdue the fortresses on Lake Champlain, and by the Sorel, having entered the St. Lawrence, to form a junction with the army below, under Wolfe. A third force, principally provincials, under General Prideaux, accompanied by the Iroquois under the influence of Johnson, was to take Fort Niagara, descend the St. Lawrence, and make itself master of Montreal.

The historian of Connecticut remarks, that by so many different attacks, it was designed to distract and divide the enemy. Minot and Smollet, think the plan of the campaign was too complex and multifarious. It was successful—not from its wisdom—for if Wolfe had failed at Quebec, and every probability was in favour of his failure—the whole campaign would have been fruitful of nothing but disaster.

The colonies were taxed to their utmost bearing, to make the necessary efforts for this campaign. The burthens already incurred were heavy, and the compensations made by England, were far below the expenses the colonists had incurred. However, the effort was made both with men and money; and as America was destined to support a defensive war, before the generation of 1759 had passed away, it was happy for her, that a number of her sons were innured to scenes of blood, and had gained some knowledge in the science of destruction, before those armies and fleets she was now aiding, to remove an intrusive and mischievous neighbour, were employed in endeavours to deprive her of her rights, and spread destruction over her fields and happy villages.

The result of Wolfe's expedition, and the details of difficulties surmounted, repulses sustained, and final triumph, and victory in death, are the theme of every historian of the time, and are not so immediately connected with my subject as to require more than an incidental notice, as connected with the progress of the war in the province of New York, and its immediate vicinity.

The head quarters of the English commander-in-chief, General Amherst, were at the city of New York, until the spring; and he was indefatigable in urging the military preparations of the colonies. By the end of May, the troops which were to operate under the immediate command of Amherst, were assembled at Albany, to which place he had removed. By the route of the Hudson,

and Lake George, the army proceeded to the neighbourhood of Ticonderoga, which place the general prepared to invest with an overwhelming force. On the 22d of July, the English army reached the northern extremity of Lake George, and found the enemy apparently determined to maintain the strong hold, which had proved so fatal to Abercrombie and Howe. But the approaches of Amherst were conducted with more skill; and with a caution dictated by experience.

The French commander, however, had received orders to withdraw the garrison, and retire from post to post, for the defence ultimately of the capital of the province. He dismantled Ticonderoga, and retreated to Crown Point. Amherst cautiously followed; and from Crown Point, the French army withdrew to Isle aux Noix; where having three thousand five hundred men, a large train of artillery, and powerfully armed vessels, a stand was made; and, for a time the victorious progress of the English and provincials, was impeded. A naval force was to be created by Amherst, which was soon done under the active ardour of the Americans. Two vessels were built and equipped; with which Colonel Israel Putman, succeeded in destroying two of the French squadron—but the summer had passed during these operations—the storms of autumn came to the assistance of the assailed—and Amherst was forced to postpone his operations, and to retrace his way up Lake Champlain, to find, or make, winter quarters for his troops at Crown Point, and Ticonderoga. So far from joining Wolfe, the commander-in-chief had no means of communicating with him, and it was only through a proposition made by Montcalm respecting an exchange of prisoners, that Amherst knew of the arrival of Wolfe before Quebec.

In the meantime, early in July, General Prideaux conveyed the army destined for the conquest of Niagara, to Lake Ontario, and advanced with a force well calculated to overcome the difficulties of a campaign in a country of wilderness, opposed to savages and Canadians inured to savage warfare. Niagara, so familiar to us now, was then only known as the important post which gave France facility of communication with the west and north.

Prideaux reached Niagara even before Amherst arrived at Ticonderoga, and the place was invested on all sides: but on the 20th of July, while visiting the trenches, he lost his life, from the accidental bursting of a coborn. By this event, the command devolved upon Sir William Johnson, who sent for succour to General Haldimand, a German commander in the English service, who had previously been successful against the French. Smollet says, that Amherst sent Gage, likewise to Niagara; but before either arrived, Johnson, learning that the French had drawn together a force from Detroit and other garrisons, and, with their Indian auxiliaries, were

advancing by the way of the Falls of Niagara with design to raise the siege or reinforce the besieged, made a judicious disposition to prevent a sally from the fort, and then advanced to meet the approaching enemy. On the 23d or 24th of July, the advance parties of the opposing forces met. The French commander, observing that the English Indians sought an opportunity to speak with his auxiliaries, and fearing the effect of such communication, injudiciously ordered a charge; and in consequence, after a fight of an hour, the party was routed with loss. Smith says, the Mohawks stood aloof until the battle was decided. The French commander and all his forces fell into the hands of the English, after a disastrous retreat of five miles.

Johnson returned to the siege, and notified the garrison of the fort, that they had no longer a possibility of receiving succour. The French commander capitulated, and marched out with the honours of war. The Iroquois were restrained so effectually that the prisoners and their baggage were protected, and sent to New York: the women, who preferred it, being sent to Montreal, with their children.

The fall of Fort Niagara broke a link of the chain by which France was circumscribing, and might ultimately have bound the English colonies.

Perhaps from not knowing the success of Wolfe, the army of Amherst attempted no farther operations against the enemy.

General Stanwix had been completely successful on the Ohio; and the campaign of 1759 was hailed with exultation both in America and Great Britain, although far from terminating the war.

1760 The attempt of Levis, the French general who succeeded Montcalm, to regain Quebec, now garrisoned by English, commanded by Murray, and the events attending the French in their successful commencement and eventual failure, I pass over, for the same reason that induced me not to dwell on the enticing story of Wolfe's conquest. Quebec might again have reverted to France, but for England's superiority on the seas. An English fleet, on the breaking up of the ice in the St. Lawrence, entered that great river, and Levis with his troops retreated to Montreal, at which place M. Vaudreuil, the Governour-general of Canada, collected around him all the force of the colony, as if to make a desperate effort for the preservation of the French power in America.

With skill and vigilance, he made every disposition that an accomplished general could effect, to withstand the power of his victorious enemies: and Amherst having accomplished, during the winter, every preparation for completing his conquest, brought all his forces from the Hudson, the lakes, and the St. Lawrence, from New York, from the posts to the west, and from Quebec—opening

the campaign of 1760, by advancing from every quarter upon the point chosen by Vaudreuil, to signalize his triumph or defeat.

Colonel Haviland was ordered with a detachment from Crown Point, to take possession of Isle aux Noix, which the enemy had abandoned. Amherst himself, with 10,000 regulars and provincials marched to Oswego, and there was joined by Johnson and his Indians.

Those who now visit our rivers and lakes, and see smiling villages and proud cities on their banks, become familiar with Erie and Ontario, and even with Michigan and Huron, flying over Lakes George and Champlain to the St. Lawrence and its cities, can scarcely realize the dense wilderness of 1759, and the thousands of yellow savages, and tens of thousands of bristling bayonets glittering amidst trees, or descending rapids in batteaux; the splendid uniforms of officers, with the flaunting colours of contending armies, amidst swamps where the scouting Indian roamed as a guard to the pioneers, who rendered the fastuesses penetrable to those white men, who were destined to exterminate his race: such scenes are little thought of, as we pass through gardens and orchards, on railroads or canals, or gaze at the seas and skies of our lakes in ease and security. Yet the scenes have scarcely passed away; in 1777 they were repeated, and again in 1814; but they have passed never to return.

CHAPTER XXV.

Legislative enactments—Death and funeral of Lieutenant-governour De Lancey—Amherst's conquest of Canada.

1759 THE people of New York expected when the French abandoned the forts on Lake Champlain, that Amherst would find no obstacle to the capture of Montreal ; but though disappointed, they were reconciled by the fall of Quebec and Fort Niagara. This fort was of earth, but strong from its situation. On the west, a river ; on the north, the lake ; and on the east, a morass, made it difficult of access ; and as the French still held their post at Toronto, at the north-west corner of Lake Ontario, six hundred men were left to garrison Niagara. At Oswego, a new pentagon fort was built, other fortifications erected, and nine companies stationed there for defence ; several armed vessels strengthened the post at Oswego, garrisons were planted at the Little Falls of the Onondaga river, at the Oneida Lake, and at Fort Stanwix. At the south end of Lake George fortifications were erected, Ticonderoga was repaired and strengthened, and Crown Point placed in a state, which when finished, was intended to comprehend a circuit of nine hundred yards. These three last mentioned places, were garrisoned by fifteen hundred men.

As provision had only been made by the legislature for the troops of New York, to the 1st of November, it was obviously necessary, that the assembly should be convened, and Mr. De Lancey summoned them to his country seat, in the suburbs of New York. This mansion was within the writer's recollection, on the east side of the Bowery, above the present Grand street.

The legislature voted every thing necessary, and on the 18th of October, were adjourned to the 4th of December following, when they again met, and without division passed twenty acts ; among them was the five pound act, the lieutenant-governour's salary of eighteen hundred pounds, with the four hundred pounds perquisite, nominally for necessaries allowed to the garrison of the fort, where no garrison existed ; and, deducting fifty pounds from Judge Horsmanden's allowance, who was at this time superannuated, fixed other salaries, and adjourned on the 22d.

1760 The legislature again met in the month following, and Mr. Pitt's requisition having arrived, the house voted simi-

lar contributions to those of the last year, and a new emission of bills to the amount of sixty thousand pounds, to be sunk in eight years by tax.

In May, the assembly was again convened, and notwithstanding the pressure of war, appropriated two thousand five hundred pounds for the relief of the sufferers by a fire at Boston. After passing ten bills, the lieutenant-governour adjourned the legislature to June. An act was passed at this session, to regulate the practice of physick and surgery, it being found that unlicensed pretenders then, as now, poisoned those who were as ignorant as themselves, but more credulous.

Before recurring to the military transactions of the year, the historian of New York must record an event which had great influence on the affairs of the province. Lieutenant-governour De Lancey was found, by one of his children, expiring as he sate in his study, on the morning of the 30th of July, 1760. He was a man of talents, with many virtues. Educated in England, at the university of Cambridge, he was strongly linked to that country, which at this time commanded the general esteem and admiration of the people of America. Mr. De Lancey had dined the day before on Staten Island in company with Governour Morris, General Provoost, Mr. Walton, Mr. Boone, Mr. Smith, and others, the great men of the day; and it is no disparagement to him, if we credit Smith, that too much eating and drinking took place. It was the custom of the times. Of the other causes mentioned by the historian, which might have disturbed the lieutenant-governour's equanimity during this convivial party, none are worthy of notice. Mr. De Lancey crossed the bay in the evening, rode out to his house in the Bowery, and was discovered expiring too late for medical or surgical aid, sitting in his chair, as he had probably done through the night, being unable to repose in a recumbent posture, at times, from a cronick asthma.

The funeral of the late lieutenant-governour took place on the evening of the 31st of July. The body was buried in the middle aisle of Trinity church: the Episcopal service being performed by the Reverend Mr. Barclay, in that magnificent building, splendidly illuminated. The order of the funeral procession from his house in the Bowery to the church, fills columns of the papers of the day, particularly Parker's Post Boy, wherein his age is stated as fifty-seven. It will be seen by the preceding pages, that shortly after finishing his education at Cambridge University, (where he was under the tuition of Herring, afterwards Archbishop of Canterbury,) he was placed among his majesty's counsellors, and on the bench as a judge: that in 1733, he was made chief justice, and and in 1753, lieutenant-governour. He has been censured for giving his sanction, in 1754, to the act, incorporating the King's

College, by which Episcopalians alone were eligible to the chair of president, and the book of common prayer introduced for religious exercise. He is praised for his "broad and popular principles,"* and justly for his political skill in successfully preserving to the assembly the right of annual appropriations, and evading the prohibition of the crown to issuing bills of credit. Smith, his political enemy, allows him genius, with knowledge of the law, history and husbandry. He even praises his retentive memory, and ready elocution.

Doctor Cadwallader Colden, as president of the council, succeeded De Lancey as ruler of the province, and immediately repaired to New York from his plantation in Ulster county. Mr. Colden was seventy-three years of age, when he took up his residence at the province (or governour's) house, in Fort George.†

The people of New York were anxious that Mr. Colden should appoint an honourable and otherwise fitting man for the office of chief justice, fearing that by some court intrigue, the government of England might send for that purpose, as they had done to New Jersey, in the cases of Ainsley, the treasurer of a turnpike company, and Jones, a fellow who had left his wife to the promoter of his fortunes; but Smith says, Mr. Colden had in view to compliment the first lord of trade, (afterwards Lord Halifax,) with the appointment.

The campaign of 1760, which resulted in the final reduction of Canada, calls for my particular attention. General Murray, having been successful in defeating the attempts of M. de Levis, received orders from Amherst, the commander-in-chief, to bring all the force he could command, without risking Quebec; and, ascending the St. Lawrence, approach Montreal, where M. Vaudreuil had concentrated the French force, and made the most skilful dispositions to sustain the efforts which England and the colonies were preparing to make for the expulsion of the French from America.‡

* T. Gordon.

† Smith says, the old gentleman in addition to his salary of eighteen hundred pounds, received the four hundred pounds for necessaries required by the garrison of the fort, consisting only of his own family.

‡ The reader may ask, how could Amherst send orders from New York or Albany to General Murray, at Quebec, the country being not only principally a wilderness, but in possession of the enemy, as well as the river? I should be at a loss to answer the question, but that John Shute, one of Rogers's rangers, who were principally, if not all, New England men, has left us an account of the mode by which the communication was made. Rogers was commanded to select four men who could be relied upon, and were used to scouting in an enemy's wilderness, to carry the orders. Shute was one who, for a reward of £50, undertook this perilous enterprize. They were landed at Missisqui Bay, and directed to the river St. Francis, by a route previously known to them. This river, after some days and nights of suffering, they crossed on rafts; but not without two of the party being

Colonel Haviland was detached from Crown Point for the purpose of possessing Isle-aux-Noix, and having perfect command of Lake Champlain, proceeded by this route to Montreal. Amherst, with the main body, consisting of 4,000 English regulars and 6,000 provincials, left Schenectady in June, ascended the Mohawk River to Fort Stanwix, descended Wood Creek, and crossing Lake Oneida, entered Ontario at Oswego, for the purpose of clearing all the French obstructions on the upper St. Lawrence, and co-operating with Murray and Haviland in the reduction of Montreal, which, supposing all these operations should be successful, would be hemmed in by three armies.

Sir William Johnson, as may be supposed, used his influence with the Iroquois, in aid of Amherst, and gave assurances of all the force of the confederacy. But only 600 or 700 warriors, however, accompanied the army part of the way, when most of these thought proper to return home. It was not until the 10th of August, that General Amherst had full command of Lake Ontario. He then proceeded down the great river, where the principal obstacle was a fort at Oswagatchie. Israel Putnam, who had served with the provincials for the last six years, and had distinguished himself among Rogers's rangers, for strength of body, and that daring hardihood, which seems to proceed from unconsciousness of danger, was attending upon Amherst as a colonel. With 1,000 men, in fifty bateaux, he was appointed to attempt two armed vessels, by boarding; but they very prudently surrendered, at the approach of his force. This and other services, led the general to give Putnam the honour of attacking the most difficult point in the approach to the fort of Oswagatchie, or the Isle Royale. The abattis it was necessary to carry, hung over the water, and could only be approached in bateaux, exposed to the fire of the enemy. Putnam contrived to fortify his vessels with a breastwork, and by means of plank raised in the bows and so constructed as to form a bridge when lowered and thrown upon the fort, he designed to assault the enemy. But they, seeing the approach of this formidable preparation, followed the example of their countrymen who were appointed to defend the vessels on the lake, and did not put the courage or machinery of the lieutenant-colonel to the proof.

Having gained possession of the islets in the neighbourhood of the principal fort, and cannonaded it for some time, during which preparations were made for a general assault, that useless scene of

carried over the rapids. They pursued their way: and by robbing the French planters, procured food and clothing, until they saw the St. Lawrence, and finally an English encampment. They were received as friends, and forwarded to Murray, at Quebec, and there delivered the orders of Amherst.

slaughter was prevented by the enemy's beating a parley, and surrendering by capitulation. Having determined to leave a garrison here, the army descended the St. Lawrence—not without loss of men and boats amid the islands and rapids. Forty-six batteaux, seventeen whale-boats, one row-galley, a great quantity of military stores, some artillery, and forty-six men were sacrificed, before the troops were landed upon the Island of Montreal. On the 6th of September, the army was landed at La Chine, and proceeded to erect batteries, plant cannon, and regularly invest the city.

By this time, General Murray appeared with his victorious army, below the town; and Haviland, with his force, had arrived from Lake Champlain. Thus surrounded by enemies too numerous to be resisted, the gallant Marquis de Vaudreuil sent a letter, by two officers, to the English commander, demanding a capitulation, which was in a short time agreed to. The three English armies, by three different routes, and without a possibility of communication, arrived at one point, ready for co-operation, within a few hours of each other. The surrender of Montreal gave to the English government the vast country of Canada, which it has retained to this day.

The colonies were now relieved from a neighbour that had for years pressed upon their territory, ravaged their frontiers, and threatened them with final subjugation. None were more immediately benefitted than the inhabitants of New York—none more sincerely rejoiced in the triumph of the English arms. But they had soon reason to see that the effect upon the ministry of Great Britain, was a calculation of what might be drawn from the colonies, founded upon a knowledge of the exertions made, and the sums raised, for the expulsion of the French.

The Indians, too, saw that their situation was changed, and, as they feared, not for the better. Two parties had heretofore contended for their favour: they were now left to the mercy or generosity of one. The degenerate Iroquois were no longer necessary for the safety of New York or New England; nor the western savages as allies to the French, in their march of aggression. They saw that the whites, no longer occupied in destroying each other, would ultimately exterminate the red race. They sought, fortunately too late, for the means of resisting what had now become irresistible; and, though the contention between the colonies and Great Britain for a time changed their position, the removal of the French power from America was the signal, which they could not but see, of their eventual downfall.

The combination formed by the nations, immediately after the conquest of Canada, is astonishing both for the rapidity with which it was conceived, its extent, and the effect it had upon the colonial frontiers; but it was more immediately felt elsewhere than by New

York. Many of the out-posts were assailed and carried, by this simultaneous rushing forward of the Indians; but Detroit and Niagara were protected by General Amherst's detachments, and finally Colonel Broquet terminated these hostilities—but not until 1764—and the nations were compelled to submit to the power of the white man.

CHAPTER XXVI.

General Amherst arrives at New York; is invested with the Order of the Garter by Monckton, at the encampment on Staten Island—Monckton and army sail for Martinique—Troops raised for the regular service of Great Britain—Gratitude of England—Stamp Act—Its retrospect and reception in America in general, and New York in particular—A Congress in New York—Stamps arrive—Riots—Prudent measures—Lord Chatham—Repeal of the Stamp Act.

1760 THE reader has perceived that the Marquis de Vaudreuil, finding that he was surrounded by foes, in numbers irresistible, and that all the country between him and the sea had submitted to General Murray, capitulated to Amherst; and the colonial capital of France, in the northern portion of America, was surrendered to Great Britain.*

Gage, who had married one of the Kemble family at New Brunswick, in New Jersey, and became afterwards so notorious in Boston, was appointed Governour of Montreal. Murray returned to Quebec, and Amherst repaired to New York, to be invested with the Order of the Garter and the title of Sir Jeffrey, by Monckton, who, with an army was encamped on Staten Island.

When General Amherst arrived, he was saluted by the guns of Fort George, and by permission of the keeper of the new jail, now the record office, his majesty's colours were displayed on that building so notorious as the "prevo," in later times. The prisoners likewise saluted the general with twenty-five guns. In the evening, the jail, with the rest of the city, was illuminated, in honour of his excellency.

Mr. Colden commenced his government in a calm, which was

* The regular troops were to be transported to France. The inhabitants of Canada who chose to remain, are guaranteed in property, rights, and religion.

interrupted by the news of the death of George the Second, the accession of his grandson, and the necessity, real or supposed, of dissolving the present assembly of New York, and issuing writs for a new election, which were returnable on the 3d of March, 1761. On the 24th, Mr. Pitt's instructions having been received, the assembly voted 1,787 men, and £52,000.

Mr. Smith, the historian, tells us, that Mr. Colden offered the seat of chief justice, vacated by Mr. De Lancey, to the elder Smith, who refused it; and the post, which was a subject of great anxiety, was filled by Mr. Pratt, of Boston, promoted to the office by the English government at the same time Mr. Colden was appointed lieutenant-governour.

1761 The opposition to the lieutenant-governour was shown in the assembly, by a motion of Mr. Cruger's, to interdict stage-plays, Colden having allowed a theatre to be set up; and by praises bestowed on General Monckton, then with the troops on Staten Island, and in hourly expectation of receiving the appointment of Governour of New York. His commission arrived on the 19th of October, and he produced it to the council on the 26th; when Mr. Colden asked for his instructions, which usually accompanied the commission, and Monckton replied, that he had none, and hoped never to have any. The oaths being administered, a procession was formed to the city hall, where it was published as usual—the militia being drawn up, and the mob as usual, shouting their joy at any change.

General Monckton embarked on the 15th of November; and soon after, with the army which had been encamped on Staten Island, proceeded to the Island of Martinique, leaving Lieutenant-governour Colden as the ruler of New York.* Few contrasts could be greater than that between Colden and Monckton. The first was old, versed in civil affairs, learned, studious, cautious, and reserved. Monckton young, bold, a military man: a man of the world in its expenses, show, and licentiousness—of course the favourite of the gay, the unthinking, the ambitious, and the votaries of what is called pleasure.

In the voluminous collection of MSS., called the "Gates Papers," deposited with the Historical Society of New York, there are letters which serve to elucidate a large portion of our history. Governour Boone, of New Jersey, who had not yet met the assembly of that province, writes thus to Horatio Gates—then an aid to Monckton, and preparing for the Martinique expedition—dated from Perth Amboy, October 13th, 1760.—"Poor De Lancey!

* The fleet which left Sandy Hook under Monckton's command, on the 15th of November, consisted of one hundred transports and two line-of-battle ships.

Have I wrote to you since his death? General Monckton is talked of for the government and desired. Pownal is expected and dreaded. General Gage is said likewise to have applied." Of the people about him he says, "their politicks are confounded and their society is worse, by the loss of the best companion in it." Of the De Lanceys, after the death of the Lieutenant-governour, he says: "Oliver is in the council; and Jemmy De Lancey, no longer a soldier, is a candidate for the city."

Monckton proceeded to Martinique; and, as a matter of course, with the forces carried thither, took the place. Gates went with him; and, as his aid, was sent to England, with the news of the conquest, and in expectation of promotion. Monckton returned to New York; but very soon left his government, and repaired to England in search of something better. At this time, William Smith, the historian, writes to Horatio Gates—"Colden, for want of purse, and more for want of spirit to imitate Monckton in the dignity of his government, has retired to Flushing. The little star does not yet appear: the twilight of his predecessor is still too strong to permit such a twinkling luminary to glitter." Such were the opinions entertained by the prominent men of that time respecting Colden and Monckton.

The assembly met on the 19th of November; and the historian, Smith, supposes, that the house meant to "teaze" the Lieutenant-governour, "at the expense of their own dignity," by saying, "they would not permit the colony to suffer by Mr. Monckton's absence;" and by alluding to the high fees taken for patents, "in which he was doubly interested, as governour and joint surveyor-general with his son." In a note he says: "the governour took £12 10s. for every thousand acres; and the surveyor-general £5 more per thousand."

1762 For a second time this year, Lieutenant-governour Colden and the assembly met, in March.* The requisitions demanded by England were nearly equal to two-thirds of what the colony contributed for the conquest of Canada. £300,000 are stated as the publick debt, and the colonists were taxed £40,000, per annum, to

* The assembly of the province of New York, which was elected this year, consisted of twenty-seven members. Chancellor Kent remarks, that neither Philip Schuyler, George Clinton, Dirk Brinckerhoff, or Leonard Van Kleeck, were in this legislature. They were elected in 1768.

