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To the Honorable Captain Brookes Robert Gouweratt

Sixe after my humble respect promised, I am sorry  
I have occasion to trouble you with this uncomfortable  
Letter. But the case is such I cannot write an idle one: since  
the fact is known is one of our neighbours: John Stratton serves  
by name: hath a negro maid being with child: unknown  
to me till after delivery, it was questioned by her master  
and me: but she denying it but was delivered in the night about  
three in the yard or an out house: for blood was found in  
both: & in the cow trough: where was much water: the  
water was found with blood: the next day much question was  
made that blood came: the negro was questioned being observed  
not well: she denied having any child: the next day after  
which was the second day after her delivery a man in the  
house minded a place to hide the house where he went  
and remained a little while and saw the foot of a child (left)  
and acquainted the said John Stratton her master: immediately  
I acquainted me: I forthwith by warrant to the constable  
ordered a jury of women: who took up the child and brought  
to the negro she owned the child: and laid it to a English  
man a servant to be father of it he then and doth still deny  
: she says the child was borne God: it was borne as is judged  
in due time and a English child: nor eminent learned men  
found on it: but I question her denying it in the trial of  
I have not made more progress in the matter than heard: I  
till I hear from your self: which I humbly intend a little  
or two in direction: most sober neighbours think undoubtedly  
the child was murdered: and it being soe borne and buried  
I think we ought to bear our witness against such behavior  
thus desiring the Lord to direct your honour and all of us to  
discharge our duty as to althings our selves to God: Remains  
your humble servant

Easthampton  
11 April 1673  
The child was borne 11 April 1673  
Thos. Buckner

# BAKER ANCESTRY. 154

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The Ancestry of Samuel Baker,  
of Pleasant Valley, Steuben County,  
New York, With Some of His  
Descendants. : : : : :

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Compiled by

FRANK BAKER

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# INTRODUCTION

It has been the purpose of the compiler to record in this volume the facts that have come to his knowledge as to the ancestors of Judge Samuel Baker of Pleasant Valley, Steuben County, New York, and to give a list of his children and grandchildren. The lists of the descendants of his grandchildren include but a small minority of such descendants. Judge Baker was descended from Mr. Thomas Baker of Milford, Conn., and Easthampton, Long Island; from John Bruen, a personal friend of Oliver Cromwell, through his daughter Mary, who came to Pequot (New London), Conn., with her half brother Obadiah; from Sergeant John Baldwin of Milford, Conn., who for his third wife married Mary Bruen; from Edward Barker of New Haven and Branford; from Captain Thomas Topping of Wethersfield, Milford, Southampton and Branford, a Corporator in the charter granted by Charles II, King of England, to Connecticut in 1662, and a member of the first Council of the first English Governor of New York; and from Deacons John Rose and Peter Tyler of Branford, all English Puritans; from Cornelis Melyn, patroon of Staten Island, President of the Council of "Eight Men" in Nieuw Netherland 1643; Jacobus Schellinger of New Amsterdam and Easthampton and Jan Tyssen Hoes, Dutchmen from Antwerp and Amsterdam; and from Peter (Pierre) Papillon, a French Huguenot of Boston and New Bristol, now Bristol, R. I.; from whom we, the descendants of Samuel Baker, are directly descended, their blood is in our veins; and to understand ourselves we need to understand them, who they were and what were their lives.

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TO SAMUEL BAKER OF PLEASANT VALLEY.

I

Thomas Baker 1618-1700.

II

Thomas Baker 1654-1735.

III

Samuel Baker 1702-1767.

IV

Jonathan Baker 1736-1820.

V

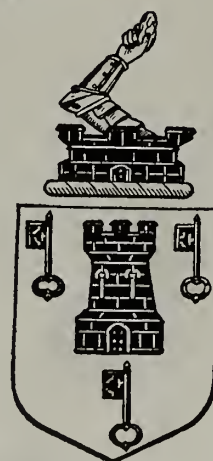
Samuel Baker 1763-1842.

ARMS.

MATTHEWS AMERICAN ARMOURY AND BLUE BOOK PART 1, 1911,  
published by John Matthews, 93 and 94 Chancery Lane, London, contains a Coat of Arms said to be the  
Arms of Mr. Thomas Baker of Milford and Easthampton. I do not know on what evidence the statement  
is founded, but copy from Matthews Armoury the description and illustration.

ARMS—Argent a tower between three keys sable.

CREST—On a tower sable an arm embowered in  
Armour holding a flint stone ppr.





## CHAPTER I.

## MR. THOMAS BAKER AND ALICE DAYTON, HIS WIFE.

Mr. Thomas Baker came from England in 1639 and was enrolled as a "Free Planter" at Milford, one of the original six towns of the New Haven Colony, on the organization of that town November 29, 1639. His descendant, Mary Baker Hedges, Mrs. William Hedges, of Easthampton, has his Bible printed in 1599. In it is the following memorandum in his handwriting of which I give both a *fac simile* and a printed copy:

Thomas Baker was born ye 29 of September 1618  
 Alys ye wife of Thomas Baker was born ye  
 22 of May 1620

we came out of England in the year 1639

Thomas Baker and Alys his wife  
 was married the 20 of June 1643

Thomas Baker was born ye 29 of September 1618. Alys ye wife of Thomas Baker was born ye 22 of May 1620. Thomas Baker and Ales his wife were married the 20 of June 1643. We came out of England in the year 1639.

In an account book of his son Nathaniel, now in the possession of John Baker Strong, his descendant and the owner by inheritance of his farm at Amagansett in the town of Easthampton, is a memorandum in the handwriting of Nathaniel Baker written nearly two hundred years ago, as Nathaniel Baker died in 1739. of this memorandum I also give both a *fac simile* and a printed copy:

Nathaniel Baker was bornd the 22 day of December 1655.

Katherine Baker the wife of the said Nathaniel Baker was bornd the 9 day of Aprill 1656.