The Cherokee war, at the south, was terminated this year: but not without the assistance of the British forces. It was the first instance in which American colonists were obliged to solicit aid against Indians. The cause was the disproportion of slaves to free men. South Carolina seemed aware of this evil, and passed a law this year, imposing so high a duty on imported slaves, as would have amounted to prohibition; but the tender mother country rescinded this law, as injurious to British commerce. In the instructions given to Benning Wentworth, for the governing

discharge it, yet the assembly granted what was required. To be sure, there was a demur as to setting a precedent of levying men for the king's regular regiments; but rather than not be sufficiently loyal, it was determined to levy four hundred and seventy-nine men, as required, with pay, clothing, and other requisites; the expense to be "repaid when his majesty in parliament shall think proper."

There were not wanting men sensibly alive to the impropriety of of raising money upon the colonists, to supply the standing army of Great Britain with men. Their eyes were open to the ulterior views of England; but they were silenced for the time by fears that, as had been done before, a peace with France might be purchased by the restoration of Canada; and it was thought best to show a willingness and an ability to support the mother country in holding a colony which had hitherto been the cause of such sufferings and fears throughout the provinces.

In May, the assembly was convened, and a bill passed for a lottery to complete the new jail, and another to forward the erection of the light house at Sandy Hook. In June, General Monckton returned to his government.

About this time the dispute between the provinces of New York and New Hampshire, concerning their boundary line, was nearly at its height: the latter claiming all that territory which lies between the Connecticut River and Lake Champlain, since constituting the state of Vermont. New York claimed the same, in consequence of the grant made by Charles II to the Duke of York, which extended from the west bank of the above river to the east side of Delaware Bay; and in consequence of the original discoveries and possession of the Dutch, which had this extent, under the title of *Nieuw Nederlandt*, and which was ceded by treaty, after conquest, to the crown of England. Parts of this country were intruded upon by Massachusetts and Connecticut, and given up by New York by way of compromise. New Hampshire claimed without justice or title, and the claim was resisted, and the dispute referred to the king by agreement; who decided in favour of the rights of New York to the territory in dispute; notwithstanding which, Governour Wentworth, of New Hampshire, laid out townships and granted

of New Hampshire, he was expressly prohibited from giving his assent to any laws by which the importation of slaves into New Hampshire, could be embarrassed by imposts. The welfare of the colonies, or the rights of humanity, were feather-light in the balance against "British commerce."

The colonies were called upon to raise forces for the present year, to the amount of three-fourths of the last.

lands, and the purchasers settled upon them in the face of the warnings of New York, and proclamations of the governour.

The great exertions made by the colonies to remove the French, and the liberality still shown, instead of exciting the gratitude of Great Britain, gave occasion for her rulers to calculate how much might be made from a country that had shown such resources, and the amount of revenue that might be counted upon from provinces so capable, and now so entirely within the grasp of the ministry. The people of the parent country had long been in the habit of speaking of "our colonies," and the parliament thought of the mode by which the greatest profit could be made from his majesty's plantations, for the ease and pleasure of his majesty's subjects who staid at home.

The first Englishmen who came to live in this country, left their native homes that they might enjoy the liberty of worshipping according to the dictates of their consciences, and making laws for their own government; or for bettering their condition by trade or otherwise. While they were poor and struggling for existence, the government of England let them alone—"they grew by her neglect," as was justly said by Col. Barre, in the English parliament. When they became rich enough to exchange their commodities for goods manufactured in England, she was not satisfied with the benefit of the commerce, but having by degrees established governours and other officers over the colonies, she sent out collectors of revenue, opened custom-houses, and laid duties on the goods she sold; and if she permitted the colonists to buy of other nations, taxed such goods still higher.

The colonies submitted to what was part of a general system, and patiently bore impositions, until it was too evident they were designed for the exclusive benefit of others. Massachusetts had, during the ebullition caused by changing the Stuarts for the house of Orange, in England and her dependencies, denied the power of the parliament to legislate generally for the colonies; and New York, in 1708, had declared that only the representatives of the people had a right to tax them. It will be remembered that the plan for the taxation of the colonies was proposed in 1754; it was seen that too much power would be given, by the mode suggested to the British ministry, while England feared the approach in America to self-government; and the plan objected to by both parties, failed. But now was thought a fitting time to make provinces that could sustain taxation to a great amount, yield a permanent revenue to Britain. Mr. Grenville matured his scheme, and the nation applauded.

It had been customary for the requisitions of the minister to be made to the governour, and for the assembly to grant whatever

was demanded. This was considered by the colonies as a proper mode of proceeding. The representatives of the people were the judges of the propriety of the requisition, and it was afforded according to that judgment. But the scheme for raising a permanent revenue was to be by decrees of the British parliament, and was to be drawn from people, who were not and could not be there represented.

By degrees, England imposed duties on articles imported into the colonies, and they submitted. But the original wrong grew; and as the colonies grew, they became discontented. Individuals practised smuggling—that is, they contrived ways to land goods without the knowledge of the English collectors, and by avoiding to pay the duties which were to go to the government of a distant country, they increased their profits, and some made great fortunes. Smuggling was not considered infamous, as it is now, and must be always when duties are laid on importations by the people themselves for their own purposes. It was thought of only as an evasion of a burden imposed by a foreign government; submitted to by a kind of compromise from necessity. This practice of smuggling was of course complained of by the English collectors, and the king's ministry ordered their armed vessels in greater numbers to cruise upon our coast, and commissioned their commanders as custom-house officers. These men were rapacious, and under colour of zeal for his majesty's service, they vexed the commerce of the country by seizures that were illegal, and for which no redress could be obtained but by application to a distant country, more injurious to the sufferer than the original wrong.

It was felt that the revenue laws were made for the benefit of others, and that an informer could only be actuated by the hope of reward, for an injury inflicted on an American, and a benefit bestowed on a foreigner. The consequence was, the introduction of the vile practice of tarring and feathering, by mobs, impelled to revenge injuries for which there was no legal remedy.

Trade with the French and Spanish provinces had long been a source of profit to the merchants of New York, and by putting them in possession of specie, enabled them to make their remittances to England. That trade was known to be illegal, but it had long been connived at by Britain, and practised by America. The ministry now, as one means of raising a revenue from the colonies, a measure in itself sufficiently obnoxious, affixed such duties upon imports as amounted to a prohibition of this trade, 1764 which had become necessary; and the mode resorted to for the purpose of raising this revenue, was even more intolerable than the taxation itself; in addition to the vexation from illegal seizures, and others in conformity to the English law, was the insolence of the naval officers, and the encouragement given to

informers, actuated merely by the hope of reward, for the injuries inflicted on Americans, and a benefit bestowed on foreigners.*

In connexion with the ministerial scheme of raising a revenue from America, was a still more obnoxious resolution of parliament, "that it may be proper to charge certain stamp duties in the colonies." In fact England considered the colonies as her property. Englishmen did not speak of Americans as their fellow subjects, but as their colonists. The parliament looked only to America with a view to raising money. On the 10th of March, they laid heavy duties on articles imported by the colonists from the West Indies, and resolved upon imposing stamp duties; and the March following, in 1765, they passed the stamp act. To this, all America rose up in opposition as one man. It had no advocate but the king's governours, their tools, and the officers appointed to receive and deal out the stamps; and they were afraid to receive them, or were obliged to renounce their appointments.†

1765 Americans had submitted to the English navigation-act, they had evaded the imports, although they were considered as mere entering wedges to open the way for more onerous burthens: they had submitted, saying perhaps, we cannot avoid paying these duties, unless we can afford, and choose, to buy the articles imported. They are not absolute necessaries of life, and if we pay these external taxes to Great Britain, it is only paying much more for luxuries. But when they knew that Britain had passed the stamp act, (her house of commons with little opposition, and her house of lords unanimously,) when it was known that

* Penalties were recoverable in Admiralty Courts, where no juries were required, and the judges dependant upon the king, as their profits were upon the forfeitures they themselves decreed. In addition, the duties were required to be paid in specie, to the depreciation of the paper money issued by the provinces to serve Great Britain. Does the present age furnish no parallel?

† On the 9th of March, 1764, William Smith, the historian, writes to Gates, then in England, thus:—"Gay in the morning—dead in the evening." He speaks of the death of Chief Justice Morris, of New Jersey. "He came out to a rural dance, on January 27th, 1764. He took out the parson's wife, opened the ball, danced down six couple, and fell dead on the floor, without a word, or a groan, or a sigh. Franklin," this was William, the son of Benjamin, "has put Charles Reade in his place upon the bench, and filled up Reade's with a babbling country surveyor.—After Boone—after Morris, Reade!" Speaking of political affairs, the historian says, "The first error is on your side of the water," and then speaks of the recall of Governour Boone, of New Jersey; and hints that the cause was his contest with "a proud, licentious assembly. We," he proceeds, "are a great garden—constant cultivation will keep down the weeds—remember, they were planted by Liberty and Religion, near a hundred years ago—these are strong roots that will soon despise the gardener's utmost strength. When Great Britain loses the power to regulate these dependencies, I think 'tis clear she will have no other left." He then calls for governours and judges of spirit and abilities. The only inference is, of spirit and abilities to keep down what was planted by Liberty and Religion. This letter from the future chief justice under the king, for New York, and subsequently for Canada, written to Horatio Gates, is, at least, curious.—See MSS. Letters, in the Library of New York Historical Society.

the colonies were to pay for stamps, to render valid every legal proceeding, every bill of sale and receipt, every license for marriage, and every will of the dying,—such a tax there is no avoiding; and internal taxation once begun, will be continued. Our property may be taken from us without our consent, and that is not only contrary to every principle of good government, but of natural justice, and violates at once and totally our rights as English subjects; who are never taxed but by their own consent given by their representatives. Now, as we cannot be represented in England,⁷ we are represented in our assemblies; and when they impose taxes, either for our own affairs, or to comply with any requisition from England, it is our own grant; but to be taxed at the will of an English parliament reduces us to positive slavery.

This act was passed in March, and as early as April it was hawked about the streets of our city, with this title, “The folly of England and the ruin of America.”

But before the reader goes into the consequences of the stamp act in New York, he will recollect, what the state of the parties was in Great Britain, and the situation in which Mr. Pitt, who had under George II, almost annihilated the power of France, was placed soon after the accession of George III.

The famous league, called “the family compact,” was made in December, 1761. Pitt, whose success, like those of all great men whether civil or military, was in part, the result of good intelligence communicated by spies, knew of this league, and of the preparations making by Spain to join France in the war with England, and declared that now was the time to humble the house of Bourbon. Lord Bute, knowing that the glory his rival derived, was from the successful war he waged with France, advocated a peace. The king’s council was influenced accordingly, and when Mr. Pitt said, he would no longer remain in a situation which made him responsible for measures he was not allowed to guide, the president, Lord Grenville, replied, “I find the gentleman is determined to leave us; but if he be resolved to assume the right of advising his majesty, and directing the operations of the war, to what purpose are we called to this council?”*

It has been remarked, that Mr. Pitt could only act alone. The advocates for peace and the enemies of the man who had by successful war raised Great Britain to a pinnacle of glory, were too strong for him. He accepted the title of Lord Chatham, and lost the favour of the people. Pitt richly deserved a peerage and a pension from England; but, by accepting them, his popularity was destroyed. The hireling writers of Lord Bute took advantage

* Annual Register for 1761. Waterhouse’s Junius, p. 41.

of the circumstance, to assail and decry the patriot. Lord Chatham resigned.

By this brief review, the reader will see that the great Earl of Chatham had not only the motives for opposing the ministry and the stamp act, which arose from seeing his views for making the colonies a source of revenue to Great Britain thwarted, but those which chafe and move every oppositionist. He knew that the attachment of the colonies to England would make them useful and profitable to Great Britain, whose interest he had at heart; and he saw the grasping and bungling methods made use of by his successors with disgust. His views were to bind the colonies to England, at the same time that he drew all possible service to his own country from them. He would have accustomed the calf to the harness, before yoking him to the plough.*

In 1698, Davenant wrote thus: "Generally speaking, our colonies, while they have English blood in their veins, and have relations in England, and while, by trading with us, the stronger and greater they grow, the more this crown and kingdom will earn by them; and nothing but such an arbitrary power as shall make them desperate, can bring them to rebel."† So thought Lord Chatham; and while he would have asserted the right of the English parliament to bind the colonies by its laws, he would have so tempered those laws as to prevent resistance. The colonies were to be watched with a strict eye; they were to be kept weak at sea; they were not to be suffered to trade directly and upon their own account, with other countries; they were not to be permitted to set up manufactures, and to clothe as well as feed their neighbours, nor even to clothe themselves without assistance from England; and thus to be made useful by their own consent, to the mother country.

By the act of 14 Geo. 2d, c. 37, the Americans were restrained from creating banks: by that of 24 Geo. 2d, c. 53, they were prohibited from issuing bills of credit, or from postponing the times limited for calling in such as were issued. After the peace of 1763, these regulations were rigorously enforced. New orders arrived from England for the execution of former decrees against smuggling, and for the collection of duties in specie.

Even Robertson, the historian, who has misrepresented the colonies in many instances, says, "we may observe a perpetual exertion on the part of the mother country, to enforce and extend the restraining laws, and on the part of the colonies, to elude or to obstruct their progress."

* See Boswell's Johnson. † Walsh's United States and Great Britain.

The reader has seen that in all the wars previous to 1763, the colonies had made exertions, both in men and money, beyond the expectations of England; and the result was, an addition to the British Empire of many millions of miles, of which the colonists did not partake in the smallest degree: they delighted that power, honour, and profit, had accrued to Great Britain, by the aid of their blood and treasure. They had sheltered the defeated army of Braddock; they had defeated the Baron Dieskau; they had retrieved the disgrace of Abercrombie by capturing Frontignac; they had shared the triumphs of Wolfe and Amherst. What was the return made by England? Vituperation and oppression. Immediate instructions were issued by the lords of the admiralty to enforce the acts of parliament above mentioned. The ministry, by administering oaths to the officers of the navy stationed in America, obliged them to act in the meanest capacity of the custom-house collectors of revenue. Mr. Grenville avowed his purpose to raise money for the support of troops, by a duty upon foreign sugar and molasses imported into America, and by stamps upon all papers—legal and mercantile. To accomplish the first of these purposes, by act of parliament, in 1764, trial by jury might be withheld, and the defendant called to support his claims to property seized, at distances which would make the expense more than the value of the prize. Moreover, the act provided that he could recover neither costs nor damages, if the Judge certified that there was probable cause of seizure.*

The reader has seen how the stamp act was received in New York. By law, the stamp duty was to commence on the 1st of November. In the meantime, the Colony of Rhode Island proposed to the provincial assemblies, to collect the sense of all the colonies, and to unite in a common petition to the king and parliament.† A congress of deputies from nine of the colonies, met in New York, October, 1765. Before their meeting, the legislature of Massachusetts had echoed the words of James Otis, solemnly denying the right of parliament to tax the colonies; and Virginia had repeated the same. The delegates from Connecticut waited upon Lieutenant-governour Colden, and he told them that such a congress was unconstitutional, unprecedented, and unlawful, and that he should give them no countenance.

This congress elected Timothy Ruggles their president; but James Otis was the soul of the meeting. Their resolutions were similar to the sentiments I have stated, and these sentiments were embodied in a very respectfully worded address, by a committee of three, two of whom were great men—Robert R. Living-

* Reverend William Gordon. Walsh.

† T. Gordon.

ston and Samuel W. Johnson. This was an address to the king.*

The ministry had appointed, throughout the colonies, very respectable men to distribute stamps and collect the duty; but they, either of their own will, or from finding the current too strong—and but one voice raised—and *that* denouncing this imposition, resigned their offices, and renounced the task assigned them by the kingly government. James McEvers, who had been appointed the stamp distributor for New York, resigned his commission and papers to Lieutenant-governour Colden, who received them in the fort; but previously, in many places the effigies of those appointed to receive the stamps, had been burnt. In New Jersey, all the lawyers of the supreme court, held at Perth Amboy, assembled, and the chief justice, having proposed the questions, Whether, if the stamps should arrive, and be placed at the City of Burlington, they would, as practitioners, agree to purchase them, for the necessary proceedings in the law? They answered, they would not; but rather suffer their private interest to give way to publick opinion. He asked their opinion, whether, if the act took place, the duties could possibly be paid in gold and silver? They answered, that they *could not*, even for one year. He asked, as the act required the governour and chief justice to superintend the distributor, whether he, the chief justice, should be obliged to take charge of the distribution of the stamps, if the governour should order him so to do? They advised him not to comply.

A letter from one Hughes, who was commissioned to distribute the stamps in Pennsylvania, to Penn, the lieutenant-governour, has curious passages. He says, he was waited upon by Messrs. James Tilghman, lawyer; Robert Morris, Charles Thomson, Andrew Call, John Cox, and William Richards, merchants; and William Bradford, printer; with whom he had an altercation: they came from “a great number of people collected at the state-house, to

* The delegates were: from Massachusetts—James Otis, Oliver Partridge, Timothy Ruggles; Rhode Island—Metcalf Bowler, Henry Ward; Connecticut—Eliaphaet Dyer, David Rowland, William Samuel Johnson; New York—Robert R. Livingston, John Cruger, Philip Livingston, William Bayard, Leonard Lispenard; New Jersey—Robert Ogden, Hendrick Fisher, Jos. Burden; Pennsylvania—John Dickenson, John Morton, George Bryan; Delaware—Cæsar Rodney, Thomas McKean; Maryland—William Murdock, Edward Filghnan, Thomas Ringold; South Carolina, Thomas Lynch, Christopher Gadsden, John Randolph.

The amount of the resolutions entered into, were: that they, having the rights of Englishmen, no taxes could be imposed upon them without their consent; that, from local circumstances, they could not be represented in the British house of commons; that the only representatives of the colonists, are their own assemblies; that the stamp act subverted their rights and liberties. Committees were appointed to prepare petitions to parliament, and these papers were agreed to, on the 22d of October.—See Almon's Register.

request" his resignation. He objected, that two gentlemen were his sureties for performance of his commission. They required him not to put the act in execution till his majesty's further pleasure was known. "To this, I thought proper to signify some disposition to comply, for fear of the mob." He mentions a conversation with Thomson, in which he told him the behaviour of the people would be considered rebellion. Hughes at length signed a paper of resignation, which satisfied the gentlemen of Philadelphia. He mentions Benjamin Shoemaker, a quaker and an alderman, endeavouring to prohibit some drummers from exercising their vocation in the street, and their refusal to obey—telling him if he would go to the state-house, he would know who ordered them to beat their drums.

Hughes wrote to Benjamin Franklin, agent for Pennsylvania, in London, ordering his letter to be laid before parliament. "The spirit or flame of rebellion, he says, is got to a high pitch among the North Americans. By Governour Franklin's letter, (Benjamin Franklin's son,) you will see that Mr. Cox has resigned the stamp-office for New Jersey. I shall be extremely obliged to you, if it is consistent with your judgment, to recommend my son, Hugh, for Mr. Cox's successor." He says, his son is married and settled in New Jersey; and he thinks the act may be put in force in that province. Such were the tools of Great Britain in America.

Joseph Galloway wrote to Benjamin Franklin, commending Hughes's conduct; and says, that 800 sober inhabitants were posted to prevent mischief by the mob.

Mr. Pitt declared in parliament—"It is my opinion, that this kingdom has no right to lay a tax upon the colonies. At the same time, I assert the authority of this kingdom over the colonies to be sovereign and supreme, in every circumstance of government and legislation whatever . . . Taxation is no part of the governing or legislative power. Taxes are a voluntary gift." He asserts the right of the colonies to tax themselves; but, at the same time, asserts the right of Great Britain to bind the colonies by her laws, by her regulations, and restrictions in trade, in navigation, and in manufactures. Mr. Conway said, he agreed with the gentleman. Mr. Grenville said, "I cannot understand the difference between external and internal taxation." He asserted, that the sovereign power included the power of taxation. In the course of this debate, Pitt said, truly, that whatever Great Britain bestowed on America, was *intended*, finally for the benefit of this kingdom. "I stand up for this kingdom; I maintain that the parliament has a right to bind, to restrain, America. Our legislative power over the colonies is sovereign and supreme." He argued, that the greater of two united countries must govern the less.

Mr. Pitt's speech continued on America and her strength. He said, "In a good cause, on a sound bottom, the force of this country can crush America to atoms. I know the valour of your troops—I know the skill of your officers. There is not a company of foot that has served in America, out of which you may not pick a man of sufficient knowledge and experience, to make a governour of a colony there."

Such was the opinion of Mr. Pitt! And is it to be wondered at, that worse informed people thought with contempt of the country? After the declaration of independence, the cause of England, according to Mr. Pitt's declared opinion, was good—the power of England was exerted—but it did not crush America to atoms.

In conclusion, Mr. Pitt advises, "let the stamp act be repealed—absolutely—totally, and immediately. At the same time, let the sovereign authority of this country extend over the colonies—be asserted in as strong terms as can be devised—and be made to extend to every point of legislation whatever." This advice prevailed in both points; and the people of America lauded Mr. Pitt as the champion of their liberties!

Among the reasons assigned by the minority in parliament, for not repealing the stamp act, was, the unanimous testimony of the governours and other officers of the crown, that but for a delay in providing for the execution of the law, and for want of power given *to them*, the law might have been enforced without bloodshed. One of these crown gentlemen had written to Secretary Conway, "that if it be thought prudent to enforce their authority, the people dare not oppose a vigorous resolution on the part of Great Britain."

The governours of the colonies, and, among others, Lieutenant-governour Colden, felt themselves bound to obey the ministry; and when Mr. McEvers refused to receive the stamped paper, it was taken into Fort George. The stamps had arrived in one of the ships trading between New York and London, commanded by Captain Davis; and, as the stamp officer feared to touch them, they were transferred from one of the ships of war in the harbour, where Davis had placed them for safe keeping, to the governour's house, with all due precaution.

We know that even at that early period, New York was of considerable importance in the eyes of the English ministry, and was looked up to, in a commercial point of view, by the neighbouring colonies. There was a military force kept up there; it was the head-quarters of his majesty's American army. The fort was a place of some strength; and in the harbour were several men-of-war. Opposition to the distribution of stamps, it was known, would be made, and preparations for their security seem to have

been concerted between Lieutenant-governour Colden and the officers of the land and sea forces.

The fort had been repaired by order of Colden, ammunition accumulated, and guns mounted, as if to intimidate the people. Immediately after the stamped paper was landed, handbills appeared in the streets, threatening any one who received or delivered a stamp. On the 31st of October, the merchants had a meeting, and resolved not to import goods from England.

In the evening of that day, the people assembled, and a large party or company marched through the streets to Fort George, as if to bid defiance to the governour. They paraded the streets, and when commanded by the magistrates to disperse, they refused; but did no mischief, and at their own time, quietly dispersed.

More handbills were put up next day, threatening vengeance on the protectors of the stamps; and in the evening, about seven o'clock, two companies appeared, who acted as if by concert. One company proceeded to the fields, where the Park now is, (then out of town,) and they very soon erected a gallows, on which they hung an effigy—previously prepared, to represent Colden—in his hand a stamped paper—at his back, a drum—on his breast, a label—by his side they hung, with a boot in his hand, a figure to represent the devil. While this was going on in the open space, now the Park, the other company, with another figure representing Colden, seated in a chair, carried by men, preceded and surrounded by others carrying lights, and attended by a great multitude, paraded the streets, and in this order advanced to the fort, the gates of which were shut, the sentinels placed, and the cannon on that side pointed on the town. Unfortunately for the lieutenant-governour, though he was safely ensconced within the ramparts, his coach-house and carriage were without the gates. The populace broke in, and brought forth the chariot, upon which they fixed the chair and effigy. They then proceeded with great rapidity to the fields, about the same time that the other party were preparing to move to the fort with the gallows, its appendages and several lanterns affixed to it. When the two parties met, silence was ordered. The order was obeyed. Proclamation was made, that no stones should be thrown, no windows broken, and no injury offered to any one. Strict attention was paid to this injunction. The multitude then repaired to the fort, and found the soldiers on the rampart. They marched to the gate—knocked, and demanded admittance. This was of course refused. They then, after showing some indignities to the representative of the governour, retired to the Bowling Green, still under the muzzles of the guns.

The Green was then enclosed with wooden palisades, which the people tore down, and piling them up in the centre of the Green, kindled a fire, adding planks from the fence attached to the

fort. On this pile they immolated the governour's carriage and effigies; and soon, the coach and gallows, the effigies of man and devil, were reduced to ashes. While some attended to the bonfire, others, making a passage through the other side of the palisades—that is, up Broadway—repaired to the house lately known by the name of Vauxhall, and then in the occupation of Major James, of the royal regiment of artillery. Here, with the blind fury of intoxicated savages, they destroyed every article of this gentleman's property they could find—books, mathematical instruments—things which men in their senses would venerate and cherish; but the people had been exasperated by expressions he had used; they were now wrought to madness, and showed by their excesses the danger of setting a mob in motion. On this occasion, the inhabitants began with a degree of order to execute a preconcerted scheme of insult and defiance to a man they disliked; their numbers would be increased by idlers, vagabonds, blackguards, and thieves; and their order would terminate in brutal violence.

The next day, appeared posted up, in large type: “The lieutenant-governour declares he will do nothing with the stamps, but leaves it to Sir Henry Moore, to do as he pleases on his arrival.” “By order of his honour. Signed, GEO. BANYAR, D. C. Coun.”

Sir Henry Moore was the new governour that was coming from England. In the next newspaper, appeared the following:—“The governour acquainted Judge Livingston, the mayor, Mr. Beverly Robinson, and Mr. John Stevens, this morning—being Monday, the 4th November—that he would not issue, nor suffer to be issued, any of the stamps, now in Fort George.” “Signed, Robert R. Livingston, John Cruger, Beverly Robinson, John Stevens.” Another notice appeared, without any signatures:—“The freemen, freeholders, and inhabitants of this city, being satisfied that the stamps are not to be issued, are determined to keep the peace of the city, at all events, except they should have other cause of complaint.”

The people were not satisfied: they declared that the stamps should be delivered out of the fort, or they would take them away by force. So, after much negotiation, it was agreed that Captain Kennedy should be requested to take them on board his majesty's ship Coventry, and if he refused, that they should be delivered to the corporation. Kennedy declined receiving them; and they were delivered to the mayor and common council, and deposited in the city hall, in Wall street. It is said, that while the people were in this commotion, the cannon on Copsy Battery, and in the king's yard, were all spiked, as were also many belonging to the merchants, in order to prevent any use being made of them, for obtaining the stamps.

Thomas Gage, who had served under Amherst in the late war,

and afterward became so notorious at Boston, was at this time, commander-in-chief of the king's forces in America. John Cruger had been reappointed Mayor of New York. Some of the proceedings of the common council at this time, deserve more ample notice.

November 5th—"The board taking into serious consideration the intimation that his honour, the lieutenant-governour, was willing to deliver the *stamped papers* now in Fort George, to Captain Kennedy, or any other of the commanders of the king's ships in harbour, and that Captain Kennedy in answer to the earnest request, signified to him last night, informs that he cannot, and will not receive the stamped papers: it is therefore resolved, that it appears to this board absolutely requisite to remove the present dissatisfaction, and save the city from the most distressing confusion, that a committee immediately wait upon his honour, and in the most respectful manner, acquaint him of the present dangerous state of things, and request that for the peace of the city and the preventing of the effusion of blood, he would please to direct that the stamped papers be delivered into the care of the corporation, to be deposited in the City Hall and guarded by the city watch. And this board do further resolve and engage to make good, all such sums of money as might be raised by the destruction of such of the said stamps, as shall be lost, destroyed, or carried away out of the province; and the said committee having waited on his said honour, with the above said resolve, reported that his honour accepted the same, and returned for answer in the following words:

Fort George, November 5th, 1765.

"Mr. Mayor, and Gentlemen of the Corporation.—In consequence of your earnest request, and engaging to make good all such sums as might be raised by the destruction of the stamps, sent over for the use of this province, that shall be lost, destroyed, or carried out of the province; and in consequence of the unanimous advice of his majesty's council, and the concurrence of the commander-in-chief of the king's forces, and to prevent the effusion of blood, and the calamities of a civil war, which might issue by my withholding them from you, I now deliver to you the packages of stamped papers and parchments that were deposited in my hands, in this his majesty's fort; and I doubt not, that you will take the charge and care of them conformable to your engagement to me.

I am, with great regard, gentlemen,
your most obedt. humble servant,

CADWALLADER COLDEN."

At which time, his honour requested that the mayor would give him a receipt in the words following, (which the mayor executed, accordingly, in behalf of the corporation,) viz:

“Received of the Honourable Cadwallader Colden, Esq., his majesty’s lieutenant-governour and commander-in-chief of the province of New York, seven packages containing stamped papers and parchments, all marked No. 1, James McEvers, I. M. E. New York, which I promise; in behalf of the corporation of the city of New York, to take charge and care of, and to be accountable in case they shall be destroyed or carried out of the province.

Witness our hands,

John Cruger, mayor,

Witness { L. F. Carey, major to the 60th Reg’t,
James Farquhar.”

November, 11th.—Mr. Recorder produced to the common council an address to his excellency, Thomas Gage, Esq., major general, and commander-in-chief of all his majesty’s forces in North America, congratulating him upon the restoration of this city’s tranquility and freedom, from the impending evils of a civil war. Which being read and considered, was unanimously agreed to, and ordered to be presented immediately. Then follows the address in which they attribute the restoration of peace, under God, to the prudence of General Gage, “As the destruction of the city and the effusion of blood, might at this unhappy conjuncture, have fed the spirit of discontent so prevalent in all the colonies.”

Signed by Cruger, and Augustus Van Cortlandt, Clerk.

Gage, in his answer, says, “the spirit that has so lately appeared here, was raised to the most dangerous pitch, even to threaten acts of open rebellion,” and recommends to the common council to endeavour to calm the heated imaginations of the people, and to bring them back to a sense of their duty, and their wonted obedience to government. These documents are exceedingly characteristic.

In this year the terms of *Whig* and *Tory* came into general use in the provinces. Hume tells us, that they were first employed in England, in 1680; and Grahame remarks, that there, and in America, they were “the harbingers of revolutions.” But in New York, the popular champions of the people’s rights, were distinguished as “the sons of liberty.”

The popular tumults that took place in New York and elsewhere, were led by men, as is always the case, from the ranks of people, and many of them without property. Such men have in America their fortunes to make, and any abridgment of the liberty by which their future success in the world would be impeded, is an invasion of that which is most dear. On the other hand, men of property are generally more wary. They either have inherited, or by industry accumulated, that which is to produce more, (for

few are content with their present wealth however great,) or that which gives them present ease, enjoyment, and influence. They fear change, and either adhere to the powers that be, although tending to oppression, or hold back and in private encourage those who are yet to achieve fortune, and the reckless who had dissipated it, to mingle in the whirlwind and guide the storm of popular insurrection.*

It is said that the first newspaper established in New Hampshire was as late as this year. And that prior to 1750, there were only seven in the American colonies. We have seen that the governours who were sent by England to rule the provinces, were instructed to encourage slavery, and discourage printing. Notwithstanding this care of the mother to blind her children as well as fetter them, there were, in 1765, twenty-six newspapers afloat to diffuse light. It is the press which guides and impels publick opinion: collecting in one living stream the intellectual energy of society, it impels to a never-ceasing improvement, and holding fast that to which man has already attained, insures for mankind ultimately a higher and a holier destiny.

The wise measures which had been recommended by the convention, composed of twenty eight delegates, which met at the city of New York, in the month of October, were effective. This was another great step to American independence. It was the third congress; and was more, in its form and spirit, like that which was to determine the fate of the colonies. Neither New Hampshire nor North Carolina, Virginia or Georgia, sent delegates; but Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, and South Carolina, were represented in

* On the 1st of November, the riot which destroyed the valuable property of Major James, took place in the evening or night. The house of Major James had been called Ranelagh, and had extensive gardens attached to it; which had been the resort of the citizens, previous to the occupation of the major, the house being a publick place for entertainment. It was on the site of the present corner of Warren and Greenwich streets, upon high ground, overlooking the river. The house stood after the street (Warren) was regulated, or dug down by the side. It was at one time a manufactory of earthen ware: at another, the first Roman Catholic place of worship in New York. As late as 1795, there were no houses on the north side of Warren street, and this building was isolated.

The day after the destruction of Major James's property, a paper was read from the balcony of the coffee-house in Wall street, calling upon the inhabitants to turn out and suppress riots. But Sears, who was present, addressed the people, and told them, as was true, that this call upon them, was only to prevent their gaining possession of the stamps. The people cheered him, and promised to stand by him in forcing the lieutenant-governour to deliver them up.

William Gordon, the historian, says, that Mr. James De Lancey, who had joined the popular side in order to secure a seat in the assembly at the next general election, was present at the meeting in the fields on the 6th of November, and was called upon to become one of the committee of correspondence with the other colonies: but excused himself, saying he was already on a committee with the lawyers, respecting the proceedings with stamps. Sears accepted the call.

this portentous assembly. The arts of the governours of Virginia, North Carolina, and Georgia, had prevented those provinces from participating in this measure. The delegates were to be elected by the provincial assemblies, and in these provinces the royal governours, by adjournments, frustrated the wishes of the people. Lieutenant-governour Colden, of New York, had attempted the same expedient; but the assembly had elected a committee of management, in 1764, to conduct extraordinary business during its adjournment; this committee counteracted the governour's wishes, and elected representatives for themselves and their constituents.

The formation of political clubs, in the different provinces, and their establishing a correspondence with each other, prepared the people for that system of committee communication, which was so efficacious in after time.

This assembling of the convention or congress of 1765, at New York, was a most important event for America; and the people showed that they so considered it, by their approbation of its proceedings. Its language was echoed from one end of the continent to the other.

On the 6th of November, the richer inhabitants of New York judiciously called a meeting of the citizens, and proposed a committee of correspondence with the other colonies. Sears and four others were appointed to this business; and one of the first fruits of this appointment, was the adoption of a most efficacious measure by the other colonies; this was to direct the English merchants not to ship goods to the continent, until the repeal of the stamp act, and to adopt a resolution that they would not sell on commission any goods shipped after the first of January, 1766, by any English merchants. The committees circulated this resolution: it was adopted with applause, and the whole continent was united, as one man, in these measures of opposition.

To be clothed in homespun, or in garments which had been discarded, was now honourable and fashionable; and marriages were no longer licensed, but proclaimed in church by asking the bans.

After a short suspension, the usual business of justice and of commerce was carried on in defiance of the act of parliament. Even the English officers of the customs did not venture to deny clearance to vessels without the aid of stamped paper. In the New York papers, a series of essays were published, denying that the British parliament possessed even the shadow of jurisdiction over America. Clubs were formed—resolutions entered into—assurances given to support the *defenders of the British constitution*.

William Pitt, Lord Chatham, saw that by persisting in the present measures, America must be lost to England, and all the

advantages he had proposed to British manufacturers, by prohibiting the making of even a hob-nail in America, and to British merchants, by the operations of the navigation and other acts, that fettered the commerce of the provinces. He therefore stepped in, and under the mask of a friend to America, reprobated the stamp act—praised the colonists—and prevailed with the government to yield the obnoxious act; at the same time, relying upon the blindness which this concession would cause in America, to formally announce the right; and by taxing certain articles, exercise it; and declare the power to bind the colonies and people of America, as subjects of the Crown of Great Britain, *in all cases whatsoever*. This acute politician knew that the people of America would be so hurried away in triumph for the apparent victory, that they would not regard the declaration which deprived them of all rights, and bound them slaves to the will of a parliament whose interest it was to oppress the colonies. He gained his point—was hailed as a friend, and statues raised to him; but he did not perceive, that such a mere political deception must be seen through, when the ebullition of the moment had passed, and by men who repressed their indignation or contempt for a time.

Others again, on both sides of the Atlantic, thought that by receding and yielding to the hostile clamours of the colonists, and being content with a declaration of their right to bind those who defied all chains, the government of England virtually surrendered that which it declared was its prerogative.

1766 The bill for the repeal, after much opposition, and with two protests, was carried through the house of lords, and receiving the king's assent, (though it had been declared that his private sentiments were opposed to it) became a law.

This was the end of the first act of the great drama of the American revolution. It was the end of the beginning. The people of America applauded; but the whole force of the British government, with all its complicated machinery, from the king through his bishops, to the curates, and through the king's ministers to the subalterns of his navy and army, were unanimous in desiring for revenge for what was considered an insult to dignity, monarchical, prelatial, aristocratical, and national.

The traders of England rejoiced, because they thought the door would be open again for their merchandize. Many good men rejoiced, who saw no further than the surface; but it was a surface smoothed by oil, while the elements of discord rolled below. The immediate occurrence of a civil war was prevented; but the cause was not removed. A struggle with an united people was avoided, that by dividing, they might be subdued. And this people was insulted by the Ministry of Great Britain, who directed their tools in America (the governours of provinces,) to remind the

colonists of the lenity and tenderness, the moderation and forbearance, of parliament; and to call upon them to show their "respectful gratitude and cheerful obedience, in return for such a signal display of indulgence and affection!"

Mr. Pownall, who had been governor and commander-in-chief in Massachusetts, Governour of South Carolina, Lieutenant-governour of New Jersey, says, that he loved the colonies, because he knows them—"in their private social relations, there is not a more friendly, and in their political one, a more zealously loyal people, in all his majesty's dominions. When fairly and openly dealt with, there is not a people who has a truer sense of the necessary powers of government." But they were not fairly and openly dealt with—they were spurned by the country they called *home*, until they found that they must have a home of their own, and cherish and defend it as other men did.

The spirit of resistance to tyranny, which ought to have endeared Americans to Englishmen, produced, except in the breasts of a few, a degree of rancour which can only be accounted for, by the supposition that the people had been accustomed to view the colonists, not as their brethren, but as their property; and when opposition was made to the Parliament of Great Britain using that property for the benefit of their constituents, it appeared like rebellion, and was termed unnatural ingratitude! Rather than rescind the law called the stamp act, the royal dukes and lords of the royal household were for carrying fire and sword among the rebellious slaves who presumed to claim the rights of English *subjects*; and this spirit was encouraged by the bench of bishops.* The inhabitants of New England were prohibited fishing on their coasts; it might starve them into compliance. The Solicitor-general of Scotland said, that to be sure they had no wheat; but they had Indian corn, on which they might subsist full as well as they deserved.†

The distributor appointed for stamps in Maryland, fled to New York, took refuge with Colden in the fort; and on the arrival of Sir Henry Moore, removed to Long Island; but a number of the New Yorkers crossed over and took him by surprise, and obliged him to sign a resignation of his office, and swear before a magistrate to his renunciation.

In October of this year, the merchants of New York were the first to enter into the famous non-importation agreement, which being followed by those of the other colonies, did more than any one movement, to produce the repeal of the stamp act.

In December, Sir Henry Moore arrived, as was expected, with

* Debates in the house of commons, March 6, 1765.

† Gordon, vol. 2, p. 139.

a commission as governour of the province of New York. He was well received.

In less than a month, another parcel of these stamped papers caused another more moderate exertion of the people's power, though very decisive and summary. A party of the inhabitants went, at midnight, armed, to the wharf where the brig lay, on board of which it was known stamped papers sent for New York and Connecticut had been shipped. They entered the brig, demanded the keys, struck a light, and searched until they found ten boxes filled with these tokens of the affection of Great Britain to America. They were soon removed from the brig to a small boat, and rowed up the East River to the ship-yards, which were then where Catharine street now comes to the water. Here the party broke open the boxes, and making a flame with some tar-barrels, the stamps were added to the bonfire, and their ashes distributed to the winds. This done, the men returned quietly to town and dispersed.

Major James, whose property had been burned, went to England to tell his story, and Mr. Colden wrote by him to the ministry; to his letter he was answered, that Sir Henry Moore was then on his way to New York, with increased powers; among others, to suspend members of the council. The minister says, "such times as these may require the exercise of that power, and that it is expected governours should not want firmness to use it boldly, whenever it *may seem* useful to the king's service and publick peace."

It was not long before the news arrived, that in March the parliament had repealed the stamp act. The effect was produced in America that had been foreseen by Lord Chatham. He advocated the doctrine which declared the *British parliament sovereign over the colonies in all cases whatsoever*—he died exerting his last spark of life in opposition to American independence; and yet Americans, having been once persuaded that he was their friend, have continued to this day so to call him. The Assembly of New York had a statue of him made in Europe, and set up here, in Wall street: the British, when they took the city, knocked off the head and one hand: the Americans, when they returned to the city, removed the trunk.

John Adams, our second president, did not think Pitt was other than the friend of Great Britain. In a letter from Mr. Adams to Dr. Jedediah Morse, published by the latter in his annals of the American revolution, the American president says: "The resistance in America was so universal and determined, that Great Britain, with all her omnipotence, dared not attempt to enforce her pretensions; she saw she could do nothing without her Chatham; he was called in to command the forlorn hope; and at the same time, to invent the *ruse de guerre*." The stamp act was repealed, and the

statute passed, that parliament was sovereign over the colonies in all cases whatsoever. The repeal of an act, by which they were taxed for stamps upon all legalized contracts, blinded them to the assertion which announced that they were slaves to the people of Great Britain. Mr. Adams says of Chatham, "He died a martyr to *his idol*." He fell in the house of lords, with the sovereignty of parliament in his mouth. Yet to this man, truly illustrious as a Briton, did the people of New York erect a statue in Wall street, at the junction of William and Smith streets. It was announced in the journals of the day thus: "A marble pedestrian statue of Lord Chatham was erected in Wall street, on the 7th of September, 1770. The statue was in a Roman habit; the right hand holding a scroll partly open, on which was incised, '*Articuli Magnæ Chartæ Libertatum*.' The left hand is extended, in the attitude of one delivering an oration. On the south side of the pedestal, is the following inscription, cut in marble: 'This statue of the Right Honourable William Pitt, Earl of Chatham, was erected as a publick testimony of the grateful sense the Colony of New York retains of the many eminent services he rendered to America, particularly in promoting the repeal of the stamp act, Anno Dom. 1770.'"

CHAPTER XXVII.

New Hampshire grants—Unanimity in opposing the stamp act—Triumph at its repeal—Liberty-poles—English project for raising a revenue from the colonies—Charles Townsend.

BEFORE recounting the effects of the repeal of the stamp act upon the people of New York, the subject of the New Hampshire grants must be attended to.*

After the conquest of Canada and cessation of military operations in America, the New Hampshire men and their governour, recommenced their intrusions on the province of New York.

During the war, a road had been cut from Charlestown, in New Hampshire, to Lake Champlain, for communication with Crown Point, and the fertility of the lands had been witnessed by many who marched or travelled that way. The possession was eagerly sought after, says the historian of Vermont, by adventurers and speculators. Governour Wentworth was as willing to make a fortune by selling at wholesale prices, as the speculators were eager to buy, and accumulate money by selling at retail; so by, and with the advice of his council, a survey was directed of lands on the west side of Connecticut River. During the year 1761, not less than sixty townships of six miles square, were granted on the west side of this river; the whole number of grants in one or two years more, amounted to one hundred and thirty-eight; and their extent was from Connecticut River to what was esteemed twenty miles east of Hudson's river, so far as that extended to the northward; and after that, as far west as the eastern shore of Lake Champlain; and, Williams continues, "Wentworth had an opportunity to accumulate a large fortune, by the fees and donations," certainly not bribes, which attended the business, and by a reserve of five hundred acres, which he made in every township for himself.

But in addition to the legal right of the province of New York to this territory, there was now a king's lieutenant-governour who had succeeded to the management of its affairs, who had as keen a relish for accumulation as Wentworth, and certainly was autho-

* On this subject I shall use Williams's History of Vermont.

rized to stop these intrusions both by the original grant from Charles II to his brother, the Duke of York, and the undisputed claim of the colony to the territory, until New Hampshire, or her governour, set up the puerile claim founded on the boundary line prescribed in 1741, between Massachusetts and New Hampshire.

Mr. Colden, when surveyor-general, had found out the value of these lands between the Hudson, or the lake, and the boundary line. The proceedings of his brother governour troubled him, and he issued his proclamation, December 28th, 1763, reciting the original grants to the Duke of York, and claiming jurisdiction as far east as Connecticut River. The sheriff of Albany was ordered to make return of the names of all persons who had intruded under the colour of grants from New Hampshire. This proclamation was met three months after by a proclamation from Wentworth, declaring the grant to the Duke of York obsolete, and insisting that New Hampshire extended as far west as Massachusetts, or Connecticut. The matter in dispute was referred to the King of Great Britain, George II, and he decided in favour of New York.

Mr. Williams, in his History of Vermont, says, that in the representation of New York to the king, it was said, "that it would be greatly to the convenience and advantage of the people who were settled west of Connecticut river, to be annexed to New York, and that the people were desirous to be included in that government."

In a note he further says, that the inhabitants complained that a petition was presented to the king, signed with their names, but unknown to them. This accusation of fraud on the part of New York, was not proved. He further says, that the people holding lands by grant from New Hampshire did not suppose that this decision of Great Britain, would affect their titles, but would only operate from the time it was made. That it rather confirmed their titles. Because, in the decision of the king, it was said, that the western bank of Connecticut River was ordered and declared to be the boundary of New York. They chose to interpret this "to be," as relating only to the future.

Very different was the interpretation of New York. She knew that this had always been the boundary since the province had the name; and that the governour of New Hampshire had granted and sold that which belonged to New York. In consequence, the district was divided into four counties: the south-west annexed to Albany; the north-west called Charlotte: and to the east of the mountain, the counties of Cumberland and Gloucester were formed. The settlers were required to surrender the illegal grants, and take out grants from New York. Some complied—many refused—and here was fostered that enmity between New York and the

people, not only of this territory, but of New Hampshire—nay combined with former disputes for boundaries—with all New England—enmity which we shall see entering into publick and private transactions and opinions from that time, almost to the present day.

We have seen that not only the claims of the Dutch settlers were disregarded by the English, but their actual possessions intruded upon: and that the conflicting rights given by grants, dictated by ignorance, carelessness, or cupidity, caused quarrels, strife, and ill-blood, between New York, Massachusetts, and Connecticut, in times subsequent to the Dutch dominions: and the pretensions of New Hampshire, and the grasping selfishness of Benning Wentworth, caused contentions which in the sequel portended civil war, and even as we shall see, symptoms of a disaffection by which this territory, under our consideration, might have been thrown into the arms of the open enemies of the United States.

The stamp act absorbed every other consideration; and the measures for resistance were universal through the colonies. If Great Britain had persisted, there would have been no such division as appeared ten years after. In the City of New York, the officers of the king's government stood alone. Their immediate connexions only appeared as moderators. "The sons of liberty" were the rulers. On hearing that Lewis Pintard, merchant, had sent a bond, on stamped paper, with a Mediterranean pass, to Philadelphia, they demanded the name of the person who had delivered said bond, which being obtained, they made him deliver all such in his possession: not content with this, they made him commit the papers to the flames in the presence of thousands. Mr. Pintard made oath before Whitehead Hicks, that when he sent the bond to Philadelphia, he did not know that it was stamped. On another occasion, the sons of liberty were informed, at a *stated meeting*, that Lieutenant Hallam, of his majesty's ship, the *Garland*, had used disrespectful expressions relative to Americans. He was waited upon, and required to make concessions. He denied the words; but those who heard them made oath accordingly. He was again waited upon, and having again denied the words, refused satisfaction. He was thereupon informed that he would be safe as long as he made an asylum of his majesty's ship; but that he must not appear on shore.

At Albany, the same spirit was manifested as at New York and elsewhere. Henry Van Schaick made oath that he had never applied for the office of stamp distributor to James McEvers or any other person; nor would he ever accept the same. Others, to pacify the people, took similar oaths. Mr. Cuyler confessed that

he had made application, but took an oath not to accept. Others did the same.*

1766 In March, the stamp act was repealed, the king having assented thereto on the 19th of that month; and in May, the news was received in New York.