The birth of the children of Nathaniel Baker and Katherine Baker. Jonathan Baker was bornd the 12 day of February 1679.

Hannah Baker was bornd the 7 day of July 1681 and dyed the 26 day of May 1714.

Abigal Baker was bornd the 15 day of March 1681. A son was bornd Aprill ye 16, 1686, and dyed about a fortnight after.

Katherine Baker was bornd the 4 day of Aprill 1687.

Mary Baker was bornd the 21 day of November 1689.

Daniel Baker was bornd the first day of August 1692.

Hannah Baker was bornd the 26 day of January 1695.

My sister Hannah Leek was bornd the 26 day of June 1650.

My brother Thomas Baker was bornd the 26 day of July 1654.

This is the account when my father and mother came out of England before they were married. They came out of England in the year 1639.

My father and mother was married the 20 day of June 1643.

My father Thomas Baker dyed the 30 day of Aprill 1700, which was in the eighty second year of his age. Mother Baker dyed the 4 day of February 1708-9 in the eighty eight yeare of her age.

My wife Katherine dyed the 19 day of May 1722 in the sixty six yeare of her age.

I was married to my second wife which was Sarre Post August ye 26 in the yeare 1724.

My second wife Sarah died October the ninth day in the yeare 1727 in the sixty second yeare of her age.

Thomas Baker and Alice Dayton were probably married at New Haven, as in 1643 Ralph Dayton, the father of Alice, resided there. The early New Haven marriage records have been lost. Births, marriages and deaths were not recorded either in the Easthampton town records, or in the church records, until Nathaniel Hunting came in 1696 as successor to Mr. James, who had been the minister since the first settlement of the town in 1649.

Rev. George Rogers Howell, author of a History of Southampton, had in contemplation for some years before his death in 1899 a History of Easthampton with Genealogies. Among his papers were a large number of Easthampton Genealogies.

In the Baker Genealogy was the following entry in Mr. Howell's handwriting:

Thomas Baker came from Ashford, Co. of Kent, Eng., born September 29, 1618, d. April 20, 1700, married Alice Dayton June 20, 1643, who was born May 22, 1620, and died Feby. 4, 1709.

A careful search among Mr. Howell's papers was made for his authority for the statement that Thomas Baker came from Ashford, but none was found. The town of Ashford, as it is now known, is of comparatively modern growth. In Saxon days it was not Ashford but the neighboring village of Great Chart that was the place of importance, but in the reign of King Alfred, Great Chart was laid waste by the Danes and out of the ruins of that place Ashford grew. Shakespeare, in Henry VI, makes the Duke of York say:

"I have seduced a headstrong Kentish man,  
John Cade of Ashford,  
To make a commotion, as full well he can,  
Under the title of John Mortimer."

Ashford had long before 1600 fairs, a market, a court of record and now has a population of 13,668. Hothfield is a village three miles from Ashford with a population of 353, but each place has a church. The Ashford Church, St. Mary's, is mentioned in Domesday Book, and the Hothfield Church, St. Margaret's, was rebuilt by Sir John Fogge in the reign of Edward IV. The parish registers of both parishes since 1560 have been preserved, and in the Archdeaconry Court at Canterbury is a register of Kentish wills since 1449. In the register of the Ashford parish church no baptism or death is recorded which can be said to refer to our ancestor, Thomas Baker. While there are many Baker wills at Canterbury there is none that mentions the Thomas Baker who left England in 1639. The parish register of Hothfield and the transcript of that register at Canterbury contain the following entries:

"1614-15 Feby 10 Tamsen (Thomasine) wife of Thomas Baker buried.  
1615 Nov. 30 Thomas Baker and Frances Downe married.  
1618 Oct 11 Thomas son of Thomas Baker bapt."

The baptism of Thomas Baker so recorded was only 12 days after the date of the birth of our ancestor as entered by him in his Bible. The above entries tend to prove that our ancestor, Thomas Baker, was the son of Thomas by his second wife, Frances Downe, and that he was baptized in the parish church at Hothfield October 11, 1618. Mr. Howell's memorandum, it will be noticed, does not state that he was born or baptized at Ashford, but that he came from Ashford. He may have removed to Ashford before he came to America, or may have named Ashford because it was a place well known, and Hothfield a small place near Ashford.

That Alice, the wife of Thomas Baker, was the daughter of Ralph Dayton of New Haven and Easthampton, clearly appears from the deposition of Thomas himself, taken November 16, 1657, wherein he deposed that, "his father-in-law, Ralph Daiton, had a coulte come of his mare wch had whitefeete & white



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FAMILY RECORD MADE BY NATHANIEL BAKER ABOUT 1730.





about the face and walle eyes", and stating other facts "which made me further to thinke it was my fathers horse." And also from the will of Ralph Dayton, by which he gave legacies to "my daughter Baker" and to "my son Baker", *infra* p. 20. That Ralph Dayton came from Ashford, where he was married and where his children were born, is shown by entries in the Ashford parish register.

"1616 June 16 Ralph Dayton and Alice Wilton married.  
 1618 June 28 Ralph son of Ralph Dayton bapt.  
 1619 May 20 Alice dau. of Ralph Dayton bapt.  
 1623/4 Samuel son of Ralph Dayton bapt.  
 1626 June 28 Robard son of Ralph Dayton bapt."

Ralph, the oldest son of Ralph Dayton, did not come to America. He was twice married, and died Feby. 10, 1705-6, aged 88. His second marriage, the death of both his wives and his own death, are recorded at Ashford. The other three children of Ralph Dayton came with him to New Haven. The Easthampton records show that Ralph Dayton conveyed to his son, Robert, Feby. 13, 1653, one-third of his home lot and other land at Easthampton and from that time until April 16, 1712, when the church records show that he died aged about 84 years, his name frequently appears in the Easthampton records. Samuel Dayton lived at Southampton for many years and then removed to Brookhaven. *Howell's His. of Southampton*.