The people of America were so delighted by the repeal of the stamp act, that they took no notice of the declaration of parliament accompanying it. They had resisted; Great Britain had retracted — *they triumphed*. But of all places, New York seemed to rejoice most. We have seen, that they erected a statue to Pitt; but they likewise set up an image to his most gracious majesty, George the Third! They ordered these statues to be made in Europe, during the ebullition of gratitude for not having the collar and chain put on, seeming to forget that fear alone prevented the attempt to rivet the irons by force. These statues were ordered; but before they were set up, the eyes of most men in America were freed from the films created by European jugglers. Still, the people believed then, and long after, that Lord Chatham was their friend, and huzzaed when the image was placed at the junction of William and Smith streets, in Wall street; but when the Bowling Green was prepared by the iron railing, still standing, and the equestrian statue of George the Third appeared in the centre, mounted on a marble pedestal, the event was celebrated only by his officers and their dependants: it was soon tumbled to the dust, and has been so forgotten, that grave writers have said, the statue that once stood in the Bowling Green of New York, was that of George the Second.

On the 23d of June, the Assembly of New York voted thanks and a piece of plate to John Sargent, of London, for his services as special agent, during the existence of the stamp act. And they resolved, in token of the singular benefits derived from his majesty, George the Third, to make provision for an equestrian statue to be erected in the City of New York, to perpetuate to the latest posterity the deep sense the colony had of his goodness. Mr. Cruger moved for a statue of Lord Chatliam, and it was resolved accordingly. The representatives from the city at this time, were John Cruger, Philip Livingston, Leonard Lispenard, and William Bayard; and to them a committee of their constituents had addressed

* Among the many important effects of the stamp act, it was not the least, that the American colonists had fully experienced the necessity and benefit of united counsels, and the facility of conducting opposition by conventions and committees of correspondence; and, although Great Britain succeeded, during the next ten years, in her scheme of disuniting or creating a division of individual opinion throughout the continent, the practice above mentioned, and its effects, were never lost sight of by the representatives of the people and the sages who watched the insidious movements of the politicians of England.

a publick call, to procure a statue of William Pitt. The names of the committee who made this call, were James De Lancey, William Walton, Henry White, John Harris Cruger, and Isaac Low.— Where were these names during the war of the revolution?

Already had the first liberty-pole been erected in the fields. The “Sons of Liberty” and the people triumphed that the opposition to the stamp act had caused its repeal. They were blind to the insolent declaration, “that the parliament had a right to bind the colonies in all cases whatsoever.” Sir Henry Moore had policy enough to unite the rejoicings for a victory obtained by the people, with the usual demonstrations of loyalty and attachment to his master, always evinced on the king’s birth-day. By this means, he could with propriety join with the people in demonstrations of joy. Accordingly, on the 4th of June, a mast, as it was then called, was erected in the fields, inscribed “to his most gracious majesty, George the Third, Mr. Pitt, and Liberty.” It is recorded that an ox was roasted on each side of the common; a large stage was built up, on which were placed twenty-five barrels of strong beer, a hogshead of rum, with sugar and other materials to make punch; at another part of the fields, or common, were preparations for a bonfire; twenty-five cords of wood surrounded a pole, to the top of which were affixed twelve tar-barrels. At the upper end of the fields were placed five-and-twenty pieces of cannon; a flag displayed the colours of England, and a band of musick played “God save the king.” The governour, his council, the magistrates, with their civil and military officers, celebrated the day at the fort, in all probability, as was customary, by feasting and drinking loyal toasts, to the sound of martial musick, and discharges of artillery. After this display of patriotism and loyalty in the fields, the people retired and left the mast standing, with the inscription to the King, Pitt, and Liberty; and they soon had a proof that the rejoicings of the military, and king’s officers of every kind, on the 4th of June, were not for the repeal of the stamp act, or the triumph of the rights of the people.

On Sunday night, the 10th of August, the mast was cut down by some of the soldiers of the twenty-eighth regiment, quartered in the barracks. This was meant as an insult to the inhabitants, and felt as such; but they at first only showed their determination, by meeting on the 11th, and preparing to erect another pole, in place of that which had been taken down the night before; to this, their would-be-masters objected, and interfered. A party of soldiers rushed in among them, with their bayonets in their hands, some sheathed and some unsheathed, and as the depositions of several persons state, “cutting and slashing every one that fell in their way—the people retreating, and followed by the soldiers as far as Chapel street;” that is, Beekman street, which was called

Chapel street for many years after the building of St. George's chapel.

Captain Isaac Sears was a leader of the Sons of Liberty. He was one who had received wounds from the soldiers, on the preceding attack. He saw, as did the most obtuse, that the king's officers and their satellites, felt every demonstration of triumph in the people, as rejoicing for the discomfiture of that which they wished had taken place. Sears encouraged the people to set up another mast—such was the appellation given at that time to the tree of liberty.

The people, however, re-erected the mast to the King, Mr. Pitt, and Liberty; and the military (probably overawed by the threats of the populace, and restrained by the policy of their superiors,) suffered it to stand until the night of the 18th of March, 1767, when, after the citizens had celebrated the day as the anniversary of *the repeal*, and retired to rest, the soldiers cut down the second mast. The next day, the inhabitants, (or that portion of them now distinguished as the "Sons of Liberty,") erected another, more substantial, and secured with iron hoops to a considerable height above the ground. The night after this was set up, attempts were made to overthrow it, but without success. On Saturday night, the 21st of March, there was an attempt to blow it up, by boring a hole and filling it with gunpowder; but this also failed. Next night, a strong watch was set. A small company of soldiers appeared, with their coats turned, and armed with bludgeons and bayonets; but finding that they were expected, they sneaked off. The next evening, about six o'clock, a party of armed military marched to the post; and as they passed the tavern at which the repeal of the stamp act had been celebrated, they fired their muskets, two of which were pointed at the building. One ball passed through the house, and another lodged in a piece of its timber. This outrageous attempt at murder probably alarmed their superiors, who had encouraged them before; for on the next Tuesday, as the soldiers were proceeding to the pole with a ladder, taken from a building then erecting, they were turned back by an officer. The governour now issued orders for restraining the soldiery, and the attempts ceased for a time.

Although the stamp act was repealed, and the people triumphed, they soon found that many other causes of dissatisfaction remained. In the assembly of 1766, Sir Henry Moore had promulgated his instructions, by which it had been found that compliance was required from the legislature of the province to the act of parliament called "the Mutiny act," which directed that barracks and certain necessaries should be found by the colony, for any troops his majesty might choose to quarter at any place within said colony. Already the regular troops had been increased at New York,

ostensibly because of the seizure and burning of the stamps found by the people on ship-board. More troops were expected, as General Gage, the commander-in-chief, made New York his headquarters.

Repeated messages had passed to and fro, when, on the 23d of June, 1766, the assembly told the governor that they would furnish the barracks of New York and Albany with bedding, firewood, candles, and utensils for cooking, for two battalions not exceeding five hundred men each, and they would do no more.

The governor wrote to the ministry, expressing his surprise, that instead of the gratitude he expected for the signal favours they had received, the Assembly of New York evaded the demand made upon them for the troops, and only complied in part, "through fear of the ill consequences which would attend their refusing." The ministry wrote to Sir Henry Moore, requiring cheerful obedience to the act of parliament for quartering his majesty's troops. Sir Henry repeated his demand upon the assembly, and was answered that they had done as much as they could do.

On the 24th of June, Lieutenant-governor Colden, wrote to Secretary Conway, that Sir Henry Moore had laid before the assembly of New York his majesty's commands, that compensation should be made for losses sustained in the late riot. The lieutenant-governor sent in his account for his chariot, and other things, burnt at that time, amounting to £195 3s. He says, that Major James had petitioned on the same ground, and the whole was referred to a committee, who had reported in favour of others, but had passed over the writer's account in silence. He afterwards wrote to Shelburne, that the assembly had refused to compensate him. They resolved that the loss the lieutenant-governor had sustained, was owing to his own misconduct.*

1767 The contumacy of New York was highly resented by the parliament of England. A resolution was adopted to prohibit the legislature from the passage of any law, until the mutiny act was complied with, which passed the houses of parliament almost unanimously. The supremacy of England was not doubted by the people; and the prospect of drawing a revenue from the colonies, could not be given up. Mr. Charles Townsend, chancellor of the exchequer, in an administration formed by Lord Chatham, brought forward and carried through, almost unanimously, a bill for imposing certain duties on tea, glass, paper, and painters colours, imported into the colonies from Great Britain.

The threats used in regard to New York, alarmed all the colo-

* Almon's Register.

nies : for if one could be deprived of the power of legislation, others might. The bill for raising a revenue by taxing certain articles was seen in its true light. The merchants petitioned parliament, and their petition was laid on the table. They entered into non-importation agreements, but that unanimity which appeared at the time of the stamp act, did not reappear, and the agreement was in many instances evaded or broken.

1768 The letters of Mr. John Dickinson, of Pennsylvania, had great effect in causing an unanimity of the colonies, in their opposition to the pretensions and acts of the British parliament. His essays were called "The Pennsylvania Farmers Letters," and were republished throughout the colonies.

The assembly of New York not only adopted petitions to the king, lords, and house of commons, but passed resolutions that the authority of the provincial legislature could not be constitutionally suspended, abridged or annulled, with the exception of the prerogative of the crown, as ordinarily exercised in prorogation or dissolution : that the house had a right to correspond with their fellow subjects of other colonies ; and that a committee should during the recess of the house, correspond with any of his majesty's subjects.

The reader has seen already some of the contests between the Sons of Liberty, or the people of New York, and the officers of the king's government, and the soldiers who were made their ready instruments. The writer will pursue the subject of liberty poles in this place, throwing together incidents of various dates.

The mast, now called the liberty pole, seems to have caused no commotion, until the 4th of June, 1767, the day annually celebrated as that, on which his most gracious majesty George III was born. On this memorable day, when the royal salute was fired from the fort, it was answered by twenty-one guns from the liberty-pole, (now so called,) on which was suspended a flag indicative of loyalty. The liberty-pole stood in proud defiance of the soldiers and their abettors, until the 13th of January 1770 ; when a number of men belonging to the sixteenth regiment made an attempt to overthrow the liberty pole, by sawing off the spurs around it, and by exploding gunpowder in a hole bored in the wood. The attempt failed, and they then attacked some citizens who were near Mr. Montanye's publick house—the place usually selected for celebrating the repeal. The citizens retired into the house, the soldiers broke the windows and entered the tavern, bayonet in hand. A thrust was made at a citizen, was parried, and he received a slight wound in his forehead ; some officers interposed, and the ruffians retired to the barracks. Three days after, these fellows succeeded better ; for they cut down the pole. The next day, the 17th of January 1770, a great meeting of the

inhabitants congregated in the fields, on the spot where the liberty pole had stood, and resolutions were adopted, that any soldiers who should be found out of their barracks after the roll was called, should be treated as enemies to the peace of the city. The instigators of the soldiers caused a handbill to be printed, in which they made a scurrilous reply to these resolves, and it was attempted to be put up at the corners, but this was resisted, and several affrays took place in consequence. In one of these, between the Fly market and Burling slip, it is said, one man was run through the body, and another had his scull split, but the soldiers were defeated.

The inhabitants now wished to have the authority of the corporation for erecting a new liberty pole; so, on the 5th of February, a committee of five gentlemen waited on the magistrates, in common council, with a petition for authority to erect anew, the pole sacred to constitutional liberty. They stated, that the military had made war upon the rights of the people by destroying the monument of gratitude to his majesty and the British patriots, and the people had repeatedly re-erected others of more stability in the place where, by the approbation of the corporation, the first had been fixed. They now requested the sanction of the common council to set up another, more permanent and better secured, in the same spot. This petition was rejected; probably the magistracy were willing to remove the cause of disquiet, and therefore refused the publick land for this use. This did not defeat the intentions of the sons of liberty. They found a piece of ground eleven feet wide and one hundred feet long, (near the first spot) that was private property—this they purchased. Here a hole was dug twelve feet deep, to receive a mast prepared at the ship-yards. This piece of timber of great length, they cased all around with iron bars, placed lengthwise and riveted with large flat rivets, so as to extend near two-thirds of the height from the ground; and over these bars they encircled the mast with iron hoops, near half an inch thick, and when finished they had it drawn through the streets by six horses, decorated with ribands, and three flags flying inscribed with the words, "Liberty and Property." The pole was raised without accident, amidst the shouts of the people, while a band of French-horns played, "God save the King." This mast was strongly secured in the earth by timbers and great stones. On the top was raised another mast twenty-two feet in height, with a gilt vane, and the word liberty, in large letters.

Captain, afterwards General McDougal, was at this time in prison, as I shall have to relate, for opposition to the legislature, but was upheld by the people, and on the day devoted to the celebration of the repeal of the stamp act, the inhabitants paid a publick compliment to the imprisoned patriot. A great number dined at Montanye's publick house, near the liberty pole, which tavern they called "Hampden Hall."

After dinner the company marched from Hampden Hall to the liberty pole, and thence down Beekman street, and through Queen street to the coffee-house; thence up Wall street to Broadway, and to the liberty pole again, where they dispersed. This celebration seems to have roused the ire of the royal party, and on Monday the 24th of March, they encouraged their tools, the soldiers, to attack the liberty pole again. Near midnight they attempted to unship, that is, to unfasten, the topmast; but our citizens discovered them and alarmed others, who repaired to the consecrated spot; these the soldiers attacked and drove off, but more arrived; the soldiers were reinforced from the barracks: the citizens rung the chapel bell; on which, and seeing the number of inhabitants increasing, the soldiers retreated, and a guard was kept up at the pole all night. This was the last attack that was made by these English mercenaries, who had sworn, it is said, to carry part of it with them on their voyage to Pensacola, for which place they embarked a few days after.*

The liberty pole is not recorded as an object of notice until March, 1775, I presume on the day of the annual celebration of the repeal, when the citizens being called to the pole, or in the field, were attacked or offended by Cunningham, an Irish bully, who afterwards figured as Captain Cunningham, the king's Provost Marshall. Cunningham was maltreated and bade to abjure the king: he however persisted in crying, "God bless King George," and was finally rescued by the interference of some peace officers. Cunningham revenged himself in the year 1776, by cutting down the liberty pole, and by wreaking his ire upon many a wretched rebel cast helpless to his keeping in the jail of New York, then called the *Provost*.

From this digression, if it may be called one, we will return to the year 1768. It is justly remarked by Mr. T. Gordon, that although by the revenue act of Townsend, the rights of the colonists were exposed to violation, yet their preservation depended upon themselves since, while no dutiable commodity was purchased, no duty was paid. And while the necessaries were procured by cheap and evasive means, a state of political quiet ensued; while the ministry in England by degrees repealed the duties, until in 1770, the whole were abolished except the duty on teas.

* Gazeteer of the State of New York.

CHAPTER XXVIII.

Some causes of the war of the revolution—the Gaspee—Informers—Impressment.

As the reader approaches to the crisis when the consent by arms took place which separated the colonies from Great Britain, we will look to the causes which rendered the appeal to arms unavoidable, on the part of America.

When England deprived New York of the power to make laws until she obeyed the orders for quartering and providing for any troops that the king might send to be in readiness to enforce his orders, it alarmed all the provinces; for, they said, if this is done to New York, it may be done to us. So the people entered into resolutions not to import goods from Great Britain until their grievances were redressed. They complained of many unjust prohibitions. Their country was full of iron, and they were prohibited from manufacturing it for their own use, or of making it into steel; they were obliged to send it to England and bring it back again, at a great unnecessary expense: and so of the hats they wore, they must send the material *home*, for the benefit of English hatters; if they made any woollen goods, they were prevented carrying them from one province to another. Articles that they could sell to foreign countries, they were obliged to carry first to England; and other things, that they bought of foreign nations, they were forced to carry to some port in Great Britain and pay duties on them, before they could bring them to their *real homes* for sale or use. But above all they complained that the jails of England were emptied upon them—making the colonies a receptacle for English rogues and villains—their traitors and felons.

A calm—such as portends a storm, a quiet—such as precedes an earthquake, reigned in the colonies at the period preceding 1770. The colonists deprived themselves of many articles which would have added to their comfort, rather than by paying a duty on them, to raise a revenue for Great Britain. Tea, from being a luxury, had become a necessary; yet they ceased to drink that beverage, rather than pay a duty upon it for the benefit of those whom they began to look upon as foreigners, though residing at what they still fondly called *home*. But that did not suit England; for it reduced the profits of the East India Company, a great body of

merchants, who were bound to pay to the treasury £400,000 sterling a year, as long as their profits amounted to a certain sum. So, as America would not import tea, the ministry gave the merchants permission to send it to the colonies, that the duty might be paid in England, and the profits of the East India Company kept up to that amount which required them to pay the £400,000.

Resistance to the measures taken by England to force the Americans to drink tea, and pay the duty imposed upon the article, was the signal for storm—the beginning of the *disturbances* which showed that the previous state of quiet was not the repose of content. But before recounting the transactions immediately connected with open hostility, we will still further show the causes that led to a final separation of the colonies from Great Britain.

The insolence of English officers, both of the land and sea service, has been noticed. The token of inferiority insisted upon by his majesty's vessels of war, was a constant source of irritation. In every harbour, some armed sea-boat exacted the lowering of the flag from all coasters or others not in his majesty's service, who approached the vessel commissioned to assist in collecting the customs. If accident occasioned the due notice of inferiority to be neglected, the sound of a cannon, or the more cogent requisition of a cannon-ball, commanded obedience. The affair of a shot being fired into the pleasure-boat of Mr. Ricketts and killing the nurse of his child, while holding the infant, and in the midst of the domestic circle, as they crossed the harbour of New York on their way to Elizabethtown, has been mentioned: and the declaration of the governour, that he could not notice the transaction, because his commission did not give him jurisdiction on the water. Many must have been the injuries and insults of the citizens of Providence, Rhode Island, before they were aroused to take vengeance on the Gaspee and her commander.

It is difficult to conceive that those who destroyed an armed vessel, commissioned and owned by the government of Great Britain, would have run such imminent risks unless some other cause induced them, than merely the token of submission which had been long customary. But the practice of evading the revenue laws by smuggling, had been so long winked at by the receivers-general, and considered as necessary to the prosperity of the colonies, that when additional duties and coercive measures were returned by England as a reward for the exertions which had given her Canada, the colonists felt irritated to madness by the interference of vessels of war and their officers in the usual affairs of the custom-house. The armed schooner, Gaspee, was stationed in the Providence River, and exacted the lowering of the pennant from the packet which carried passengers to and from Newport and Providence, by firing a gun. This not being noticed, the man-of-war fired a shot. In vain—the Yankee kept on his way, as if heedless of command, nor

lowered his colours; but stood in close to the shore, while the schooner gave chase, occasionally repeating her shot. The English captain followed the intended object of his vengeance for insulted dignity, or search for smuggled goods, until his vessel ran aground, and he had the mortification of seeing the insolent Yankee proceed in triumph on his way. As the Gaspee and her captain had long been noted for this mode of requiring submissive deference and exercise of his right, the tidings of the chase and its result was no sooner known at Providence, than it was resolved to destroy the obnoxious vessel. Brown, a merchant, and Whipple, a ship-master, were joined by a resolute body of armed men, and embarking in whale-boats, proceeded deliberately to attack the British cruiser. They boarded the Gaspee so suddenly, that no resistance was made. No one was hurt but the captain. A part of the boarders conveyed him and his effects on shore, and likewise the crew and their property. The remainder set fire to the Gaspee and destroyed her, with all her stores.

The British government offered a reward of £500, together with pardon to any accomplice, for the discovery and apprehension of any person concerned in this act. Persons were named, to try the offenders. No informer came forward. No trial took place.

That smuggling was connected with this high-handed and illegal transaction, there can be little doubt. The laws originated in a country, which the mass of provincials no longer considered as *home*. Men who did not represent the people of America, made laws which affected their property, without consulting them. To evade these laws, was not considered criminal by the colonists. Smuggling, a detestable and disgraceful crime against enactments passed by the people of a country, had come to be considered in the provinces as no crime; but rather a matter of course. Informers, so meritorious as supporters of the law, when passed by the people for their own benefit, were here, and throughout the colonies, on the contrary, considered infamous and detestable. This gave rise to the practice of "tarring and feathering," and other abuses upon individuals, at the will of the mob, which were subversive of all government, peace, safety, order or morality. The first instance of tarring and feathering that I have met with, is in Michaud's History of the Crusades, and was practised upon a man by order of Richard-coeur-de-Lion, on ship-board, in his voyage to Palestine. Here the decree of a king was equal to the will of a mob. This has of late, in our country, been called "Lynching," or torturing by "Lynch-law," and ought to be held in detestation, as subversive of all that man holds dear. Where the law emanates from the people, the law-breaker is the enemy of mankind. But the laws in America, at the time we are considering, came from a foreign source, and for purposes foreign to the good of the people.

Kelly, an oysterman, and Kitchener, a tavern-keeper, having informed against the mate of a vessel who had invested the savings of his wages in a few casks of wine, and had secretly landed them, the populace of New York, after a long search, (for the informers secreted themselves,) seized both the poor wretches, bound them with cords, placed them in carts, and paraded them through a great part of the city—many thousands attending them with insults, huzzas, and sprinkling of tar and feathers. They besmeared their faces and clothes with tar, and showered feathers on them. The magistrates in vain interposed; these wretched men were not released until the populace had in some measure satiated their resentment.

A person who arrived at Boston, from Rhode Island, having informed the custom-house officers that the sloop in which he came had a cask or two of wine in her, and caused her seizure, was himself seized by the populace, placed in a cart, stript, and his naked skin well tarred and feathered. He was carried from the town hall to the liberty-tree, bearing in his hand a large lantern, that people might see the doleful condition he was in.*

But notwithstanding the statute of the sixth year of the reign of Queen Anne, (1707) by which, for the encouragement of trade in America, it was enacted, that “no person serving as a mariner on board any privateer or trading vessel should be impressed, unless such person shall have deserted from a ship of war,” another source of constant irritation existed, by captains of men-of-war impressing Americans; who had no redress, as the governours and judges had no knowledge of the existence of this statute, made by England in consequence of the necessity of protecting the American trade.

Four fishermen who supplied the New York market, in the month of June, 1764, were seized by a press-gang, in the harbour, and carried on board a tender to be taken to Halifax, for his majesty's service. But the captain of the tender, thinking that he had done his duty, and either not knowing that the people of the town had heard the fate of their fishermen, or, perhaps, little dreaming that they would dare oppose his majesty's officer, went on shore in his barge with the usual man-of-war imposing appearance. But no sooner had he landed, than the populace (I will not call them mob) seized the boat, without offering any injury to the captain or crew. The gallant officer found that he was off (if not out of) his element, and offered to restore the fishermen. But the people were now up, and away they went with the barge. The officer, probably by the advice of some gentlemen of the town, repaired to the coffee-house and wrote an order for the release of the impressed men,

* The newspapers of the time.

which was delivered to some one present ; and a party went from the coffee-house, took a boat, boarded the tender with the captain's order, and returned in triumph with the four prisoners. While this peaceable transaction was going on at the coffee-house, which was near the bottom of Wall street, the people had dragged the boat to the green in the fields, where the Park is now, and there they kindled a fire and burnt her. The magistrates met ; but before they could interfere, the poor barge was sacrificed to liberty. In the afternoon, the court assembled to take cognizance of the affair ; but they were not able to discover any of the persons concerned in the mischief.

On the 24th of April, 1764, the ship Prince George arrived from Bristol, and finding that there was a man-of-war in the harbour, the sailors took the command of the vessel from the officers, (probably with the captain's consent,) and steered up our beautiful bay, prepared to resist any attempt to enslave them. As they expected, on came a boat, strongly manned, from the Garland man-of-war, and soon came alongside of the merchantman, thinking to board ; but they found the crew armed and forbidding the visit. The officer's orders were disregarded, and his efforts to gain the deck in vain : he and his men were beaten off, while the Prince pursued her way. Seeing this opposition to his gracious majesty's pleasure, the captain of the Garland fired on the merchantman, and sent another boat to aid the first ; but the rebellious sailors kept on their way, and the baffled press-gangs returned, after following almost to the wharves of the town—where they saw indications of a reception that induced them rather to brave the frowns of the disappointed captain of the Garland. But the affair in Boston harbour was one of more consequence ; and resistance was there made which terminated in death to one of the invaders of the people's rights. An attempt ensued on the part of the English officers of government on shore, to sanction the invasion, and punish the legal and authorized defenders of their liberty, by the sentence due to murderers.

Mr. John Adams, then a young lawyer, and long the friend and servant of his country, has recorded the transactions in a letter to the Rev. Doctor Morse. A lieutenant, a midshipman, and a press gang, were sent from an English frigate called the Rose, lying in Boston harbour, as the Garland did in that of New York, to board a ship coming in from sea. This was an American vessel, and they boarded her and ordered all the crew to appear on deck. The lieutenant doubting that all were before him, ordered a search, and the midshipman and gang found four men in the fore peak. These Americans seeing their invaders armed with pistols and cutlasses, gave them warning by their spokesman, Michael Corbett, that they would resist—it was in vain ; pistols were fired, and Lieutenant Panton fell dead, shot by the man who had warned

him to desist from the attempt. A reinforcement was sent for from the frigate, the four American seamen were overpowered and made prisoners, one of them bleeding from a pistol ball. A special court of admiralty was called to try these four American seamen for piracy and murder. All the great officers of Great Britain were arrayed against them: the governours of Massachusetts and New Hampshire, Bernard and Wentworth; with Auchmuty, judge of the admiralty; the commodore of the station, Hood; the noted Hutchinson; and counsellors from several provinces. Some patriotick lawyers volunteered to defend them, and John Adams stood ready with the book of statutes at large, showing, by the act of parliament above mentioned, that the assault on these men was illegal and the killing Panton justifiable. But the court seemed afraid of the trial, although apparently ignorant of the law relative to impressments in America. They adjourned, again and again—held secret conclaves, and at length the prisoners were placed at the bar. The facts were stated by an English sailor, and were not denied by the Americans. Mr. Adams stood ready to produce the statute of Anne, expressly prohibiting the impressment of seamen in America. He told the court that the action of killing Lieutenant Panton could only be construed into justifiable homicide. At these words, Hutchinson again started up and moved that the prisoners be remanded; the court adjourned to the council room, sat all that day, and the next the prisoners were again brought to the bar. The town and country rushed around the court, and when the excited multitude expected the solemn trial to proceed, Bernard arose, and pronounced that the opinion of the court was, that the act amounted only to justifiable homicide. Auchmuty said such was the unanimous opinion of the court. The prisoners were pronounced to be acquitted, and accordingly discharged. Such was the conduct of the officers of Great Britain in the colonies both before and after the passing and repeal of the stamp act.

Every one was delighted at the acquittal; but no one knew upon what ground the court proceeded. The only copy of the statute, above mentioned, that was in the colonies, was in the possession of Mr. Adams, and on the table, but he had not been suffered to speak or to open the book—all was decided by these king's officers in private—no one ever knew their motives for deciding in favour of those who had been brought up to the bar by them as for pre-determined condemnation. No trial had ever drawn together such crowds or so excited the fears of the people.*

1769 We will now go back to the regular history of New

* See Doctor Morse's History of the Revolution.

York, in the year 1769, the time of quiet.* John Adams did not think so. He has written and authorized these words to be published : “the resistance in America was so universal and determined, that Great Britain, with all her omnipotence, dared not attempt to enforce her pretensions—she saw she could do nothing without her Chatham ; he was called in to command the forlorn hope ; and at the same time to invent the *ruse de guerre*.” The stamp act was repealed, and the statute passed, that parliament was sovereign over the colonies, in all cases whatsoever. The repeal of an act, by which they were taxed for stamps upon all legalized contracts, blinded them to the assertion which announced that they were slaves of the people of Great Britain. Mr. Adams says of Chatham, “he died a martyr to his idol. He fell in the house of lords, with the sovereignty of parliament in his mouth.”

The American people, as has been told, were so delighted with the success of their opposition to the stamp act, that they could not see the meaning of the declaration that the British parliament had a right to bind the colonies in all cases whatsoever ; their triumph dazzled their eyes, and they saw in Mr. Pitt and his master, two friends and benefactors. The assembly of New York voted money for an equestrian statue of the king, and a pedestrian representation of his minister. About three years after the statues of Pitt and his royal master were ordered, they arrived. The necessary preparations were made for erecting them, and the place of honour, the Bowling Green in front of Fort George, was selected for his sacred majesty’s image, on the spot where the people had burnt the effigy of Governour Colden. It was pompously announced that this monument was intended to perpetuate the memory of the gratitude of his loyal subjects to the best of kings. It lasted five years. I suppose all was not ready on the 4th of June, the day annually celebrated as the happy epoch of his birth, therefore the 21st of August, 1770, was selected for placing the horse and rider on the pedestal prepared for their reception. His majesty’s health and other royal toasts were drunk, under a discharge of thirty-two pieces of cannon from the Battery, accompanied with a band of musick. This beautiful statue was made of metal.

This equestrian statue of George III stood until the summer of

* The commissioners for settling the boundaries between New York and New Jersey, were duly convened at the city of New York. For New York appeared John Cruger, Henry Holland, Frederick Phillipse, John Morin Scott, William Bayard, and Benjamin Kissam : for New Jersey, John Stevens, James Parker, Henry Cuyler, junior, William Donaldson, and Walter Rutherford. The surveyors were Captain John Montresor, Messrs. Bernard, Ratzer, and Archibald McLean.

1776, and then was overthrown, and tradition says converted into musket balls by the provincials to resist his majesty's soldiers. I saw this statue in 1775, and the pedestal stood in the centre of the Bowling Green, as a kind of monument of departed royalty, and of the plain platform simplicity of democracy, for some years after the revolution; and I wish it had remained there still, that the memory of the statue it once bore, its elevation, and its fall, might have been recalled by the question of every stranger, "what is the meaning of that vacant pedestal.?"*

* *Colony Laws from January 1, 1770, as noted by Chancellor Kent.*

Act of 27th January, 1770, appointing commissioners to meet commissioners from other colonies, to fix on a general plan for the regulation of the Indian trade.

Act of 16th February, 1771, for emitting £120,000, in bills of credit, declares that the loan officers of each county should be for each county one body politic and corporate.

Act of 8th March, 1773, appointing commissioner to settle the line between New York and Massachusetts.

Act of 8th February, 1774, posthumous children to take estates limited in remainder on the lawful issue, and as if born in their father's lifetime.

Act of 9th March, 1774, contains severe penal provisions against tumultuous and riotous assemblies, and unlawful and daring violence and rebellion against law and magistracy in some parts of Albany and Charlotte counties. (Bennington at this time was held to be in the county of Albany.)

CHAPTER XXIX.

Refusal to grant more than £200—Philip Schuyler, George Clinton, and N. Woodhull—The Tea—Committee of fifty-one—Congress of 1774.

1769 MEN of discernment saw the declaration of parliament of their sovereignty over the colonies, and right to "bind them in all cases whatever," hanging like the sword of Damocles over their heads, suspended by a hair. Charles Townsend cut the hair, and the sword fell in the shape of an act of parliament levying duties on painters' colours, and several other articles, and taking off the duties on teas in England, which had there been a source of revenue, and levying three pence per pound upon all kinds that should be in future purchased in the colonies. To add to the alarm occasioned by this additional taxation, the colonists found that their governours and judges appointed by England, were to be paid from the revenue raised from Americans, without their consent, and thus made independent, as it respected salaries. Another grievance, which had been partly submitted to, was increased; this was the quartering of troops on the provinces. A denial to obey the orders of the ministry, promulgated by Sir Henry Moore, caused an act of parliament suspending New York from all powers of legislation, until she complied.

Sir Henry Moore had declared his instructions, and repeated messages and answers had passed to and fro, when on the 23d of June, 1769, the assembly told the governour that they would furnish the barracks of New York and Albany with bedding, firewood, candles, and utensils for cooking, for two battalions, not exceeding five hundred men each, and they would do no more. The governour wrote to the ministry expressing his surprise that, instead of the gratitude he expected for the signal favours they had received, the assembly of New York evaded the demand made upon them for the troops, and only complied in part, "through fear of the ill-consequences which would attend their refusing." The ministry wrote to Sir Henry Moore, requiring cheerful obedience to the act of parliament for quartering his majesty's troops. Sir Henry repeated his demand upon the assembly, and was answered that they had done as much as they could do. So, early next year the bill was passed to punish New York for disobedience, prohibiting the

enactment of any law whatsoever in the colony. The consequence of this was, universal alarm through all the colonies, and resolutions not to import European goods.

A notice appeared in the newspapers censuring the assembly for granting £200 for quartering troops, and calling a meeting of the people. Accordingly, on the 18th of December, about fourteen hundred of the people met in the fields; resolves were read to them by Mr. John Lamb, (afterward a captain in the expedition under Montgomerie, and long known here as General Lamb,) and they announced their dissatisfaction with the grant of money above mentioned; and further they would not grant any thing for the quartering and supporting troops among them. On the 20th, Mr. Colden issued his proclamation, saying that the assembly had, by resolve, declared the paper published on the 16th instant, calling the meeting of the 18th, to be an infamous libel, and offering a reward of £50 for the discovery of the author. Philip Schuyler was alone in the minority on this question; he then took a stand that he never quitted. At the meeting in the fields a committee was appointed to wait upon the representatives of the city, in the general assembly, and to communicate these resolutions to them; Mr. Lamb, Mr. McDougal, and Captain Sears were on this committee. They executed their office, were received civilly, but were told that the majority of the people approved the act of the legislature; and it was too late to reconsider it. Meantime Mr. Lamb was ordered to appear before the house of assembly, to answer for having proposed the resolutions in the fields. The committee immediately announced that they were all equally answerable, and Mr. Lamb was dismissed. It was well known that Alexander McDougal was the writer of the offensive paper; and he was subsequently called before the assembly to answer to this charge. He refused, as the house had already declared the writing a libel. This was construed a contempt, and he was committed, that is, put in jail; and remained in prison several months.

During all these troubles, Sir Henry Moore was governour; that is, from 1765 to September the 1st, 1769, at which time he died; and although he, as a matter of course, endeavoured to carry into effect the orders of his masters in England, he conducted himself with a degree of prudence that caused his death to be regretted, especially as Lieutenant-governor Colden was very unpopular, and the government again devolved on him. It was soon after this, that Mr. McDougal was put in prison for calling the people together in the fields, when they censured the assembly for voting £200 to find accommodations for the English soldiers. In this affair Captain Sears was a prominent man, and to punish him, he was accused of neglecting his duty as inspector of potash. He

desired to be heard in his defence, but the majority in the house of assembly refused to attend to his petition. Philip Schuyler, George Clinton, and Nathaniel Woodhull acted in his favour, but as a great majority of the house were against them, their votes exculpating Mr. Sears were of no avail. In consequence, he published several affidavits, contradicting the charges made against him, and resigned the office of inspector of pot and pearl ashes.

1771 Lord Dunmore having been appointed governour in 1770, the assembly of New York on the 17th of January, 1771, voted £2,000 as his salary for the year ensuing, and he returned a message refusing it: saying that "the king had appointed him a salary out of *his treasury*, and he wished this allowance omitted." It was not intended that England should pay this. What is called his majesty's treasury, was to be filled by taxes imposed upon the colonists. They were to pay his majesty's servants, who were to be *their* masters. The same offer was afterward made to Tryon and other colonial governours, and the same answer returned. Governour Tryon arrived here the 8th of July, 1771, with his wife and daughter, who were very much beloved in North Carolina. The people of New York received him with the usual formalities. The magistrates went in procession to the city hall; his commission was read; and the usual feasting and illuminations took place. And soon after, Lord Dunmore departed to govern Virginia.

Governour Tryon issued a proclamation in December, saying that disorderly persons had defied the authority of New York, pretending claims to lands within seventeen miles of Hudson's River, to the east: that they had burnt houses, and driven away persons who were seated on farms held by titles from New York. That these violent persons pretended authority from the governour of New Hampshire, although he had "disclaimed such allowance, and recommended implicit obedience to the laws." Tryon states the limits of the province, and calls on justices and other officers to keep the peace.

1773 On the 2d of September, 1773, Governour Tryon laid the first stone of the New York Hospital. This building was then far out of town. A part of the present hospital was *that* commenced in 1773. Before it was completed, an accidental fire destroyed the interior, and retarded the work for a considerable time.

On the 16th of December, an advertisement appeared, stating that "the members of the *association of the Sons of Liberty*, are requested to meet at the city hall to-morrow, (being Friday) on business of importance; and every friend to the liberties and trade of America are hereby most cordially invited to meet at the same place." Accordingly, on the 17th, a numerous company assembled, and Mr. John Lamb addressed them. He said several letters

had been received from the committees of correspondence of Boston and Philadelphia on the subject of the East India Company's tea. The letters were called for and read. They invited the colonies to unite in resisting the insidious intentions of Great Britain. A committee of fifteen was chosen to answer these letters. The object of the association was explained to the publick, and the intention of the parliament in imposing the duty on tea. It was stated that the captains of the American ships had refused to take this obnoxious article; but that the East India Company had chartered vessels to receive it, and that it might be soon expected to arrive; therefore the subscribers had associated to support their rights, under the title of "The Sons of Liberty of New York," and had resolved, that whoever aided in the introduction of tea into the country, in any way whatsoever, should be considered as an enemy. The persons assembled were invited to join in the resolution; and the question being put by Mr. Lamb, it was adopted unanimously. In this stage of the business, the mayor and recorder entered, and announced a message from the governour. The citizens agreed to hear it. Whitehead Hicks, esquire, the mayor, assured them from the governour, that on the arrival of the tea, it would be taken into the fort at noon-day; and pledged his honour that it should continue there until the council should advise it to be delivered out, or until the king's order, or the proprietor's order, should be known: and then it should be delivered out of the fort at noon-day. They had made up their minds that it must be returned forthwith in the ships that brought it. And when the mayor asked, "Gentlemen, is this satisfactory to you?" there was a unanimous answer of "No! No! No!" Mr. Lamb read the act of parliament, and pointed out that the duty must be paid, if the article was landed. The question was put, "Shall the tea be landed!" and answered in the negative. Resolutions were then passed, approving the conduct of the people of Boston and Philadelphia; and the meeting adjourned "till the arrival of the tea-ship." In the meantime, another event happened, that must be remembered as belonging to the history of our good city.

After the governour's house was burnt, in 1741, it was rebuilt, and there Governour Tryon's family resided. While the town was free from agitation, or even noise, at the hour of midnight, the governour's house was discovered to be on fire. This happened on the 29th of December. So sudden and furious was the conflagration, that Mr. Tryon and his wife with difficulty escaped from the flames through an unfrequented door, on the east side of the building, which led to the ramparts of the fort. Their daughter saved herself by leaping out of a window of the second story. The house and furniture were destroyed; and the adjoining buildings,

within the fort, were only saved owing to their roofs being covered with snow, and by the strenuous exertions of the citizens. But they did not save what was of more worth: a servant girl, of sixteen years of age, either too timid to follow the example of Miss Tryon, or sleeping in an upper chamber, perished miserably, without the possibility of rescue. The name of this girl, Elizabeth Garret, is preserved. Two days after the fire, the great seal of the province was raked out of the ashes, and found to be uninjured. On the 12th of January, 1774, the governour, in his speech to the assembly, tells them, that "with the utmost agony of mind for the safety of his family, he lately beheld his own interest and the province-house involved in one common ruin." Particularly, he says, after their liberal grant for the repairs of the building. He tells them that the boundary line between New York and Massachusetts had been settled by the commissioners appointed for that purpose; but with Canada, it had not yet been determined. He likewise informed them that, in consequence of the outrages committed by the New Hampshire men on the settlers under the New York government, he had been ordered to England.

In consequence of the fire at the fort, the governour at this time resided in Broad street. Both houses of the legislature condoled with him on his loss, regretted that he should be called *home*, and passed a law granting him £5,000, in consideration of his loss, by the burning of the province house. He departed for England on the 8th of April; and if we were to judge by the compliments paid him on the occasion, we should say he was very much beloved. Many of the gentlemen of the city gave him a publick dinner. General Haldimand, the commander of the king's troops, gave a ball on the occasion. Addresses were poured in by corporations and societies, and King's College made him a doctor in civil law.

The press teemed with essays in favour of the measures of Great Britain on one part, and in defence of the rights of America on the other. It is to be remarked, although it in no way affects the merits of any religious system at the present day, that the warmest advocates of England, were clergymen of the Episcopal Church. At the head of these must be placed Doctor Cooper,* the president of the college—a man of science, literature, and wit.

* Doctor Cooper, having heard that the people were about to attack his castle that night—then called King's Cottage, and out of town—fled to Stayvesant's house at night, and remained there until he had an opportunity of getting on board the *Asia* 74, then the receiving ship of all the Tories of consequence belonging to this part of the continent. P. G. Stayvesant, Esq., the President of the Historical Society, has told me this circumstance; and likewise he remembers in 1797, when the present Warren street was all meadow, except the house which had been Ranelagh, now the corner of Warren and Greenwich streets.

His coadjutors were Doctors Inglis, Seabury, and Chandler ; and the Reverend Messrs. Wilkins and Vardill. But their cause was bad, and they had to contend with genius wielding the arms of truth. William Livingston, afterwards the republican Governour of New Jersey, with Morris, Jay, McDougal, and (although but a youth of seventeen) Alexander Hamilton, were the champions of America. Schuyler, Clinton, and John Morin Scott, were not idle. The associated Sons of Liberty stood ready for action under their well known leaders, Sears, McDougal, and Lamb. At length, on the 21st April, 1774, the long expected tea-ship, the Nancy, Captain Lockyer arrived. The pilots of the port received their instructions from the committee, and refused to bring her farther than the Hook. The captain came up to town, and was met by a deputation of the Sons of Liberty, and informed that he must return forthwith with his ship to London, and deposite his cargo with those who shipped it. To this command, he of course saw that no opposition would avail. He desired to see the consignee of his lading, Mr. Henry White, an Englishman, and either then, or shortly before, one of his majesty's council for the province. The deputies escorted Captain Lockyer to the intended agent of the East India Company, who was too well informed of the state of things to hesitate in his answer. He renounced his agency, and refused to receive that which he had long desired, but was now far beyond his reach. The ship Nancy was detained at Sandy Hook until Lockyer was ready to depart, and was closely guarded by a committee of vigilance from the Sons of Liberty, who prevented the sailors (necessary for navigating her back to England) from leaving the vessel. The boats being secured, they made an attempt to land by means of a raft ; but were turned back and confined to the ship.

In the meantime, another affair called for the interference of the citizens. The Sons of Liberty received information that one of the New York ship-captains, notwithstanding his profession that he would not receive the obnoxious article, had shipped eighteen chests of it in London ; that he had already arrived at the Hook ; and that his ship was on her way to the town. The pilots had no orders to stop this ship, as her commander, Captain Chambers, was known, and had made great professions of patriotism. The pilot that boarded him inquired if he had any tea, and he denied. The ship arrived at the wharf, and was immediately boarded by the citizens. Captain Chambers was again questioned, and again denied. Thus one falsehood leads on to another, and the guilt and shame are doubled. He was told that they had unquestionable information that he had tea on board ; and that they would search every package in the ship until they found it. Seeing their resolution, he confessed ; but said it was not the East India Company's tea ; that

it was a private venture, shipped and owned by himself. This paltry equivocation did not save him from censure, or his tea from destruction. The hatches were ordered to be opened; the eighteen chests were found and hoisted to the deck; then, very deliberately emptied into the salt water of the bay. After which, the people quietly dispersed, and Chambers was suffered to withdraw, covered with contempt, when probably he had anticipated a covering of tar.

Everything being now ready for the departure of Lockyer, ship, cargo, and all, a day was appointed and announced to the people. The bells were ordered to be rung. The Sons of Liberty met the captain of the English Nancy by appointment, at the custom-house. Hither the citizens flocked in greater numbers than ever before was known. The house was in Wall street, at the corner of Water street, and opposite the Tontine Coffee-house, of more recent construction. The crowd filled the street. The committee brought out Lockyer into the balcony. He was received with cheers, and a band of musick played "God save the King." With all these unwelcome honours the captain was escorted by the Sons of Liberty to the wharf, at the foot of Wall street, where seeing him on board the pilot boat that was to convey his vessel off, they wished him a good voyage home, and then with the people dispersed. The committee of vigilance still attended on his ship at the Hook, and guarded his tea and crew. Captain Chambers, under protection of another committee, embarked on board Lockyer's ship. She sailed—the bells rang—the flag was hoisted on the liberty-pole—and every ship in the harbour displayed her colours in token of triumph.

On the 19th of May, a committee of fifty-one were appointed, and they chose a committee of correspondence. And on the 6th of July, another general meeting of citizens was called, and Mr. McDougal placed in the chair. This was afterwards called "the great meeting in the fields." Here a number of resolutions were passed, more congenial to the spirit of the times. They approved the conduct of the Bostonians, and resolved to support them. They opened a subscription for their relief. They entered into non-importation agreements; and determined upon a plan for the election of delegates to that congress which they foresaw would be the bond of future union for the colonies.

The next day, the committee of fifty-one met, and Mr. Thurman moved a resolution, which was seconded by Mr. McEvers, disapproving of the meeting of the day before, and of their proceedings. This was carried by a large majority. Upon which, all the true American Whigs requested their names to be struck from the committee of fifty-one. Whether they eventually succeeded, I know not; but on the 25th of July, the polls were opened at the

different wards for the election of delegates to a congress, to meet at Philadelphia; and Philip Livingston, John Alsop, Isaac Low, James Duane, and John Jay, were chosen.

When the time arrived for the delegates to proceed to Philadelphia, the people assembled in vast crowds to attend them to the place of embarkation, and took leave of them with every demonstration of confidence in their abilities and patriotism. The congress of this year laid the foundation of American self-government. Messrs. Jay and Livingston, of New York, with Richard Henry Lee, of Virginia, were appointed a committee to draw the declaration of rights. The composition is attributed to John Jay. It belongs to the general history of our country, and should be read by all. But I will cite one passage which dwells on my memory as particularly applicable to the state of the controversy at this period, and placing the question at issue between England and America on its true ground. The passage I allude to, is this. After speaking in strong terms, and almost harshly, of the conduct of Great Britain, as "forging chains for her friends and children," and becoming the "advocate of slavery and oppression," the declaration says, "know then, that we consider ourselves, and do insist we are, and ought to be, as free as our fellow-subjects in Great Britain; and that no power on earth has a right to take our property from us without our consent." And again, "We claim to be as free as well as our fellow-subjects of Great Britain: and are not the proprietors of the soil of Britain lords of their own property? Can it be taken from them without their consent? Will they yield it to the arbitrary disposal of any man or number of men whatever? You know they will not."

1775 On the 8th of March, 1775, in committee chamber, it was ordered "that Philip Livingston and John Jay be a committee to wait on Mr. James Rivington, and request of him to acquaint this committee by whose information, or by what authority he published the following paragraph in his gazette: 'Last Monday the committee of observation met; it was proposed that they should nominate delegates to the continental congress for the approbation of the city and county; but being opposed, the final determination of the committee was postponed until their next meeting.' The same paragraph being entirely and wholly false and groundless."