It is well known to all genealogists that the dates found in parish registers and town records often differ from those contained in family Bibles or given on gravestones, and such differences are not sufficient to overcome the facts disclosed by the records that show that the Alice Dayton who was baptized at St. Mary's, Ashford, May 20, 1619, was the Alice Dayton who married Thomas Baker June 20, 1643.

Ralph Dayton was enrolled as a free burgess, or free planter, at New Haven in 1639, and was a member of the church; later he removed to Southampton and thence in 1650 to Easthampton, where he died in 1658. He is the ancestor of the New Jersey and Long Island Dayton families.

#### Children of Thomas and Alice Dayton Baker:

- i Hannah (2) b. June 26, 1650, m. Ebenezer Leek;
- ii Thomas (2) b. July 26, 1654; m. 1 Ann Topping; 2 Elizabeth Osborn.
- iii Nathaniel (2) b. December 22, 1655, m. 1 Catharine Schellinger; 2 Sarah Post;
- iv Abigail (2) m. ——— Tuthill.

The name of Mr. Thomas Baker first appears in any public record in this country at Milford, November 29, 1639, on the first page of the first book of Records of that town, as one of those who were on that day, "allowed to be free planters, having for the present liberty to act in the choyce of officers for the carrying on of public affayres in this plantation." (Lambert, 89.) The Milford Church was gathered at New Haven, August 22, 1639, and shortly after the settlers took their way through the woods to Milford; and being without the jurisdiction of any town or colony, they proceeded to organize a little self-governing republic. At their first General Court November 20, it was "voted and agreed that the power of electing officers should be in the Church only, and that the persons so chosen should be from among ourselves"; and "that they should guide themselves by the written Word of God until such time as a body of laws should be established." *Id.*, 92. The fact that Thomas Baker was thus enrolled as a free planter of Milford shows not only that November 29, 1639, he was at Milford, but also that he was then a member of its church, qualified to take part in the communion service, and had contributed to the purchase of the land and the expense of settling the plantation. A meeting house was built in 1641. It had special seats for guards and a place near them for their muskets. The men sat apart from the women, and there

was a gallery for slaves. The following is an extract from the town records of February 7, 1643: "By the Brethren and inhabitants of Milford it is agreed that a foot way to the meeting house shall be allowed and maintained with convenient stiles from the west end. The stiles to be maintained by Mr. Nicholas Camp at the west end and by Bro. Thos. Baker at the meeting houses, for the outside stiles and for the inner fences each man shall maintain his stile in the most convenient place and the passage over Little Dreadful Swamp on John Fletcher's Lot shall be by a long log hewed on the upper side." (*N. E. Mag.*, November, 1889, 271.)

Thomas Baker's House Lot at Milford was 10 on the Plat of 1646—a corner lot diagonally across the street from the First Congregational Church. (Lambert, 93.) In 1889 in commemoration of the 250th anniversary of the settlement of the town, a Memorial Bridge was built at Milford with "Memorial Blocks" for the names of the founders of Milford, upon one of which is inscribed the names of

THOMAS BAKER

obit 1700.

ALICE HIS WIFE.

January 11, 1645, Thomas Baker was excommunicated from the Milford Church, and received into the church again January 22, 1647. September, 1650 he was dismissed by the Milford Church to Easthampton.

May 10, 1650, he entered into an agreement with Daniel How (Howe) for the purchase of all Howe's "Accommodations at Easthampton, with howsings, orchards, fencings, land and meadow—withal what he now possesses and what is or may belong to him with relation to his lot as his right to his settling there," for the sum of twenty pounds to be paid on September 29th, when possession was to be given. (1 E. H. R. 4-5.)

The settlement of Easthampton was begun in 1649, by Daniel Howe and six others. The lands comprising the town, containing thirty-one thousand acres, were purchased April 29, 1648, by Governors Eaton of New Haven and Hopkins of Hartford, from the Indians, for certain articles of the value of l.31, 4s, 8d, and the contract was assigned to the inhabitants of Easthampton. The lands were divided among the original settlers in the proportion each had advanced of the purchase money. These settlers were the "proprietors" of the town, and, as in many towns in New England, were a distinct body from the rest of the inhabitants. In 1652 the proprietors numbered thirty-four, most of whom were entitled to a thirteen "acre" lot, some to a twenty "acre" lot, and two, one of whom was Thomas Baker, to a twenty-one "acre" lot. From this it is not to be understood that each proprietor was entitled only to the number of acres mentioned in his lot, but that he was entitled to such a proportion of the lands of the town—the entire tract—as his thirteen "acre" lot, twenty "acre" lot, or twenty-one "acre" lot, bore to the entire number of "acres" comprised in the thirty-four lots. The "acres" mentioned in the lots of the original proprietors were in later years called "acres of commonage." At first home lots averaging eight or ten acres were set apart to each proprietor, and the remainder of the land was allotted from time to time in varying proportions from acre for acre or less, to three, four, five and ten acres for each "acre" of the original lot or "acre of commonage." The result was that the lands of each proprietor, when set apart to him, consisted of widely-scattered parcels. Book A., p. 18 1 E. H. R., 434, contains the lands of Thomas Baker as follows:

The record of the allotment to Mr. Thomas Baker, containing a one and twenty acre lot and plain with all privileges and appurtenances belonging to such an allotment as followeth:—

*Imprimis* The house lot with the addition containing twelve acres more or less, bounded, etc.

2 Five and one half acres on the great plains.

3 Eleven and a half acres of the East Plains.

4 Nine and a half acres of Woodland.

5 A second home lot containing six acres.



And so on, describing, in all, twenty-one parcels of land containing from one to thirty-one acres, all of which were allotted to him by virtue of his ownership of said "one and twenty acre lot."

The greatest allotments were made after his death, in 1706-8-10-36-39-40 and 47. That of 1736 was ten acres for one "acre of commonage."

For an account of the "Common Lands of Easthampton," see the introductions by Judge Henry P. Hedges to Vols. 1 and 4 of the "Records of Easthampton," reprinted in Hedges' Easthampton, Gardiner's Chronicles of Easthampton, and an article on the "Common Lands of Easthampton," by John Franklin Jameson of Johns Hopkins University in *Mag. of American History*, April, 1883:

Since 1748 the Common Lands have been neither extensive nor important. They are regarded as still belonging to the heirs of the old proprietors, but the trustees of the town have long been allowed to manage and sell them, turning the slight proceeds into the town treasury. Almost the last tracts were recently sold, and before long all remnants of the Common Land system will have disappeared from Easthampton, except perhaps one. Certain of the highways were early declared to be subject forever to common pasturage by the proprietors, and now, though the Common Lands are gone, it is generally supposed that a direct descendant of one of the old proprietors may permit his cow to feed by the road-side, while a newcomer may not.—*Mag. Amer. Hist.*, April 1883, pp. 253-4.

Judge Hedges, in his introduction to Vol. 1 of the Easthampton records, says:

The town of Easthampton, settled in 1649, in 1653 built and thatched a church. Tradition locates that church on the east side of the present burying ground, opposite to and west of the house lot of Lyon Gardiner, and also on the east side of the street lived William Hedges. On the west side of the street there lived Thomas Baker and Thomas Osborn, and all within one-fourth of a mile of that church as a centre.

Jonathan T. Gardiner, descendant of that Lyon; Jonathan Baker, descendant of that Thomas; Joseph S. Osborn, descendant of that same Thomas Osborn, are a committee chosen by their fellow-townsmen to procure the publication of the Ancient Records of their town. They have invited the writer, a native of their town, and a descendant of the same William Hedges, to prepare an introduction to such publication.

When Thomas Baker removed from Milford to Easthampton in the summer of 1650, Easthampton was an independent commonwealth. The Dutch at New Amsterdam gave up all claim to that part of Long Island lying east of Oyster Bay, by the Treaty of Hartford, 1650. There was no written compact until 1655, when the following was entered into and signed by all the *freemen* of the town:

Forasmuch as it hath pleased the Almighty God by the wise dispensation of his providence so to order and dispose of things that we the inhabitants of Easthampton, are now dwelling together, the Word of God requires that in order to maintain the peace and union of such a people, there should be an orderly and a decent government established, according to God, to order and dispose, as occasion shall require. We do, therefore, sociate and conjoin ourselves, and successors to be one town or corporation, and do for ourselves and our successors and such as shall be adjoined to us at any time hereafter, enter into combination and confederation together to maintain and preserve the purity of the Gospel of our Lord Jesus Christ which we now possess as also the discipline of the church which according to the truth of said Gospel, is now practiced among us, as also in our civil affairs to be guided and governed by such laws and orders as shall be made according to God, and which, by the vote of the major part, shall be in force among us. Furthermore, we do engage ourselves by this combination to stand to and maintain the authority of the several officers of the town in their determinations and actions, according to their orders and laws, that either are or shall be made, not swerving therefrom. (1 Thompson's L. I. 301.)

The men of Easthampton at this time did not exceed forty in number but the "littel commonwealth," in the words of its own records, has an interest for historians and students of government out of all proportion to its size and numbers. No declarations were made, no resolutions passed, but they organized a government which was in fact a pure democracy and adopted a compact in which no power or source of power other than the "accepted inhabitants" of the town was recognized.

This is the record of the first election, October, 1650: "At a cort of election houlden ye first Tuesday of October there are chosen foure men with the Cunstable for ye ordering of ye affaires of ye Towne." (1 E. H. R. 7.)

This committee for "ye ordering of ye affaires of ye Towne" was a prominent feature of the government of the town up to 1665. Their number varied from three to seven and they are called in the records "Townsmen," the "Three" or the "Seven" Men—the "Committee," and sometimes magistrates. The "accepted inhabitants" in General Court assembled exercised the powers of government, made laws, tried causes, elected officers, admitted or excluded inhabitants, established an army, admitted wills to probate, made treaties, levied taxes, built a church, employed preachers and teachers. The "Townsmen" with the constable sat as magistrates for the trial of causes with a few exceptions, with the right of appeal to the General Court, and also exercised the powers now vested in supervisors, trustees or selectmen.

Thomas Baker was chosen a townsman at the first election, October, 1650, and each year thereafter until 1662. January 23, 1651, he, Robert Bond and John Mulford authorized by Easthampton, and Captain Thomas Topping and others, authorized by Southampton, made a treaty between the two Governments, "for the setlinge of a firme peace to be maintayned and kept at all tymes and from tyme to tyme hereafter upon the termes underwritten." (1 E. H. R. 8-9.) November 9, 1654, it was "ordered that Thomas Baker shall keep the ordinary," and at a later date the General Court "ordered yt noe man shall have libertie to sell strong waters but such as are Deputed thereunto by the towne, and also such as are apoynted for yt and they shall keep an xact and Just measure for to sell the same by & farther they shall not sufer younge people yt are under other mens Government to bee in their house at unseasonable times in the night contrari to their masters or parents knowledge or leave & alsoe such soe Appoynted shall not sufer above half a pint to be sould or drunke among 4 men and soe portionable to yt quantities according vnto the number of psons but in case a stranger come in he may have libertie to have one quarter of A pint if ye man yt is appointed to sell the same doe se yt his nede doth call for it & yt it may be for his comfort." (1 E. H. R. 153.)

In 1657, a charge of witchcraft was preferred against Goody Garlick, wife of Joshua Garlick, an inhabitant of Easthampton. As the custom was in cases to be tried before the General Court, the evidence was taken in depositions before the "townsmen," one of whom was Mr. Thomas Baker, all of which were recorded at length in the town records.