At this time the general assembly of New York was in session; but the majority was wavering, tame, and unpatriotick. In fact, they did not respond to the call of the colonies, or of the people they represented. When the brave Colonel Woodhull, of Long Island, whose name ought ever to be held in honour by us of New York, moved that "the thanks of the house be given to the representatives of the province for their services in the continental congress the previous September," it was denied; the house being

divided fifteen to nine. George Clinton, Colonel Woodhull, Mr. Thomas, Mr. Boerum, Capt. Seaman, of Long Island, Col. Ten Broeck, Mr. De Witt, Col. Philip Schuyler, and Col. Philip Livingston, were the names of the gentlemen who composed the minority on this question. They moved for thanks to the merchants and inhabitants of New York, for their firm and faithful conduct in adhering to the association recommended by the congress of 1774 ; and that the sense of the house be taken on appointing delegates to the next continental congress ; but both these motions were overruled by the timid, or tory majority. Colonel Schuyler, however, by his eloquence, carried resolutions, declaring a number of the acts of parliament grievances, and particularly those which were aimed to punish and oppress the province of Massachusetts. In manuscript notes before me, communicated by Chancellor Kent, he says, "the leading patriots of the day were Col. Schuyler, Col. Woodhull, and Mr. Clinton." But the tory (or timid) majority carried several resolutions, declaring that the people of the colony owe obedience to the king of Great Britain ; that they owe obedience to all acts of parliament calculated for the general weal of the empire ; but asserting that they were entitled to the same rights as the other subjects of Great Britain, and could only be taxed by their representatives. On the 24th of March, 1775, on debating the form of an address to the king, Col. Schuyler, Col. Woodhull, and Mr. De Witt, moved sundry amendments, but were overruled by the majority. Chancellor Kent, in the manuscript above alluded to, says, "The addresses to the King, the House of Lords, and House of Commons, by the general assembly, passed March 25, 1775, were tame, ridiculous, and very loyal ; but they asserted the rights and stated the grievances contained in the above resolutions." That is, the resolutions previously carried. He adds, "The assembly adjourned on the 3d of April, and I believe never met again."

CHAPTER XXX.

Lieutenant-governour Colden—Appointment of Washington—Lee—Gates—Washington's reception by the Provincial Congress at New York.

1776 All the acts of the British government tended to unite the colonies in opposition to her. The suspension of legislative proceedings in New York—the Boston port bill—the pouring of disciplined regiments under her best generals into that devoted town—the attempt to seize the military stores at Concord—brought undisciplined rusticks and armed patriots, swarming to form a camp round the Penninsula, and the famous battle of Breeds Hill, so fatal to Doctor Warren, and so glorious to Colonel Prescott, the commander, and to Stark and Knowlton followed.

Israel Putnam rendered great service by bringing men over the neck, and kept fifteen hundred at Bunker Hill, who caused the British to halt until the retreat was effected.

Lieutenant-governour Cadwallader Colden died 28th of September, 1776, at the advanced age of eighty-nine. He was educated as a physician, and coming to America in 1710, he practised physick in Philadelphia. He returned to Great Britain, married in his native land, and brought his bride to New York in 1718. His scientifick acquirements recommended him to Governour Hunter, who appointed him surveyor-general, and he held the office of master in chancery. Governour Burnet, in 1720, chose him as one of his council, and as we have seen, he had a large share in governing the province for England from that time forward. But Doctor Colden was an active student of natural history, and the correspondent of most of the scientifick men of Europe and America. As a philosopher, he has left us many works; among which those on botany, the diseases of America, and others of this nature, are less known than his celebrated “History of the Five Indian Nations.” He was the ruler of the province during a part of 1775, owing to the absence of Governour Tryon; but his rule was not much more than nominal. For now the people paid more heed to their congresses and committees than to any other authorities. While the important events took place in the neighbourhood of Boston, the inhabitants of New York were alarmed by threats of further aggressions. Regiments were expected from

England, and the *Asia* man-of-war had been ordered from Boston, and anchored off the Battery, in the North River, as if to overawe the city. The troops that had been stationed at New York and in New Jersey had all been withdrawn and concentrated in Boston. But threats and rumours of other regiments intended for this city were propagated, while for the present the seventy-four gun ship was supposed to be sufficient to keep the sons of liberty quiet. Subsequent events, however, showed that the government were mistaken if they supposed they could intimidate the citizens of New York. The first outbreak happened in April, when Marinus Willet and John Lamb led or authorized a party of "liberty boys" to seize a vessel loaded with boards for the British army in Boston. There was likewise a popular meeting, at which Captain Sears made a motion for every man to provide himself with four-and-twenty rounds of powder and ball. Sears was taken with a warrant and carried before the mayor. As he defied the authority of the king's officer, he was ordered to jail; but the people rescued him, and carried him in triumph through the town with colours flying. A few days after this, the account was received of the bloodshed at Concord and Lexington. Upon this the committee called on the inhabitants to perfect themselves in military discipline, and each man to provide himself with arms and accoutrements. They likewise addressed the lieutenant-governour, and expressed their determined resistance to the measures of the British parliament. He, in his answer, assures them of the gracious intentions of his majesty and his ministers, and complains of the tumults in the city.

Arms and accoutrements were manufactured and exposed for sale. A night guard of forty men was ordered to be kept at the city hall. This guard seized several persons who were sending off provisions to the English ships. Notwithstanding all these military indications of resistance, the continental congress recommended to the citizens of New York, in the case of arrival of British troops, to permit them to take possession of the barracks, and leave them in quiet while they behaved peaceably, but not to permit them to erect fortifications. They likewise recommended that the warlike stores should be removed from the town, and places of retreat provided for the women and children. They directed that the men should be embodied and kept in readiness to repel insult or injury. This is signed, Charles Thomson. Soon after this, Peyton Randolph, the president of the continental congress, retired to attend the assembly of Virginia, and John Hancock was appointed in his place. The provincial congress sat in the city of New York, and the great committee nominated Mr. Isaac Sears to represent the city and county, instead of George Folliot, who declined serving. William Bedlow and John Woodward are nominated members of the committee, instead of George Folliot and Samuel Jones, "they

having never attended ;” and the poll is ordered to be opened for election.

The king’s lieutenant-governour, and the king’s council, existed in this city, as did the mayor and common council under the king’s authority ; and Governour Tryon was hourly expected from England. But the people, in reality, governed by their representatives in congress and committees. The provincial congress recommended the formation of committees in all the counties, and arming all the men.

Two days before the battle of Bunker’s Hill, that is, on the 15th of June, 1775, congress, by a unanimous vote, appointed George Washington commander-in-chief of the American armies. It was a most happy choice of a man who was as good as he was great—as wise as he was valiant. On the 16th, the task was accepted ; and Washington, being at the time a representative from his native state, Virginia, rose in his place, and acquiesced in the will of his country. Pay he rejected ; but said he would keep accounts of his expenses, and require the country to discharge them. It had long been foreseen that he would be called to this post of honour, difficulty, and danger. On the 4th of June, Mr. Elbridge Gerry had expressed his wish that Washington should be generalissimo. Before he left home it was well known where the choice of his country would fall, and that he must accept the call. Charles Lee and Horatio Gates, both known to him as men of military experience, visited him at Mount Vernon, and even then had in view his influence to obtain for them the commissions they soon after held. Washington knew that the armies he was destined to command needed disciplinarians ; he knew that Lee and Gates possessed the intelligence and experience required. He nominated Charles Lee for a major-general, and Horatio Gates for adjutant-general, of the continental armies. John Adams had his prophetic fears of both these officers. Mr. Sparks says, in a note to his Letters of Washington, that “it is remarkable that Washington should have been himself the chief instrument in promoting two officers, who, at different stages of the war, caused him much embarrassment, trouble, and pain.” He might with equal truth have said, “who, throughout the whole war, endeavoured to villify his qualities, thwart his measures, and destroy his credit with his countrymen.”

General Washington, as soon as possible after his appointment, commenced his journey to Cambridge, for the purpose of taking command of the troops there assembled. Our city was to be passed in his way ; and it is somewhat curious in her history that Governour Tryon, the English commander-in-chief of the city and province, should have arrived in the harbour, and be expected to land in the capital of his government on the same day, the 25th of June,

that General Washington, the commander-in-chief of the armies of the whole continent raised in opposition to Tryon's master and government, was likewise expected to land on the opposite side of the city. Tryon was looked for on the east side of the town with his suite of red-coated attendants; while Washington was known to be approaching to cross the Hudson and land on the west shore, escorted by Generals Lee and Schuyler, with a deputation of four members from the New York provincial congress, a political body that had in effect seized upon all Mr. Tryon's authority, at the same time that they professed allegiance to his sovereign. We have seen that Governour Tryon had left the province by command of his majesty, to give an account of the troubles in the borders of his government, and he returned to find greater in the centre. The members of the provincial congress were puzzled by these expected arrivals; and, to get rid of the difficulty, ordered the commander of the regiment of militia, that had turned out to honour the visit of General Washington, so to dispose of his troops, as to be in condition to receive either the American commander-in-chief or the governour, as the one party or the other should have precedence in landing. Happily, General Washington arrived some hours before the governour, or else the colonel must have been bowing two ways at once: something like an attempt to serve God and mammon at the same time. General Washington staid but one day in New York. He departed on the 26th, and was escorted on his way to Cambridge, as far as Kingsbridge, by several military companies of the city, and by the Philadelphia lighthouse, who had accompanied him from the seat of congress. Tryon landed at eight o'clock in the evening of the 25th, and was received with due respect by the militia, and great cordiality by the loyalists; he was conducted to the house of the Hon. Hugh Wallace, one of his majesty's counsellors. The mayor and common council presented to him a congratulatory address, and received his answer in due form. On the other hand, the provincial congress of New York addressed Gen. Washington in terms somewhat cautious. They spoke of "the most loyal of his majesty's subjects being under the necessity of taking up arms." Of their confidence in the general, and "hopes of liberty from the struggle," &c. It was signed by P. V. B. Livingston, president. The following, bearing date, New York, 26th June, 1775, is a copy of the general's answer.

"Gentlemen—At the same time that with you I deplore the unhappy necessity of such an appointment as that with which I am now honoured, I cannot but feel sentiments of the highest gratitude for this affecting instance of distinction and regard. May your every wish be realized in the success of America at this important and interesting period; and be assured that every exertion of my worthy colleagues and myself will be equally extended to the re-

establishment of peace and harmony between the mother country and the colonies, as to the fatal but necessary operations of war. When we assumed the soldier, we did not lay aside the citizen; and we shall most sincerely rejoice with you in that happy hour when the establishment of American liberty, upon the most firm and solid foundations, shall enable us to return to our private stations in the bosom of a free, peaceful, and happy country."

CHAPTER XXXI.

The congress of 1774—Articles of confederation during the war of the revolution—The history of Vermont—New York in 1775—The Asia—Charles Lee.

1774 IN September, 1774, the confederacy was carried into execution by the assembling of delegates from the English colonies, which met in congress at Philadelphia, to take into consideration the existing and threatened grievances pressing upon their constituents, from the acts of the British parliament. I have pointed out those periods which by degrees familiarised the people of America to confederacies and congresses, eventually terminating in our present form of government; and perhaps it may be well to recapitulate briefly the nature and causes of these combinations. And first, at a period unknown, I must mention the offensive as well as defensive union of the Iroquois. Among Europeans, or their descendants, we have the second confederation, which was formed by the colonies of Plymouth, Massachusetts, Connecticut, and New Haven, in 1643, including all New England, excepting Rhode Island. This union was for protection against the Indians and the Dutch of New Netherland. It was formed in the spirit of self-government, and without any concurrence of England—at that time too much occupied in civil dissensions to attend to the subjugation of her colonies—which, happily grew and thrived, by her neglect. Each colony sent two delegates to an annual congress; and these delegates, called commissioners, decided on all affairs of peace and war—three-fourths binding the whole: they apportioned the quota of each member of the confederacy in all common expenses: they carefully watched their Dutch neighbours, and assumed authority over the surrounding Indians, occasionally teaching and chastising them. This confederacy lasted from 1643 to 1686, when James II dissolved it by his sovereign will and pleasure.

But the people of America had been taught the efficacy of congresses; and, in 1734, a third was convened, of governours of colonies and commissioners, who met at Albany, as we have seen, for the protection of the frontiers. But a fourth, and more memorable congress, consisting of commissioners from seven colonies, was called together by the lords commissioners of trade and plantations, in England, to devise means for defence, in case of war with France. They, too, met at Albany; and having more extensive views of future benefit than those who congregated them, they proposed articles of confederation for the colonies in peace and war; they resolved that union was necessary for their preservation; proposed a plan of federal government, by a council of delegates, to meet every three years, with a president chosen by England, who, and the king, eventually decided by a veto on peace or war with the Indians. This council was to have power over new settlements purchased of the natives, build forts, equip vessels, make laws, and raise taxes for necessary purposes. This congress laid the foundation of our liberties, although the plan was rejected, not only by England, but by all the colonial legislatures. The men who formed this congress, were before their age. The people were jealous of the power to be given to the king; and the government of England saw that such a confederacy would show the people *their power*. The plan was Benjamin Franklin's. He said, in 1671, that a union of the colonies could only be effected by the most grievous tyranny on the part of England. But a great lesson had been taught by the congress of 1754; and another, the fifth, met in 1765. It had now become habitual with the Americans. The attempt to raise a revenue by the stamp act, assembled this congress at the City of New York, in October; and they promulgated a bill of rights, declaring the *sole* power of taxation resided in the colonial legislatures. England had asserted an unqualified right to bind the colonies in all cases whatsoever.

We have seen that the colonies generally resisted or evaded by every indirect means, the operation of the British navigation acts; but the congress of 1774 were willing to submit to these trammels, provided they could free their country—free the bonds which Lord Chatham and all the English politicians declared they had a right to and would enforce upon America. This congress declared, that as the people of the colonies could not be represented in the British parliament, they were entitled to a free and exclusive power of legislation in their several provincial legislatures in all cases of taxation and internal policy, subject only to the negative of the sovereign.

Grievances, as we have seen, multiplied; and in September, 1774, that congress of delegates from twelve colonies met in Philadelphia, which established the mode of attaining future liberty.

They were directed "to meet and consult together, for the common welfare." The noble stand they took—their declaratory resolutions—their call upon the country to resist the pretensions of

1775 Britain, and renounce all commerce with her until secured in their rights, we have seen, as far as our history will allow; and in May, 1775, the congress met in Philadelphia which, by the junction of Georgia, constituted thirteen united colonies, soon to become independent states.

1776 The articles of confederation, which are the objects of my present consideration, were taken into consideration on the 11th of June, 1776, almost a month before the declaration of independence; but they were not fully completed, for some years. However, congress was guided by them; and with all their faults, they were found, aided by the pressure of invasive war, to keep the states together, until peace gave an opportunity to remedy their defects.

Most of the states ratified the articles of confederation proposed by Congress, with promptitude; but Delaware did not accede to them until 1779, and Maryland rejected them, instructing her delegates to withhold their assent until it was agreed to appropriate the unpatented lands in the western parts of the union, as a common fund for the expense of the war. The Legislature of New York consented to a release of the unsettled lands in the western part of the state, for the use and benefit of such of the United States as should be members of the federal alliance, and to resign the jurisdiction as well as the pre-emption over her waste and uncultivated territory. The articles of confederation were promulgated in 1778,

1778 and Maryland at length acceded to them on the 1st of March, 1781. They were but, says Kent, a digest, and even a limitation, in the shape of a written compact, of those undefined and discretionary sovereign powers which were delegated by the people of the colonies to Congress in 1775. It was not the mere results founded on the declaration of independence.

The imbecility of the confederation, was owing mainly to the want of a judicial and executive power. Congress had exclusive rights of peace and war; to make unlimited requisitions of men and money; but the decrees of congress were carried to the states in their sovereign capacities. This defect overthrew, as it had overthrown all confederacies which had adopted the same principle. Disobedience to the requisition could only be enforced by arms. To submit to the non-compliance, cast congress into contempt; to enforce, dissolved the confederacy. The histories of Greece, Germany, Switzerland, and Holland, show us civil war as the result of such powers remaining in the separate members of the confederated body. Congress consisting of but one body of men,

or one house, was an unfit depositary for greater powers than those they possessed, however inadequate they were to the purposes intended. The state legislatures refused the power to Congress to levy and collect a general impost, and however unfortunate this appeared at the time, it is considered now to have been exceedingly fortunate; as the denial of that right in its consequences produced the necessity of a more competent compact. Congress was restricted from any constructive assumption of power. The confederation was likewise defective, inasmuch as power was not given to Congress to interfere in contests between the states, and to protect each state from internal violence and rebellion. It was an unskilful and incompetent fabric, and almost as soon as it was formed the states began to fail in obedience to its laws and requisitions; and as peace appeared near, the neglect increased, and the inherent imbecility of the general government became rapidly and alarmingly apparent. In vain did the skilful and able financier, Robert Morris, strive to infuse energy into the powers of the languishing government: requisitions from the states were found to be delusive, and his appeal to the honour of the separate sovereigns, was found as unavailing, as they were just and eloquent. Claims to territory, and the profits of trade, were daily interfering: attachments were becoming enmities—distress and humiliation were rapidly advancing; and Great Britain looked on and exulted. In short, says the *Federalist*, "Each state, yielding to the voice of immediate interest or convenience, successively withdrew its support from the confederation, till the frail and tottering edifice was ready to fall upon our heads, and to crush us beneath its ruins."

John C. Hamilton, in the life of his father,* claims for Col. Alexander Hamilton, in the year 1780, and at the early age of twenty-three, while actively engaged as an aid to General Washington, a just conception of the defects of the articles of confederation, and a proposition for a national government, clothed in powers requisite to the exigencies of the country. In 1786, Virginia proposed a convention to rescue America from ruin and disgrace. In the meantime, the war with Great Britain had been triumphantly terminated by the virtues of individuals struggling against a feeble government—a powerful adversary without, and treason covert and open within.

Chancellor Kent remarks, that the resistance kept pace with the parliamentary impositions, and was constantly growing in strength, activity, and determined purpose, until it was consummated by the permanent union of the colonies, in 1774. But this congress, in the spirit of conciliation, notwithstanding its firmness in opposition

* Vol. 1, pp. 284-305.

to aggression, declared that from the necessity of the case, and in regard to the mutual interests of both countries, they cheerfully consented to the operation of such acts of the British parliament as were *bona fide* restrained to the regulation of their external commerce for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members: excluding every idea of taxation, internal or external, for the purpose of raising a revenue on the subjects of America without their consent.*

It must be remembered that the articles were a confederation of states, and were penned by Dickenson, who declined the declaration of independence. The articles were presented to congress a few days after the declaration of independence. At the same time the affair of New Hampshire grants, occupied the legislature of New York.

It will be necessary to take up the subject of the disputes between the settlers under the New Hampshire grants, which we have already considered in their commencement. Actions of ejectment were commenced in the courts of New York, against such settlers under the authority of Wentworth, as did not comply with the requisition to take out new grants under the province to which the territory belonged. The governour, says Mr. Williams, in his History of Vermont, and some of the leading men in New York, availed themselves of this state of things, and carried on a profitable trade in grants, deriving much more enormous profits by renewing grants, than the governour of New Hampshire had acquired by making the first.

Lieutenant-governour Colden called out the militia to support the sheriff in his endeavours to enforce the laws: but their assistance was unwillingly given, as many men knew that it was, in part at least, a dispute for the benefit of land speculators—the sheriff's power was resisted, and the settlers were encouraged in their defiance to legal process. Ethan Allen and Seth Warner were leaders of the opposition: men of very opposite characters of whom I shall have particularly to speak in the sequel.

In 1767, upon a representation made by the court of Great Britain, the king sent his order to the Lieutenant-governour of New York, then, Sir Henry Moore, to cease making grants in this disputed territory, until his majesty's further pleasure should be known.

Tryon having been appointed governour of New York in 1772, wrote to the Reverend Mr. Dewy, and the inhabitants of Bennington, May 19th, inviting them to lay before him the causes of their

* Journals of Congress.

illegal proceedings, and assuring them of his favourable consideration. He invited them to send any persons as deputies to him, that had their confidence, except Allen and Warner.

Captain Stephen Fay, and Mr. Jonas Fay, were the deputies sent to Governour Tryon, and on their return, they reported that the governour and council would cause the suspension of all prosecutions, and recommend to the owners of all contested lauds under the grants from New York, to put a stop to all civil suits, until his majesty's pleasure should be known.

1774 Notwithstanding the apparently conciliatory measures suggested by Governour Tryon in 1772, respecting the dispute with the New Hampshire grants, so virulent had the animosity between the contending parties become at the commencement of 1774, that in March, the government of New York passed an act making it a capital offence in any of the persons, then in a state of insurrection, against the laws of New York, not to surrender himself to the order of the governour and council within seventy days from the publication of said order. All crimes committed within the grants, were by this act subject to be tried by the courts at Albany. The governour of New York, by proclamation, offered a reward of fifty pounds for apprehending Ethan Allen, Seth Warner, and six others.

By reference to the proclamation issued by Governour Tryon on the 11th of December, 1771, it will be seen, that in 1750, the governour of New Hampshire declined entering into a dispute with New York respecting this territory, when the foundation of the rights of this province were stated to him, but proposed a reference to the king; that although the said governour had then granted one township due north of the Massachusetts line, and twenty-four miles east of Albany, and could vacate the grant he had made, yet, if it should fall by his majesty's determination, within the government of New York, *it would be void of course.* Notwithstanding this proposal, accepted by New York, and the reference, New Hampshire continued the encroachments—New York warned the intruders by proclamation—the king decided in favour of New York, the 20th day of July, 1764—the decision was published and the king's order made known. Still New Hampshire continued the aggression; and by this proclamation of 1771, Tryon notified all persons on this territory to demean themselves accordingly, or take the legal consequences. The act of 1774, above mentioned, is only the natural consequence of the foregoing.

At a general meeting of the committee for the townships on the west side of the Green Mountains, April 14th, 1774, it was resolved, to oppose force to the execution of the laws of New York, and to hold themselves in readiness so to do, but to act on the defensive. The persons proscribed gave notice, that they would

kill and destroy any person that should presume to aid or assist in the apprehension of any of them.

A plan was formed by the leaders to have the New Hampshire grants formed into a royal government, distinct from that of New York; and Philip Skeene, a colonel in the British army, who owned large tracts near Lake Champlain, and from whom the settlement at the head of the lake, (now Whitehall) was long called Skeenesborough, was sent to England, and procured himself to be appointed governour of Crown Point and Ticonderoga; he proposed to call upon the inhabitants of the grants for an address—he probably anticipating the dignity of a king's governour over an American province. But the time had arrived when even those who held such authoritative offices were trembling on their seats of state.

In September, 1774, the congress of representatives from the colonies, advised the people of America to maintain their liberties, and the courts of justice, held under the royal authority were in many instances shut up.

1775 On the 13th of March, 1775, a court was to have been held at Westminster, in Cumberland county; but at an early hour some of the inhabitants of that, and the neighbouring counties, took possession of the court-house and refused admittance to the judges and other officers. That night, the sheriff with armed force attempted to gain possession of the seat of justice: they were refused admittance: some of the party fired into the house; one man was killed and others wounded. A coroner's inquest pronounced the act, murder, and some of the sheriff's officers were seized and conveyed to Northampton, and there confined. The chief justice of New York demanded these men and they were liberated.

On the 11th of April following, a body of people met at Westminster, and resolved, that it was the duty of the inhabitants to renounce and resist the government of New York, until their lives and property could be secured by it, or until the interference of his majesty's government could be obtained for their redress: they expressed their desire to be annexed to some other government, or erected into a new one. So stood affairs when the news of hostilities at Lexington arrived, and the pugnacious propensities of the Green Mountain boys found another vent.