Speaking of this case, Gardiner, in his *Chronicles*, says, p. 44: "It was a cause of great excitement and the charge was attempted to be sustained by numerous affidavits. No less than five men and eight women deposed to facts which, in their estimation, constituted the crime of witchcraft, of which Mrs. Garlick was accused. The malignant eye, the sickness and the death of cattle, the languishment and decease of children, the torments of the pricking of pins, the infliction of pains upon the well and sick, the blasts of the atmosphere by droughts, and unseasonable frosts upon the growing corn, and the extraordinary medical effects produced by simples in the cure of the sick, were all subjects of accusation. The usual accompaniment of apparitions, black cats and harlequin devils, which had alarmed and tormented the subjects of witchery, were not omitted. Much debate arose in the General Court, before which the charge against Goody Garlick had been made as to the manner of proceeding in the case. The statute of the 5th of Elizabeth against witchcraft was not accessible to them, and there being no demonological jurisconsult among the magistrates, they determined by a majority vote to refer the case to the judicial tribunals of Hartford. These tribunals had arraigned and executed a witch in 1647, and having thus had practical knowledge were, in the opinion of the General Court, competent to sit in judgment upon Goody Garlick. The following is the order of the General Court made March 19, 1657-8: "It is ordered and by a major



part of the Inhabitants of this Town agreede vpon yt Thomas Backer and John Hand is to go vnto keniticut for to bring vs vnder their government according vnto the terms as Southampton is, and alsoe to carie vpp Goodwife Garlick yt she may be delivered up vnto the authorities there for the triall of the cause of witchcraft which she is suspected for."

A letter said to be in the handwriting of Governor Winthrop shows the disposition that was made of the case by the General Court of Connecticut:

And ye meantime did take ye case which was presented from you into serious considerations, and there hath passed a legall tryle thereupon; Whereupon though there did not appear sufficient evidence to prove her guilty, yet we cannot but well approve and commend the christian care and prudence of those in authority with you in searching into ye case accordinge to such just suspicion as appeared.

Also we think it good to certify yt is desired & expected by this Court yt you should carry neighbourly and peaceably with out just offense to Jos. Garlick and his wife & yt yy should doe ye like to you. And ye charge wee conceive and advise may be justly borne as followeth: yt Jos. Garlick should bear the charge of her transportation hither and return home. 2ndly yt your towne should beare all their own charges at home & the charge of their messengers and witnesses in bringing the case to tryall here and their return home—the Court being content to put ye charge of ye tryall here upon ye County's account. (1 E. H. R. 8.)

In 1653 the English, under Lord Protector Cromwell, were at war with the Dutch and it was reported in the colonies that the Dutch were inciting the Narragansetts to cut off the English. The commissioners of the United Colonies met at Boston in April, 1653, to consider the situation, and voted that five hundred men should take the field "if God called the colonies to make war against the Dutch."

Easthampton was on the frontier; her Indians greatly outnumbered the English; the dreaded Narragansetts, then and until their fort was stormed at the "Great Swamp fight," more than twenty years later, the most powerful tribe in New England, were only across the sound.

The record made by the men of Easthampton in that time of peril is full of interest to their descendants. There was among them no thought of retreat; they made no call upon others for protection, but at once began to prepare for war. Their first step was to provide a military code. Connecticut, in 1650, had enacted a code of laws, drawn by Roger Ludlow, known as "The Body of Laws," and the military code of that Body of Laws was adopted by Easthampton on April 5, 1653, when her freemen, in General Court assembled, ordered "yt the order in the body of Lawes about Militarie afaiers shal stonde in force with us."

April 15th, the General Court ordered "yt there shal be a watch and a ward for the watch, that 2 shall watch every night and for ward one is to ward every day."

April 26th it was ordered that "noe Indian shall come to the Towne unless it be upon especiall occasion and none to come armed because that the Dutch hath hired Indians against the English."

May 6th it was ordered, "yt a firkin of powder and shott equivalent shall be sent for to Coniticut and men shall make pey eyther in Wheat, Butter or cheese at Goodman Clarke's at the River's mouth at Mickelmas," and also that "every man shall apeare at the meetinge forthwith upon any alarum made upon penalty of paigne ten shillings, the alarum beinge one gun and the beat of the drum."

May 9th it was ordered "yt noe man shall goe forth of the towne to worke or stay in other towne or place without acquainting two of the three men at the least and have liberty from them, upon penalty of paigne of 40 s for every daye's absence."

In July New Haven and Connecticut, pursuant to the majority vote of the Colonial Commissioners, called on Massachusetts for her quota of the five hundred troops. Governor Endicott declined to honor the call. New Haven and Connecticut then sent agents to England to petition Cromwell to send ships and

troops to aid them in fighting the Dutch and to command Massachusetts to take part in the war. Cromwell sent four ships and a few troops, which were at Boston June 1, 1654, and the colonies were called upon for troops, Connecticut for 200, New Haven for 133 men.

Notice of this request reached Easthampton by way of Connecticut. It was the settled policy of the men of Easthampton to do nothing in haste which could be put off for reflection and consideration, and so on that day they did not determine what their answer to Connecticut should be, but with characteristic prudence and foresight they took steps to prepare their soldiers for active service. On that day it was by the General Court ordered "yt the Military officer or officers at all tymes when they see need hath power given them to call out any man or soe many men to employ them and command them upon such duties and occasions as from tyme to tyme and at all tymes they shall see needful for the Defence and good of the tyme and place. \* \* \* The military officers that are chosen by ye Company, namely, Thomas Talmage and Thomas Baker, are confirmed by the Court." Thomas Talmage was lieutenant and Thomas Baker was probably sergeant or possibly ensign. (1 E. H. R. 57.)

On June 29th the freemen of Easthampton again assembled in General Court determined what should be their answer to Connecticut's request for troops by this resolution: "Having considered the letters that came from Connecticut wherein men are required to assist the power of England against Duch we doe thinke ourselves caled to assist the sd power." (*Id.*, 58.)

Before the fleet sailed from Boston peace was concluded between Cromwell and the Dutch, and so the Army of Easthampton, ten, fifteen, possibly twenty strong, with their arms and that "firkin of powder and Equivalent of Shott," under Lieutenant Talmage and Ensign Baker, was not called upon to march away to take ship for New Amsterdam, to "assist the power of England against the Duch."

May 3, 1658, a treaty or compact was entered into between the General Court of Connecticut and Lyon Gardiner, Thomas Baker and John Hand in behalf of Easthampton, whereby Easthampton was placed under the jurisdiction of Connecticut. (3 N. Y. Doc. COL. HIS. 27.) By its terms two magistrates were to be chosen at the General Court of Election of Connecticut in May of each year, from three freemen of Easthampton who were to be nominated by the town, and the magistrates so chosen were to be magistrates of the General Court of Connecticut as well as magistrates for the administration of justice. The General Court of Connecticut was then composed of Magistrates chosen by the General Court, and Deputies chosen by the towns, but the agreement of union made no provision for the election of Deputies from Easthampton. This agreement continued in force until the Conquest in 1664.

On May 20, 1658, Thomas Baker was by the General Court of Connecticut elected one of the magistrates of that Court, and re-elected in 1659-60-61-62. (2 Palfrey's New Eng. 638. Trumbull's Conn. 233-35-39-49.)

April 20, 1662, Charles the Second granted to Governor Winthrop and his associates the "Great Charter" of Connecticut—a charter as free and democratic in its spirit and provisions as any constitution of modern times. The General Court consisted of a Governor and twelve "Assistants" to be chosen by the General Court, and Deputies chosen by the towns. On October 9, 1662, this charter having been received, a new election was held and Thomas Baker chosen one of the Assistants, and re-elected in 1663. Trumbull 250-257. (2 Palfrey, 638.)

The inhabitants of the Eastern towns, upon learning of the granting of the Connecticut charter, were desirous, either that they should be recognized as a part of Connecticut, a local government under that province established, and a Patent for their lands secured, or that a Patent might be obtained from the King, making out of the towns of Easthampton, Southampton and Southold an independent corporation or commonwealth.



The following orders of the General Court of Easthampton relate to the matter mentioned:

Nov. 26-62. It is Joyntly and fully agreed that Mr. Tho Baker Mr. Tho James Mr. Lion Gardiner Mr. Rob. Bond Mr. James Mulford Tho. Tomson & Tho Chatfield shall goe to Southampton the next second day to compound a difference between us and Capt John Scott Esq. and Mr John Ogden about Meantiquit and doe hereby engage to ratify and confirm what our Comitti shall conclude upon, and alsoe wee doe impower this our Comitte to Joyne with Southampton and Southold about a patten grant.

January 28-63. At a town meeting it is ordered that " John Straton & Jeremy Meachen shall be Committees for the matter next above written, instead of Mr Bond and Mr Mulford to Joyne with Mr Backer & Mr James to act with Southampton and Southold Comittees as above sd." Some agreement for a Patent seems to have been made, probably with the Government of Connecticut, for orders as to how the one hundred and fifty pounds to be paid for their Patent were to be raised were made February 23 and March 23, 1664. On April 26, 1664, the following order was made:

At a towne meetinge the towne doth desire those men that doe goe to Hartford to debate together and with the neighbor Plantacons for the things of mutuall Consernement betwne Hartford and us for our further settlement but to conclude of nothing as understanding that the Governor will come over or a Committee from the General Court.

In May, 1664, the General Assembly of Connecticut declared that they claimed all of Long Island, as one of the adjoining islands expressed in the charter " except a precedent right doth appear approved by His Majestie," and appointed Magistrates in each town and Commissioners to settle the English Plantations under their Government. (1 Thompson, 114.)

In fact March 12, 1664, and before this declaration was made, Charles II had granted to his brother James, Duke of York, a Patent for the country between the Connecticut and the Delaware, and the adjoining Islands. An expedition was at once sent against New Netherlands under the command of Col. Richard Nicoll, who was appointed Governor by the Duke, and to him on August 27, 1664, Governor Stuyvesant formally surrendered the Province. Governor Nicoll at once entered upon negotiations with Governor Winthrop of Connecticut for a settlement of the boundaries of the respective provinces, with the result that Connecticut gave up all claim to Long Island and obtained for its western boundary a line only twenty miles east of the Hudson. The people of the Eastern towns most reluctantly assented to the transfer from the Connecticut to the Duke's Government, and from the time of such transfer until the Revolution of 1688, which deprived the Duke of York, then James the Second, of his throne, they were most earnest and persistent in their efforts to escape from his dominion. Their reasons are abundantly shown by the records of the towns and of the province. They were Englishmen and brought with them the doctrine that it was the right of every Englishman to participate in the making of laws by which he was governed, and that taxes could only be imposed upon the people with their consent by their representatives in a general assembly. The right of Englishmen, so fully recognized in the Charter of Connecticut in 1662 and in the Charter of Rhode Island granted shortly before, found no recognition in the Duke of York's Patent. That Patent made no provision for a General Assembly, or for any voice of the people in the Government. The Governor, with the advice of his council, had the exclusive power of legislation, and he alone had the power to appoint public officers, including justices.

In February, 1665, Governor Nicoll issued a proclamation for a " General Meeting " of two deputies, " the most sober, able and discreet persons," from each town, to be elected by the freemen to convene at Hempstead the last day of February, to the end that " he might receive their best advice and information in the discharge of his trust and duty to settle good and known laws in the Province." Thomas Baker was elected one of the Deputies from Easthampton to this Hempstead General Meeting. (1 Thompson,

132.) A Code of Laws prepared by the Governor was submitted to the Deputies. They suggested certain amendments, some of which were adopted by the Governor, and the assurance given that any reasonable amendment, offered by any town at the Session, and by the Justices at the Assizes, should receive consideration. This Code of Laws, known as the "Duke's Laws," remained in force until 1683 when the first Colonial Assembly met. The Deputies remonstrated against the assumption of all power, especially that of making laws and appointing justices, by the Governor, but were told by the Governor that if they "would have greater share in the government than that provided for in the Charter, they must go to the King for it." The Constable and Overseers became the local authorities in place of the "Townsmen" and tried causes under five pounds. The Justices of the Towns in the Riding composed the Court of Sessions, and in that Court the Governor, Members of the Council, Secretary or High Sheriff, could sit, and any one of them who was present presided. The Court of Assizes was held in New York and was composed of the Governor, his Council and the Justices.