There was a strange confusion in the government of the city. The continental congress in Philadelphia had appointed generals, and directed the raising of troops. Their armies were pressing upon the king's forces in Boston, and invading Canada; while in other provinces, the king's authority was acknowledged, and dependence on England professed. In no place was this appearance of mingled authority and "half-faced fellowship" more conspicuous

than in the city of New York. The Connecticut troops, under General Wooster, encamped on the island. The governour of the province dissolved the general assembly, by orders issued from ships of war in the harbour, "with the advice of his majesty's council." He likewise gave notice to the inhabitants that the ships of war were ordered to treat them as rebels, if any violence were offered to his majesty's officers, or any bodies of men raised and armed, or any fortifications erected, &c. The provincial congress resolved, that every person, not an inhabitant, should show a certificate that he was friendly to the liberties of America, or in default thereof, be treated as an enemy. The committee announced that the city "has become a scene of confusion and distress, occasioned by an apprehension of unmerited hostilities that will shortly be commenced by the ships of war lying in this harbour;" that the poor are abandoning their habitations, flying the town, and taking refuge where they can find it. They call upon the neighbouring people to receive them, and afford them relief. About this time, the British being forced to abandon Boston, were expected here in force. American troops were pouring in; and on the same day, Major-general Charles Lee, of the continental army, arrived in the city, and Sir Henry Clinton sailed into the harbour in an English ship of war, attended by some transports with soldiers, and other armed vessels.

1776 In March, 1776, some of the manœuvres of the governour convinced the provincial congress in New York that he had intelligence, from a spy, of their debates and transactions; and Mr. James Duane, a member of that body, suspected that his *valet*, who had formerly been a servant with Tryon, might have taken his minutes of the congressional proceedings from his pocket at night, when he went to bed, copied them, and sent the copy to his late master, on board the English fleet. Mr. Duane informed the provincial congress of his suspicions, and proposed to put fictitious minutes in his pocket. This was done: and Tryon being misled, acted accordingly; but he soon found that he had been imposed upon by the servant, or that his spy had been outwitted, and he gave him notice accordingly. The traitor finding that he was discovered, fled, and found means to put himself under the protection of the governour, who sent him off to England.

In the meantime, General Washington, having freed Boston from the enemy, sent Charles Lee to New York, and prepared to follow. Lee found that some of the people of the city seemed to have great dread of the guns of the *Asia* man-of-war, at the same time that others committed acts of hostility whenever her boats were beyond protection of her guns. On one occasion, they destroyed the ship's barge; but the magistrates had another built to replace it. This, when finished, was likewise de-

stroyed ; upon which the provincial congress published the following : “ Resolved, whereas the barge ordered to be built to replace the one belonging to his majesty’s ship Asia, lately destroyed, was, when finished, sawed to pieces in the night by some disorderly persons,” the magistrates are required to procure another “ to be built in this city,” and all persons are enjoined to forbear from injuring it. Whether this was complied with, does not appear ; but soon after the above resolve, something like open hostilities commenced between the man-of-war and the citizens. The provincial congress having directed that the cannon should be removed from the Battery, Captain Lamb with his company, and a number of the people, armed and unarmed, proceeded thither on the night of the 23d of August, and while part remained under arms, others were busy in accomplishing the work intended. The redoubted Asia lay off with her broadside presented to the town, and her barge was perceived nearer in shore, as if watching the motions of those on the Battery. It will be recollected that Tryon was permitted to remain on shore, and had been received with honours and compliments on his arrival. From his agents, the captain of the man-of-war knew all that passed. A musket was discharged from the English barge, which drew a volley upon her from the shore, and killed one of her crew. The barge pushed for the ship, and on her arrival, a cannonading with eighteen and twenty-four pounders commenced ; first, as stated, three guns, and then a broadside. The houses near the Battery were riddled, but little further damage done ; and the citizens finished the work of removing all the guns. The drums beat to arms ; the men turned out, many supposing the expected forces of the enemy were landing. The women and children fled for safety, some that night, and many more next day. On the 24th, the day after this cannonade, Captain Vandeput, commander of the Asia, sent a letter to Whitehead Hicks, Esquire, the mayor of the city, and the magistrates, saying, that having information of the intention to remove the guns, he sent a boat to lie near shore and watch ; that the officer having command, seeing the movements on shore, left his station to give notice according to orders, and had been fired upon, and one of the men shot dead. “ My duty, he proceeds, called upon me to repel an attack of this sort, as well as to defend the guns, which occasioned me to fire upon the battery.” He says, he does not wish to do hurt ; but if the people persist in behaving in such a manner, the mischief must be at their doors. On the same day, Captain Vandeput (not considering that the mayor must call together the corporation, have his letter read to them, and take their sense on it, before returning an answer,) despatched another manifesto to the city authorities, repeating the complaints of the first, requiring “ due satisfaction for these high misdemeanors : and

threatening, that if an answer to this second warning is not returned as soon as may reasonably be expected, he shall take such measures as may seem necessary." The mayor, that afternoon, by letter, promises him an answer next morning; but before he has time so to do, receives a third epistle from Vandeput, dated the 25th, requiring an answer "on the receipt of this." Mr. Hicks, in return, complains of the shot fired from the boat, and states that the firing from the shore was only in return. The captain immediately replies, that the shot from his boat, was a signal gun to the ship; that it was his duty to defend every part of the king's stores; and to the mayor's assertion that he could not see how it was the captain's duty to fire upon the city, nor account for his inducement "half an hour after the return of his boat, and the removal of the cannon, for firing a broadside on the town at large," Vandeput, in reply, says the broadside was fired because he heard huzzas, and to prevent the removal of the guns, and not to injure the city. He, however, says he shall persist in his duty; but, if possible, avoid doing hurt to any one.

On the 29th of August, the provincial congress issued an order saying, that in consequence of the Asia's firing upon the town and wounding three of his majesty's subjects, and doing other injuries, Mr. Abraham Lott, the contractor supplying his majesty's navy, do send said supplies to Governour's Island, to be taken from thence by the ship's crew. And no person is to interrupt such supplies; and congress will pursue every prudent and proper measure to obtain redress and prevent further injury.

Still, however, the king's governour remained in New York, or the neighbourhood, and the common council seemed to wish his continuance, although it was known that he was encouraging resistance to the American cause. On the 13th of October, Tryon, in consequence of some notification, or suspicion, wrote to the mayor, saying that the continental congress had recommended to the provincial congress of New York to seize him; and he places himself under the protection of the mayor and corporation. At the same time he threatens that if he is made prisoner, Captain Vandeput, of the Asia, would demand him and enforce the demand. To avoid this, he says, if it is the wish of the citizens, he will embark; and requests that any interruption to his embarkation, or the removal of his property, may be prevented. He was answered, that upon his letter being read, the members of the corporation expressed themselves in terms of the strongest affection to him, and are disinclined to his removal from the capital of the province; that the city committee desires the continuance of his residence; and the mayor adds, "I have not the least doubt of your enjoying the most ample protection."

At Ticonderoga, Ethan Allen had captured the English garri-

son, and was at this time himself captured and in irons, as a rebel, in Montreal. All this Tryon knew, and he therefore replied, the same day, to Mr. Hicks, that as the citizens had not authorized the mayor to pledge to him their assurances of security, his duty to his sovereign would not justify him in staying on shore, unless he had positive declarations of full protection under every circumstance. The mayor tells him that he would consult the committee, and adds, that people of all ranks express great anxiety that he should not leave the city. On the 17th October, the committee authorize the mayor to assure Tryon that they are not apprehensive of the least danger to his person or property, and add, he might be assured of all that protection from them and their fellow-citizens which will be consistent with the great principles of their safety and preservation. They declare their confidence in his wisdom; and that he will mediate to restore harmony; and express their desire that he would remain among them. Tryon's conscience told him that the Americans ought to secure him, and prevent the mischief he was plotting against them, and he got off privately to the Halifax packet, from whence he wrote again to the mayor, saying the assurances were not sufficient, and his duty had impelled him to embark and seek his safety on board a king's ship. Some time after, he writes again (from on board the *Duchess of Gordon*) to David Matthews, who had been appointed by him to the mayoralty instead of Mr. Hicks, at the same time advanced to the bench, as a judge of the supreme court. To Mr. Matthews he sends a paper to be made publick, in which he says, his majesty is graciously pleased to permit him to withdraw from his province; that he is ready to do the inhabitants any service; that it gives him great pain to see them in such a turbulent state; and he laments the calamities that must befall them, &c. Thus the governour took care to secure himself on board a king's ship of war, while exercising authority on shore by the appointment of civil officers.

Charles Lee, the oldest major-general, was an English gentleman of some fortune, and son to a colonel in his majesty's service. Charles was commissioned at the age of eleven; so that he was almost from birth in the army. Quick in perception, and ardent in all his pursuits, he became a good scholar, and an able tactician, as far as a man devoid of prudence may be so esteemed. His first military service was under General Abercrombie, in America, and as I have incidentally mentioned, he was wounded at the defeat of that officer by the French, on the banks of Lake Champlain. Lee returned to Europe, and in 1762 served with General Burgoyne in Portugal. Ever restless, he entered the Polish service, and had attained the rank of major-general before he returned to America, for which country he appears to have had a sincere attachment. He, however, had rambled all over Europe; had killed his man in

a duel, and had been engaged in several others, before he again crossed the Atlantick. He was in Philadelphia in 1774, and in July of that year, Horatio Gates, then on a plantation in Virginia, wrote to him a letter of invitation, and persuaded him to buy a farm in his neighbourhood; which, after visiting New York, Rhode Island, and Boston, he accomplished. He was now a violent anti-ministerialist, and had published several essays in defence of the colonies. Gates, in a letter to him, says, "a good bed is provided for you, two or three slaves to supply all your wants and whimseys; and space enough about us for you to exercise away all your spleen and gloomy moods, whensoever they distress you." The farm bought by Lee, is described as containing two thousand four hundred acres, and is valued at thirty shillings sterling an acre. Besides these, he had a claim for five thousand acres on the Ohio, to be granted by warrant from Lord Dummore. Gates advises him to be cautious in respect to Gage, and professes his own willingness to join the cause of America. Both military men, and long known as soldiers to each other, they were in exterior and manner extremely different: Gates was courteous, accommodating, and insinuating; with a very prepossessing person: Lee, abrupt, rude, careless, capricious, and so unaccommodating as to be very disagreeable to the neat or the scrupulous, especially to ladies. He was always attended by his only favourites, two dogs; who by his desire, must be at his side in the drawing-room, or at the dinner-table. At the time he entered the American service, and formally renounced his English commission and half-pay, he was supposed to be an immense acquisition to the cause; and it was well known that Washington recommended both Lee and Gates to congress for the several commissions they bore. General Clinton, with a British force, arrived at New York, and Lee came on to that place in 1776, and was very active in throwing up fortifications in and around the town. Tryon and the commander of the king's ships in the harbour "threatened perdition to the town if the cannon were removed from the batteries and wharves;" but, says Lee, in a letter to Gates, "I ever considered threats a *brutum fulmen*, and even persuaded the town to be of the same way of thinking; we accordingly conveyed them to a place of safety in the middle of the day, and no cannonade ensued. Captain Parker publishes a pleasant reason for his passive conduct. He says, it was manifestly my intencion, and that of the New England men under my command, to bring destruction on this town, so hated for its loyal principles, but he was determined not to indulge us; so remained quiet out of spite. The people here laugh at his nonsense, and begin to despise the menaces, which formerly used to throw them into convulsions. To do them justice, the whole show a wonderful alacrity; and in removing the cannon, men and boys of all ages worked

with the greatest zeal and pleasure. I really believe the generality are as well affected as any on the continent." The "convulsions" he alludes to, were the symptoms of terrour shown by the defenceless inhabitants when the Asia fired upon the town. It was the plan of Tryon and others, to divide the colonists; therefore New York was represented as attached to England, and hated by the whigs. But the *people* were, as elsewhere, loyal to their country. New York was found too well prepared, to yield to the force under Sir Henry Clinton, and he sailed to the south, where Lee was despatched to meet him; and when the British appeared off Charleston, General Lee was already there in command. The defeat of the British ships of war by the gallant Moultrie, belongs to the history of the United States; but we must observe that this added greatly to the already high reputation of Charles Lee. Lee and Gates visited Washington, at Mount Vernon, just before he went to congress; and there, doubtless, it was proposed and settled that they should enter the service as American officers.

The family of Hicks had emigrated to New York in 1741, with other English families of the people called friends, who had previously sought a refuge in Holland from religious persecution at home. These emigrants fixed themselves on Long Island, in that part since known as Queen's County, and were among the early settlers of Newtown, Flushing, Jamaica, and Hempstead. Three brothers of the name of Hicks were among these English emigrants—Thomas, John, and Robert. From Thomas, the oldest brother, was descended the subject of this notice—Whitehead Hicks, Esq. He was born at Bayside, on the estate of his father, Judge Thomas Hicks, on the 24th of August, 1728; was educated for the profession of the law, and placed in the office of William Smith, the most distinguished advocate of that day. Among the fellow-students of Mr. Hicks, were William Smith, junior, and William Livingston—one of the foremost champions of American liberty, and the revolutionary Governour of New Jersey. In 1750, Mr. Hicks received his license as an attorney of the City of New York. His career was successful, and he took as a partner in his prosperity, the only daughter of Mr. John Brevoort, of New York city. The predecessor of Mr. Hicks, as mayor, was John Cruger, Esq., who aided him by his friendship in obtaining the honourable office of chief magistrate of the city: indeed, as was understood, Mr. Cruger relinquished the chair only on obtaining the governour's pledge that Mr. Hicks should succeed him. On the 13th of September, 1764, Mr. Hicks was appointed Clerk of the County of Queens; and in October, 1766, received his first commission of Mayor of the City of New York. This appointment was no less acceptable to the people, than his administration of the duties of the office was found satisfactory to the government; for he was

continued in the office to the period in which we find him interposing his paternal hand between the more violent of the sons of liberty and the armed power, which had already commenced the work of destruction upon the city of which he was the guardian.

It must be evident to the reader, that the period of Mr. Hick's mayoralty was one of peculiar difficulty. The arbitrary attempts of Great Britain to deprive the people of the rights of English subjects, (attempts supported by the immediate governours of the colony and by the interested officers appointed by the crown, as well as by those who aspired to office by the favour of the ministry, or derived their supposed aristocratick dignity from an association with those whose honours flowed from the fountain of all honour—the throne,) the detested stamp act and its followers, the wrongs inflicted on the Bostonians, the insolence of the English military, all tended to madden the populace of New York; and their mayor must have possessed uncommon prudence and talents to have been able to soothe the justly irritated, and intimidate the lawless and reckless, in so great a degree as he accomplished for the safety of the city, whose protection from external wrong and internal commotion, was the duty of his office.

In the year 1776, Mr. Hicks was appointed a judge of the supreme court of the province; but the struggle which had commenced, soon caused him to retire with his family to Jamaica, on Long Island; and on the death of his father, soon after, he took possession of his inheritance at Bayside, the place of his birth, where he died, before the termination of that strife whose commencement had surrounded him with difficulties, on the 4th day of October, 1780.

CHAPTER XXXII.

Chatham — Rivington — Livingston — Christopher Colles — Washington — Schuyler.

LORD CHATHAM said in parliament, “the force of this country can crush America to atoms. I know the valour of your troops. I know the skill of your officers. There is not a company of foot that has served in America, out of which you may not pick a man of sufficient knowledge and experience to make a governour of a colony there.” But when the friend of America was brought to

the house of lords, in 1780, to protest against the thought of granting peace to America on the terms proposed, he was so thoroughly convinced that the force of England could not crush America to atoms, that he relied for more aid from Germany, to reduce these feeble Americans to dependence on Great Britain. It seems this great statesman was little wiser in 1776, than Lord Chancellor Northington was in 1766, when he said, were the Americans without the protection of Britain, the little state of Genoa, or the kingdom, or rather republick of Sweden, may soon overturn them.

Chatham has had credit for opposing the mad career of the ministry: he deserves it as respects his foresight of the evils their conduct would bring upon his country, but he had no predilection for America; and showed that his opposition to the ministry was solely for the good of England. The rights and interests of America was never thought of by the oppositionists of England, except as they foresaw in their too great invasion of them, a resistance pregnant with loss to their own country. They would have been content to tax Americans more moderately, and to keep the colonies in that state which allowed of billeting the pensioners and placemen, that could not be provided for in England, in good quarters in America. Chatham and the oppositionists deprecated war with the colonies, because they knew England must suffer; but the ministry, the lords, the bishops, and the people, joined in the desire to punish their subjects, for daring to assume rights equal to those they claimed for themselves.

Lord Chatham opposed war with the colonies; but when, in self-defence, they declared themselves independent states, he died in the effort to arouse the nation to continue that war until America should by the power of England and aid of German auxiliaries, be reduced to obedience, dependence, and of course slavery.

At the commencement, Lord Chatham, who saw that the colonies would probably be lost to Great Britain, and all the benefits arising from holding them in a state of pupilage, shackled by navigation acts, prohibited from making manufactures, and liable to such taxation as England might think best, came forward from his retirement to restrain that violence which was hurrying his country to a disgraceful war. He praised the Americans and their congress, arraigned the measures of the ministry, and moved for an address to the king, beseeching him to order Gage to remove his troops from Boston, by way of allaying the present ferments, and opening a way to the settlement of existing troubles. This motion was rejected. Chatham had recently cultivated the acquaintance of Franklin, which he, when minister, had declined; and having consulted the American, in regard to a bill for settling the troubles in America, brought it forward on the 1st of February. The bill was

rejected, and both Chatham and Franklin abused for offering it to the house of lords, who would not allow it to lie on the table. The American thought, and afterwards said, such a refusal to consider a bill brought in by such a man as Chatham, made him think, that hereditary legislators were as absurd as hereditary mathematicians.

The province of Massachusetts was declared to be in a state of rebellion by parliament, and the king requested to take measures for assuring obedience. A bill was passed for restraining the trade of all the New England provinces with England, and other weak measures suggested to divide the colonies, but the news received of the unanimity of the colonies, caused this bill to be extended to all the provinces except New York, Delaware, and North Carolina. This exception was considered as a mere plan to excite the enmity of the sister colonies against the favoured provinces, and only tended to produce or cement the union when it was intended to prevent.

There is no longer any room for hope—we must fight, said Patrick Henry. We must fight, was echoed throughout the continent, and preparations made accordingly.

I must mention two names less brilliant than generals, and borne by men as dissimilar in character as any leaders of the two great political parties that now divide the province of New York, James Rivington and Christopher Colles. The first, issued proposals, in March, for publishing a weekly gazette, and printed the first number on the 22d of April, 1773.

He was a man of fair complexion and ample dimensions. Always, when the writer knew him, well powdered, and distinguished in his book-store or parlour.

Christopher Colles was a small man, with a singularly democratic appearance. In 1774, he delivered lectures on natural philosophy; and projected water works (which were begun to be executed) for supplying New York with good and wholesome water.

It was to be obtained from high ground to the east of the new road; that is, on the east side of Broadway, near the present intersection of Leonard street; it was also to be raised from a lake or pond farther to the east, extending from what is now a part of Pearl street, to what is now Canal street: all then out of the city. This was the fresh-water, or holk, or collect, of former days. Rivington will long be remembered as the king's printer at the time of the revolution; and there is a street in this city named after him: but the only memorial of Christopher Colles, (a learned, meek, and benevolent gentleman,) is the portrait of a little old man, painted by John Wesley Jarvis, now hanging in the library of the Historical Society.

On the 15th of June, 1775, as already stated, congress elected Washington as commander-in-chief.

It is very certain that for years before this time, many leaders in America foresaw the necessity and wished for a separation from Great Britain; but it is supposed that Dr. Franklin was not one who desired independence for his country, and thought she would be content if wrongs were redressed and insults prevented. After his famous examination at the bar of the house of commons, in which abuse was poured out upon him without measure, the ministry, finding themselves embarrassed, turned their thoughts to Franklin, hoping his influence was so great that he could bring about a reconciliation between the two countries. They therefore sought to mollify him, and, indeed, hoped to bribe him into their service. A lady, the sister of Lord Howe, was made use of, to draw him into a plan to be executed by her brother and the Doctor. The pretence for introducing Franklin to Miss Howe, was her desire to play chess with him; and she brought about interviews with Lord Howe, who was thought of as the commissioner to bring about a reconciliation, by going to America under the doctor's guidance, and in the first place, to secure his services for the ministry.

Franklin was too wary and too honest to be tricked into the views of Great Britain; and that country had proceeded too far in insolence and injustice to retract, which was the only way open for even a temporary reconciliation, and was too proud to apologise to colonists, although sensible of the wrong she had done them. Lord Howe condescended to flatter the American, but soon showed the cloven foot by hinting at reward. Lord Hyde and the quakers, Barclay and Fothergill, were engaged in this business; but Franklin soon found that any plan which could suit him or his country was not such as the British ministry would adopt.

Englishmen, even of the present day, assert that Great Britain sincerely sought reconciliation, (and doubtless she did, upon her own terms,) but Englishmen of this day can no more appreciate the feelings or character of Americans, than they can the men of 1774.

To Howe, who was immediately known by Franklin as an agent of the ministry, the doctor was cautious in his language; but to Barclay and Doctor Fothergill, who saw the injustice and ignominy with which America had been afflicted and assailed, he used the language of the heart. He said, he believed the ministry had wished to provoke the people of America to open rebellion; that Great Britain might be justified to the world in military conquest and executions; thereby indulging that rapacity which would feed upon the colonies, and that proud malignity which would punish

inferiours for daring to resist oppression and assert the rights of English subjects.

David Barclay and the worthy Fothergill were aware, and sent word by Franklin, in 1775, when he returned to Philadelphia, that the offers of the ministry were false and hollow, and that their views were, as they ever had been, to find a larger field on which to fatten their parasites.

Lord Howe, in 1776, though a commissioner to propose peace, was at the head of a powerful fleet; and when Franklin again met him to talk of reconciliation, he found that his lordship and the other commissioners possessed only the power to pardon rebels on submission.

I had thought that the previous actions of George Washington were so familiarly known to every American, that to bring a biographical sketch of his life up to this period, would be supererogatory; but as I have given sketches of inferiour men, when introduced as actors in this history, I have concluded that my work would not be so complete as otherwise, if I omitted a brief notice of the early life of this great man, up to the period of his arrival in New York, on his way to take command of the Americans congregating at Cambridge.

George Washington was the third son of Augustus Washington, and was born on the 22d of February, 1732, near the Potomac River, in Westmoreland County, Virginia—to which place his great grandfather had emigrated from England, in 1657.

The oldest brother of the family, having married a daughter of the wealthy house of Fairfax, George accepted from the rich proprietor of the northern neck of Virginia the appointment of surveyor, at the early age of eighteen, after being prevented by the fears of his mother, then a widow, from accepting a midshipman's warrant in the British navy. When, in 1751, the militia was trained for actual service, he was appointed one of the deputy adjutant-generals, with the rank of major.

France was spreading her chain to enclose the English colonies and bind them to the Atlantic shore, by links of fortresses from Canada to Louisiana, and had already entered on ground claimed by Virginia; and Governour Dinwiddie thought fit, by a special messenger, to demand that the encroachments should be suspended; and he made choice of the young major for this toilsome and arduous journey through the wilds to the French fort on the Ohio. In this journey, he had noted the station at the junction of the Monongahela and Alleghany, as a commanding military post: he had become familiar with Indian manners and life; and after executing his commission so as to enhance his already high reputation, the French not desisting from their great scheme, Virginia raised a provincial regiment, and Mr. Washington was appointed lieutenant-

colonel. He advanced with two companies to the Great Meadows, a post in the Alleghany Mountains, hoping to cover the frontiers. The French were now erecting Fort Duquesne on the spot before mentioned; and a party were advancing upon the Great Meadows. Washington anticipated their movements—met, surprised, and captured them.

After his return to his stockade fort at Great Meadows, he learned from friendly Indians that the French were advancing upon him in great force; he strengthened his fort with a ditch, called it Fort Necessity; but before he had made such preparations as his feeble force permitted, M. de Villier, with a large body of French and Indians, from the trees and high grass, commenced an attack which was sustained all day; when the French beat a parley, offered terms, and a capitulation was concluded.

The conduct of Colonel Washington increased his reputation for skill and courage. In the winter following, Great Britain ordained that all officers commissioned by the king, or by his general in North America, should take rank of all officers commissioned by the governours of provinces, with other degrading regulations; on which, Colonel Washington threw up his commission. His eldest brother dying, left the estate of Mount Vernon to George; to which he now retired. But Braddock having determined to extirpate the French from Fort Duquesne, and hearing of Colonel Washington's talents and knowledge of the country, invited him to accompany the expedition as his volunteer aid-de-camp. The errors and fate of Braddock are known to every child. Colonel Washington, after having two horses shot under him, and two balls through his coat, remained unhurt, mounted on a third horse, and was the only aid of the general, who was conveyed by him and another officer off the field, mortally wounded. Horatio Gates was wounded in his shoulder, and conveyed to Mount Vernon for cure.

Virginia raised more troops, and appointed Washington her commander-in-chief. In this capacity, he had experience of the inefficacy of militia for permanent service, and exorbitant expense for any service, and struggled through the war of 1756-7-8, exerting to protect the frontiers from the French and their Indians, thwarted in his plans by superiour officers, and unable to protect his countrymen from suffering by the hostility of France and the errors of Britain. At length, Fort Duquesne fell, and was called Pitt—now the great city of Pittsburgh. Hostilities ceased, and Washington, resigning his commission, married Mrs. Custis.

Philip Schuyler, the hero of New York, and conqueror of Burgoyne, was the direct descendant of the first Mayor of Albany in 1668. Born the 22d of November, 1733, he was educated by a good and wise mother, until sent to a school at New Rochelle,

where he experienced a long confinement at the age of sixteen, from an attack of hereditary gout. He here acquired a knowledge of the French language, and improved himself in various branches of learning. The exact sciences were his favourite study, and to them he owed his superiour skill in finance, military engineering, and political economy. In 1755, he commanded a company in the New York levies, and served with Sir William Johnson, in the French war. In 1758, Lord Viscount Howe selected young Schuyler as chief of the commissariat department; and the talents of the youth justified the choice. When Howe fell in the ill-judged attack of Abercrombie upon Ticonderoga, Schuyler was directed to convey the corpse of that gallant gentleman to Albany, and there cause it to be buried with appropriate honours. We have seen that Charles Lee was shot through the body, at the head of his company of grenadiers, in this same murderous action, and was received and nursed in the family mansion of the Schuylers at the Flats. After the peace of 1763, Philip, now called Colonel Schuyler, served as a commissioner on the part of New York, in the controversy with Massachusetts, respecting the boundary line. In 1768, he represented the City and County of Albany in the general assembly, and continued his patriotick exertions until the assembly was dissolved by Tryon, in 1775. With the glorious minority he combatted the influence of England, and with George Clinton, Nathaniel Woodhull, Colonel Tenbroeck, and Colonel Philip Livingston, he is entitled to the eternal gratitude of New York and America. In May, 1775, Colonel Schuyler was elected by his fellow-citizens as their delegate to the continental congress in Philadelphia, and had scarcely taken his seat, when he was appointed the third major-general of the American army, and charged by Washington with the command of the province of New York, on the 25th of June. Six days after, congress directed him to repair to Ticonderoga and Crown Point, secure the command of Lake Champlain, and, if practicable and expedient, to take possession of St. John's, Montreal, and Quebec. The difficulties of an expedition into Canada, without the materials or equipments of war, were clearly perceived by him, and strongly felt; but he surmounted them with a rapidity and success that no other individual, says the judicious Chancellor Kent, "could at that period have performed."

Before the end of August, a large force was sent down Lake Champlain under General Montgomery, who declared his happiness in serving under the orders of so competent a commander as Schuyler. But this truly efficient man was prevented following farther than the Isle Au Noix, where he was conveyed in a state of exhaustion from severe sickness, and obliged to fix his head-quarters. Montgomery wrote to him, "I hope you will join us with

all expedition. Let me entreat you (if you can possibly) to follow in a cockle-boat, leaving somebody to forward on the troops and artillery. It will give the men great confidence in your spirit and activity. Be assured, I have your honour and reputation highly at heart, as of the greatest consequence to the publick service." It will be seen how the opinion of this good man will contrast with the words of some others. "All my ambition," said the chivalrick Montgomery to his commander, "is to do my duty in a subordinate capacity, without the least ungenerous intention of lessening the merit so justly your due."

Captain Graydon, who about this time was sent by congress to convey a sum of money to the general from Philadelphia, and found him on the borders of Lake George, says, "Though General Schuyler has been charged with such haughtiness of demeanour, as to have induced the troops of New England to decline serving under his command, as stated in Marshall's Life of Washington, the reception we met with was not only courteous, but kind. His quarters being contracted, a bed was prepared for us in his own apartment, and we experienced civilities that were flattering from an officer of his high rank. Though thoroughly the man of business, he was also a gentleman, and man of the world; and well calculated to sustain the reputation of our army in the eyes of the British officers, (disposed to depreciate it,) as is evidenced by the account given by General Burgoyne of the manner in which he was entertained by him, at Albany He certainly was at no pains to conceal the extreme contempt he felt for a set of officers, who were both a disgrace to their stations and the cause in which they acted!"

Schuyler was obliged to return to Ticonderoga; but never ceased his exertions for the success of the expedition. His very impaired health rendered General Schuyler's situation oppressive. He was charged with the duty of supplying the Canadian army with recruits, provisions, clothing, arms, and money; and to do it adequately, was beyond his power. He was obliged to apply to congress for leave to retire: but his application was not listened to; and on the 30th of November, congress resolved that his conduct, attention, and perseverance, merited the thanks of the united colonies. They expressed, through President Hancock, their greatest concern and sympathy for his loss of health, and requested that he would not insist on a measure which would deprive America of his zeal and abilities, and rob him of the honour of completing the glorious work which he had so happily and successfully begun. General Washington, who always maintained a close and constant correspondence with Schuyler, expressed the same regret and desire; and in his letters of the 5th and 24th of December, conjured both

him and Montgomerie "to lay aside all such thoughts of retirement, alike injurious to themselves, and excessively so to the country. They had not a difficulty to contend with that he had not in an eminent degree experienced." Who can withhold his unqualified admiration of the man, who gave such advice, at such a crisis! To his incomparable fortitude and inflexible firmness, America owes her national existence.

General Schuyler determined to continue in the service; and especially, as he said, "after the fall of his amiable friend Montgomerie, who had given him so many proofs of the goodness of his heart, and who, as he greatly fell in his country's cause, was more to be envied than lamented." The distressed condition of the northern army in the winter and spring of 1776, was quite unparalleled in the history of the revolution. General Schuyler was roused to the utmost limit of exertion, in his endeavours to relieve it, by collecting and despatching men, provisions, arms, and military and naval equipments to the northern posts, and to the army. His attention was directed to every quarter, exacting vigilance, order, economy, and prompt execution in all the complicated concerns of the department. His duty was more arduous and difficult—it was inexpressibly vexatious, and could not be sternly and effectually performed without collisions, provoking jealous, and angry feelings, and requiring large sacrifices of transient popularity. With his exhausted and debilitated frame of body, every person who saw him, concluded that he must soon sink under the pressure of his duties. His incessant correspondence with congress was full of the best practical advice. At that crisis, congress multiplied his concerns to an overwhelming degree. On the 5th of January, he was required to cause the river St. Lawrence, above and below Quebec, to be well explored. He was to fill up blank commissions for the Canada regiments in his discretion. He was to establish an accountability for the waste of the publick supplies. He was to put Ticonderoga in a defensible condition. But the army in Canada engrossed his attention. After the death of Montgomerie, the command devolved on Brigadier-general Wooster. The most alarming, and next to the want of provisions, the most distressing deficiency in the northern army, was in muskets, ammunition, and cannon. The call was also loud and incessant for specie; and General Schuyler went so far as to raise, on his own personal security, £2,100 York currency, in gold and silver, for that purpose. Nothing shows more strikingly the want of arms, than the fact, that even General Washington, in his camp at Cambridge, applied to Schuyler for assistance in that particular. "Your letters and mine," said the former, "seem echoes to each other—enumerating our mutual difficulties."

Great apprehension was entertained at this eventful moment, from the disaffected inhabitants in the Mohawk country, under the influence of Sir John Johnson ; and congress directed General Schuyler to cause the tories in that quarter to be disarmed, and their leaders to be secured. He accordingly marched into that country, in the month of January, and executed the service with such zeal, despatch, and discretion, as to receive the especial approbation of Congress.

CHAPTER XXXIII.

Churches and Clergy—Lawyers and Physicians.

BEFORE I conclude this first volume, it will not be improper to give some account of the churches in the city of New York, and then notice the principal clergy, lawyers, and physicians of New York prior to the revolution.

After Kieft's church in the fort had become the King's chapel, as I have said, the church of the Dutch Reformed, in Garden street was built about 1693. William Smith, in his history of New York, says, it was of stone, and ornamented within by a small organ loft and brass branches. The next Dutch church was built in 1729: we know it as the Middle Dutch: in Smith's time it was called the New Church. The last Dutch church I shall mention, is the North Church, which was first dedicated in 1769, although before that time, Episcopal churches were built. The North Church was built on ground given by John Hardenbrook, and his coat of arms is still preserved over the pulpit. John Street was so named in honour of him. A Dutch church was built at Harlem, and one at Brooklyn.

The Episcopal church was the immediate care of the English government. Fletcher and Cornbury were the early leaders ; and the ministers were missionaries. Fletcher, in 1696, built Trinity Church on its present site. The building was dedicated to the publick worship of God on the 16th of February, 1697, when divine service was performed in it, for the first time, by the Rev. Mr. Vesey, rector of the parish. Mr. Vesey was the first regular clergyman sent over here as rector. His original commission from the Bishop of London is still preserved, and can be seen among the manuscript papers of the New York Historical Society, at their rooms in this city. In the year 1703, the city corporation

granted the ground on which the Trinity Church stood, to be a burial place for the inhabitants of the city forever; and the proceeds of the burial charges were to go to the rector. The original church was a small square edifice, but affording sufficient accommodation to the congregation, till the year 1735, when it was enlarged by an addition at the east end. In 1737, it was again augmented to the size which it appeared in at the time of its destruction.

William Smith, in his History of New York, describes it thus: the church is, within, ornamented beyond any other places of public worship among us. The head of the chancel is adorned with an altar-piece, and opposite to it at the other end of the building, is the organ. The tops of the pillars which support the galleries are decked with the gilt busts of angels winged. From the ceiling are suspended two glass branches, and on the walls hang the arms of some of its principal benefactors. The aisles are paved with flat stone. In this condition the writer saw it in 1775. In a pew fitted up for the purpose, Mr Vesey, preached to the new corporation every October, and was paid five pounds therefor.

St. George's Chapel was built in 1752; and in 1764, the first stone of St. Paul's was laid.

In 1704, the French Huguenots or Calvinists, who had settled in New York, built the old French Church in King, now Pine street. The Rev. Doctor Miller, in his MMS. deposited in the New York Historical Library, tells us, that when the Huguenots first settled at New Rochelle, the only place of worship they had to attend was in New York city. They had taken lands on terms which required the utmost exertions of men, women, and children among them, to clear, and render tillable. They were therefore in the habit of working till Saturday night, spending the night in trudging down on foot to the city, attending worship twice the next day, and walking home the same night, to be ready for work in the morning. Amidst all these hardships they wrote to France, *what great privileges they enjoyed!*

It was not until 1754, that the first stone of a college was laid at New York, under the name of King's College, partly by the munificence of the corporation of Trinity Church, and partly by the British Society for the promotion of the gospel in foreign parts.

Shortly after Doctor Samuel Johnson came to this city from Stratford, in Connecticut, and remained its first president until he returned thither in 1763. The most distinguished of the Episcopal clergy to this time (1774) were Samuel Johnson, S. Auchmuty, S. Provoost, Benjamin Moore, (the two latter successively Bishops of the Diocese,) and the last president of King's College, Doctor Cooper.

One of the earliest sects of christians that appeared in the city,

after the surrender of Governour Stuyvesant, in 1704¹⁷⁶⁴, was that of Lutherans. They petitioned for liberty to send to Germany a call for a regular pastor. This petition, of course, Governour Nicolls granted, and in February, 1669, two years after Colonel Nicolls had left the government, the Rev. Jacobus Fabricius arrived in the colony, and began his administration.

On the 13th of October, 1669, Lord Lovelace, who had succeeded Colonel Nicolls in the government, publicly proclaimed his having received a letter from his master, the Duke of York, expressing his pleasure that the Lutherans should be tolerated.

In 1710, they erected their first church, where Grace Church now stands, and in 1764, the church now standing in William street in the Swamp.

The Friends erected their first church 1696, in Crown street, where it stood until converted to a seed store.

The Jews were scarcely tolerated. Their first church, or synagogue, was built in Mill street, a narrow street so called, from a stream which fell into the great water in Broad street. They built here in 1730; and John F. Watson, in his book on Olden times, says, I once heard from Phillips' family, that in early times, when the Jews first held their worship there, (Mill street,) they had a living spring in which they were accustomed to perform their ablutions and cleansings, according to the rights of their religion.

The Presbyterians built a small church in Wall street, in the year 1729, which afterwards grew, and in despite of the Episcopalians, became in 1747, a great one. In 1766, the Brick Church at the head of Beekman street, was built.

In 1751, the Moravians built a small chapel on the spot where the present church faces in Fulton street.

About the year 1753, the Baptists held their meetings in the rigging-loft in Horse and Cart, subsequently, William street, where in 1767, the Methodists first assembled, and where Whitefield preached at times. The building yet stands with its gabel to the street, and is used as a retail shop. The Baptists began the church in Gold street in 1760.

The Methodists now so numerous and powerful, held their first meetings as above; and Lieutenant Webb of the British army was conspicuous as a member and preacher in his military costume. In 1768, they founded their first church in John street, where now one of their Temples stands.

Among the distinguished clergymen of that time, Jonathan Edwards stands out conspicuous, though very many deserve the record of the historian.

From the days of Dr. Vanderdonk to those of Murray, Smith (the father of the historian) and Alexander, (the father of Gen. Lord Stirling,) when Andrew Hamilton, the great barrister of Philadel-

phia—at the trial of Zenger—established the rights of juries, we find no eminent lawyers, but William Smith, the chief justice and historian, Whitehead Hicks, William Livingston, and John Morin Scott. These men flourished about this time, and made it brilliant for talent. Samuel Jones, (father of two of our most eminent jurists—Samuel Jones, ex-chancellor of the State, and present chief justice of the Superior Court of the city, and David S. Jones,) Richard Harison, John Jay, first Chief Justice of the United States, the lustre of whose name both as a man and a lawyer, is still reflected by his worthy descendant Peter Augustus Jay, and Peter Van Schaack, to whom about 1774, the legislature committed the task of revising the statute law of the province; all shining lights of the bar, and Messrs. Jay and Harison* of the bench, commenced their legal career before the revolution and continued it after the conclusion of peace.

The venerable Dr. Thacher, in his American Medical Biography, very justly observes, New York has strong claims to pre-eminence in the noble pursuit of improvement in medical science and literature: and a writer† still more recent, in his account of the progress of medical and surgical science in this state, remarks as follows: “The nature of the medical profession is such, that its cultivation as a science becomes a duty of vital importance to society; and whenever individuals are congregated to any considerable extent, measures, the offspring of individual efforts or of municipal authority are adopted to aid in the advancement of the healing art. A careful examination (continues he) into the lives and services of those who exercised the abilities of the medical profession in the city of New York, even at an early date, will show that this metropolis has at all times been favoured with some few in this profession whose career was a blessing to the state. Long before the establishment of any thing like a medical school, some pupil of Boerhaave, or a well educated physician of a foreign university might be found among us; and Dubois, Beckman, Dupuy, Macgrath, and Farquhar, are often mentioned as conspicuous in their day and generation.”‡ From the scanty materials furnished me, I shall first notice those of the healing art who seem to have been best known either by their professional services or their public stations. Vanderdonk, in his description of the New Netherlands, mentions the name of Johannes Le Montanye as a physician. The Rev. Johannes Megapolensis, and his brother the Rev. Samuel Megapolensis, were both in the city of New York

* He was Recorder of the City of New York.

† Dr. John W. Francis.

‡ Description of the city of New York, in Hinton's United States, quarto, vol. 2, p. 397, American edition.

at the conquest in September, 1664. The former attended the meeting of the citizens, and proposed the questions as to the conditions offered by Nicoll, in behalf of the Duke of York, to which the citizens gave assent. The latter (Samuel who was also a physician) was one of the commissioners to the treaty, and it was, it is supposed to him that the special provision was made as contained in the eighth article of the treaty.*

Besides Dubois and Dupuy among the early physicians, may be added John Nicoll, M. D., a native of Scotland, and a graduate at Edinburgh. He flourished about 1700. Cadwallader Colden, who has often been noticed as a statesman, was also an eminent physician. He wrote several medical and philosophical papers of value, among which may be mentioned his account of the yellow fever of 1742-3, and was a correspondent of Franklin and Linnæus. Colden died in the 89th year of his age, on the memorable 28th of September, 1776, a few hours before the city of New York was in flames. "Dr. Colden," says Dr. Francis, "began at an early period of his life to pay great attention to the vegetable production of America, in which delightful study his daughter afterward became distinguished: and it has generally been asserted that the eminent female botanist received from Linnæus the high complement of having a plant of the tetrandrous class named *Coldenia* in honour of her merits. The Linnæan correspondence, however, recently published by Sir James Edward Smith, removes all doubt on the subject: the genus was so denominated as a tribute due to Dr. Colden himself. For it deserves to be recollected, that Dr. Colden was the first American expositor of the Linnæan system in the new world. This he taught on the banks of the Hudson almost immediately after its announcement by the illustrious Swede."†

Macgrath was a physician of the Radeliff school, and by birth a Scotchman: he settled in New York about 1740. He was noted for his wit as well as his knowledge; and "seems to have been conspicuous for his strenuous opposition to the practice of employing cold water externally in the treatment of febrile and inflammatory disorders."‡ Dr. John Bard was eminently distinguished as a practitioner in New York for a period of more than fifty years. He was author of an interesting account of the malignant pleurisy which prevailed at Long Island in the year 1749, besides some other medical papers.§ Dr. Ogden, of Long Island, introduced

* Communicated by G. B. Rapelye, Esq.

† Dr. Francis's life of Colden, in *Family Magazine of New York*, vol. 5, published by Redfield.

‡ Dr. Francis.

§ Hosack and Francis's *Amer. Med. and Philosophical Register*.

the use of mercury in the treatment of the malignant sore throat. Dr. Samuel Bard, eminent for his learning and practical skill, wrote on the scarlatina suffocativa about the same time. In 1775, John Jones, an eminent practitioner and surgeon, published his work on wounds and fractures. This book was intended as a guide for young surgeons about to enter into the service of the American army. We find the same John Jones, with Samuel Bard, Samuel Clossy, James Smith, (the brother of the historian of New York,) John V. B. Tenant, F. R. S., and Peter Middleton, the founders and first professors of the medical school established in New York in 1768. This school was connected with Columbia College, then called King's College, and the first medical degrees of M. D. were conferred by them on Samuel Kissam and Robert Tucker; on the former in 1769, and on the latter in 1770. In the records of the early medical literature and science of this state, we also find Richard Bayley, a native of Connecticut, and born 1745, but whose professional life was appropriated to the benefit of the city of New York, and whose papers on the croup and yellow fever will long be cited among the most important contributions to the science of healing; and William Moore, M.D., a native of Newtown, Long Island, who though little known as an author, was long pre-eminent as a practitioner of medicine in New York.*

Were it within our prescribed limits, there are many others whom it would be our duty to notice at some length in these pages as useful and honoured members of the medical faculty, whose career of professional life began shortly after the close of the revolutionary contest of the colonies with the mother country, and who have paid the debt of nature within a late period; as Nicholas Romaine, Samuel L. Mitchill, Edward Miller, David Hosack, Wright Post, and others.

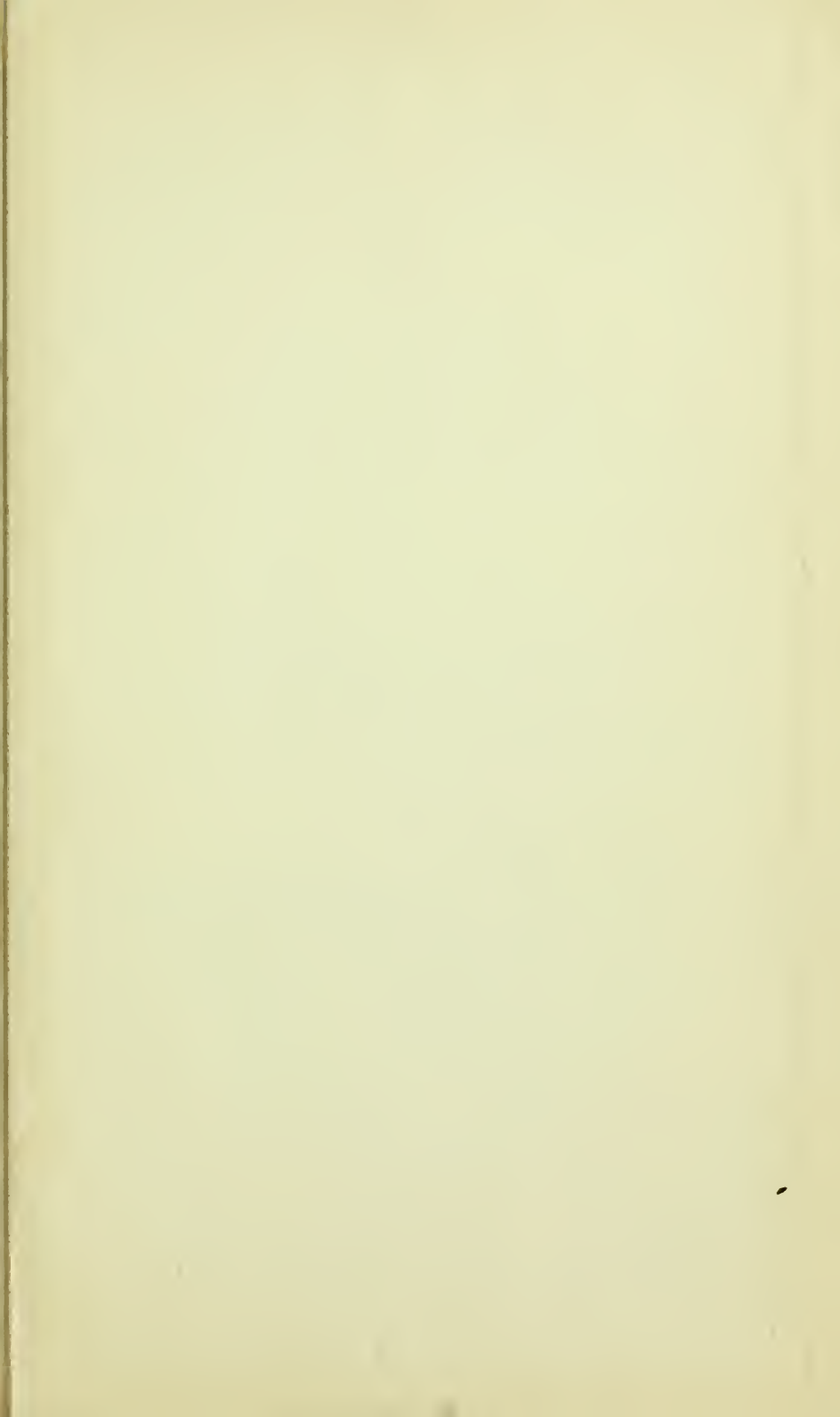
The charter for the New York Hospital, in Broadway, was granted by Lord Dunmore, the governour of the province, 1771, at the instance of Peter Middleton, John Jones, and Samuel Bard. Dr. Bard in particular may be considered its projector. In 1775 the Hospital was burnt down by accident.

* See Dr. Thacher's valuable biography of distinguished American physicians.

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