The contest of the people of Easthampton against the Government so placed over them by royal charter alone, began at once, and in that contest Mr. Thomas Baker took a leading part.

February 9, 1665, Six Deputies were chosen by Easthampton to meet with Deputies from Southampton and Southold "to consider of the best way whereby we might procure a redresse of such grievances as are at present upon the Plantacons both with respect of the foundations of this Government, viz., that we might have Deputyes to act in behalf of the severall towns, as alsoe concerning the Laws themselves and their late amendments, as they are called." (1 E. H. R. 241.) The people of the three eastern towns refused to elect Constables and Overseers, because the law creating those offices was made by the Governor—not by the people or delegates chosen by the people,—and on April 19, 1666, Governor Nicoll wrote them this letter:—

The Governor to Ye High Sheriffe, Capt. Topping, and Mr. John Mulford, Touching Ye Inhabitants of South Hampton, East Hampton, and South Hold.

Upon advice from Southton and Easthampton that neither the Inhabitants of these two towns, nor ye Inhabitants of Southhold, have made Choyce of Constable and Overseers, at ye time appointed by Law, towards the orderly management of such particular Township in their private as well as in ye publick concerns, of this his Royall Highnesse the Duke of Yorke's Governmt., I am not a little moved agst ye close and seditious practices of some who secretly distill into ye hearts of his Maties good subjects, such refractory and mutinous humours, as tend to ye disturbance and breach of the lower Establish't., but I am much more troubled to hear that such wicked designes should have such a Gen'all Influence upon those three Townes, contrary to the Duty they owe to his Ma'ty, whose Crown and dignity, wisdom & Power, I must and will assert, not only against his publike, but his private Enemyes. I am willing to believe better of the good Inhabitants of Southhold, having heard that the delay of choosing the Select-men formerly hath hapned in those parts, however, my present directions are positive, that you summon ye Inhabitants of South-hold together and shew them where the Law doth enjoyne ye eleccion of a constable and four New Overseers, for the year ensuing, in their Town. And further, that I have taken notice of their Neglect, contrary to Law, and therefore that they are, by these presents required at that very mention to proceed to an election of a Constable and Overseers according to Law, otherwise, I shall be necessitated to declare against the dissenters therein, as mutinous condemners of ye Lawes Establish't., and disturbers of the peace of this Governm't, and shall (with God's assistance) proceed agst any or every person according to Law, in those cases provided.

ffort James in  
New York, ye 19th of  
April 1666.

I am

Your Lo. ffriend

RICH'D NICOLLS.

(14 Doc. Col. His. 577.)

At the Hempstead Assembly in 1665, Long Island, Staten Island and probably Westchester were erected into a shire, called Yorkshire. The towns now in Suffolk County comprised the East Riding of Yorkshire.

March 22, 1667, the Governor issued his warrant to the High Sheriff of Yorkshire to send a warrant



to the Constable in every town for a rate of one half penny a pound for the year 1667, for Commissioner's charges. The people of Easthampton met in Town meeting, May 24, 1667, to act upon this demand that they pay a tax levied without their consent, and this is the record of that meeting:

Vpon debate at A Towne Meeting about the money which was demanded of the towne for the Commissioners Charges: it was agreed vpon by the towne not to pay it: thinking it not meet to pay it, wherefore they have appointed Mr. Backer to speak for them in that case. (1 E. H. R. 256.)

November 2, 1669, Easthampton presented a petition to Governor Lovelace, who had succeeded Governor Nicoll, praying:

That what was promised by Governor Nicolls and ye rest of his *Maj'ties* Commissioners should be made good to us; viz: That we should be protected by his *Maj'ties* Lawes & enjoy such privileges as others of his *Maj'ties* Subjects in America do enjoy, which privileges consist in advising about and approving of all such Laws of ye Gov'r with his Council as may be for ye good and benefit of ye Commonwealth not repugnant to the Laws of England by such deputyes as shall be yearly chosen by ye Freeholders of every Town and parish and Likewise to be informed what is required of us as his *Maj'ties* by either of ye Commissioners granted by His Royal Higness, The Duke of York.

In his answer Governor Lovelace states that it did not appear that Governor Nicolls made any such promise, and that he could not comply with their requests, and further that nothing was required of them but to be submissive to the Laws of the Government. (14 N. Y. Doc. Col. His. 631.)

Easthampton then resolved to appeal to the King.

May 4, 1671, it was voted by the town of Easthampton that Mr. Thomas James and Mr. Thomas Baker of this town have full power to treat with the towns of Southampton or Southold or their agent concerninge procuring a Charter: and what privileges and liberties can be procured: either for the three towns in general or for this town in particular or to make an agreement with any person or persons now bound for England in order thereto, and what these our agents shall conclude upon wee ingage ourselves to the true performance of the same. (1 E. H. R. 337.)

May 30, 1672, Governor Lovelace sent the following letter to the Commissioners of the eastern towns of Long Island:

Haveing lately receiv'd a Lett'r from his *Ma'tie* by the way of Boston, wherein hee precautions us (by reason of ye Troubles w'ch are like to arise in Europe, to prepare, & put our Selves into ye best posture of Defence, wee are capable of; I thought good therefore to acquaint you with it, that soe at ye Sessions you might consider with ye Country what will bee most necessary to bee practixed in order to yo'r Security; The Determinacon I should bee gladd to receive by ye Return of Ye High Sheriffe, that soe I might ye better bee able to assist you by my Power. I am likewise to acquaint you of ye necessary resolutions I have of repaying the Walls of this fforte w'th some stronger ffortifications than heretofore it was, & being altogether incapable to perform such a work by my Publick Stock here, I have thought good to recommend our condition to yo'r and ye Country's Consideracon, to contrive and send such an Assistance as may (in some sort) bee helpfull to mee in that Vndertaking. You will know I have been very tender to press this point to you; It being now the first I have desired of you in that kinde. Thus not doubting of yo'r chearfull Concurrence w'th mee in a work w'ch so nearly concerns ye publick safety, I take my leave of you, & bidd you heartily Fare-well.

Yo'r Assured Friend to serve you,

FR: LOVELACE.

Forte James ye 30th May, 1672.

(14 N. Y. Doc. Col. His. 667.)

But neither the soft words of their Governor nor the wishes of their King could bring about the "chearfull concurrence" of the people of three Eastern Towns in the payment of any money for the support of the government not levied by a General Assembly chosen by the people. They at once sent

deputies to a meeting at Southold where it was agreed that they would contribute "if they might have the privileges that other of his Majesty's subjects in these parts have and do enjoy." (1 Thompson 148.)

Easthampton's endorsement of this action was prompt and emphatic:

June 24th, 1672. It is agreed by a voate of the Inhabitants that the act of the Justices and Deputyes assembled at Southold according to order from the Governor to consider for our Safety in this time of Danger & the letter that was sent by them to the Governor of their determination that they would contribute to the repairing of the Fort att Yorke if they might have the privileges that others of his Majesty's subjects in these parts have and doe enjoy. It is well approved by this town & they are willing to answer to their part in the charge according to this act if the privileges may be obtained, but noe otherways. (1 E. H. R. 346. Gardiner's E. H. 242.)

At a Council held at Fort James, July 1, 1672, the following minute was made:

The Letter of Return from ye East End of Long Island about a contribution towards the ffortification was read. The Governor will make answer to this letter and take notice of the meaneness of their contribution. (14 Doc. Col. His. 668.)

July 30, 1673, New York was captured by the Dutch, and Captain Anthony Colve appointed Governor. On August 15 a Council of War summoned Easthampton and the other towns to send to Fort Wilhelm Hendrix, Deputies with their Constables' Staves and English flags, and receive in their stead Flags of the Prince of Orange. (2 N. Y. Col. His. 572.)

Aug. 14, the Delegates arrived, Rev. Thomas James from Easthampton. They preferred nine requests. The fourth was: "That wee may always have Liberty to chuse or owne officers, both Civil and Millitarj." Sixth: That noe law may be made or tax imposed uppon ye people at any time but such as shall be consented to by ye Deputies of ye respective townes."

The answer to the fourth was that the towns might nominate a double number of their magistrates from which the Governor would select. To the sixth, that in case the Dutch towns should send Deputies the Petitioners might do the same. (*Id.*, 583.)

Oct. 2, the town sent a Petition, signed by their Recorder, asking that they might be left to be regulated by their former laws. (*Id.*, 640.)

Cornelius Steenwyck and others were sent in the Frigate Zeehond to compel submission and reported to the Council of War that: "having been commissioned to proceed to the towns of Southampton, Easthampton and Southold, to encourage the inhabitants there to dutiful obedience and to have the oath of allegiance administered to them, returning this day report that said inhabitants exhibited an utter aversion thereto making use of gross insolence and threats, so that the Commissioners were obliged to return, their object unaccomplished."

No further attempt was made to establish the authority of the Prince of Orange in the Eastern towns.

By the treaty of Westminster, February 10, 1674, peace was concluded between the English and the Dutch and New York was restored to the English.

June 26, 1674, the Duke of York obtained from the King a new Patent of New York, and appointed Major Edmund Andros Governor, who took command in October. Nov. 5th, Governor Andros ordered the three Eastern towns to restore to office the Constables and Overseers who were in office in July 1673. The people in the three towns were most unwilling to be transferred from Connecticut, where their rights and privileges were secured by the Charter of 1662, to the Government at the Duke of York, but their memorials and remonstrances were unavailing and they were compelled to submit to the demands of the Governor of New York.

The arbitrary conduct of Governor Andros in refusing to call an Assembly and forcing upon the



Province laws enacted on his mere motion—especially one establishing for them heavy rates of customs—greatly increased the bitterness of the opposition to the Government in Easthampton.

September 24, 1681, Easthampton chose Capt. Hobart and Mr. Thomas Baker to go to Huntingdon as agents of the town to confer with agents of the other towns about matters to be presented to the Court of Assizes. (2 E. H. R. 103.) The result of the Huntingdon meeting was that the Court of Assizes presented the want of a General Assembly as an insupportable grievance. Still no Assembly was called and at the General Training in June, 1682, the people of Easthampton drew up a petition to the Governor of which their descendants may well be proud. In this Petition Judge Hedges says "more than ninety years before the Declaration of Independence they proclaimed the free principles upon which it was based. It is believed that no people in this country saw farther or earlier the correct principles of a free representative government. None placed them upon the records before them." This Petition written probably by Mr. James, the minister, is as follows:

*To the Honourable the Governour under his Royall Highness the Duke of York.*

The humble address of the Inhabitants of the Towne of Easthampton upon Long Island, sheweth:

Whereas at the time the government of New York was established under our Sovereigne Lord the King, by Collonell Richard Nicolls and those gentlemen sent in commission with him, wee the Inhabitants of this Towne, soe well as the rest of the Island, being required sent our messengers to attend their Honours, and then both by word and writing, wee were promised and engaged the Enjoyments of all privileges and liberties which others of his Majesty's subjects do enjoy, which was much to our content and satisfaction. Alsoe afterwards being required by those his Majesty's Commissioners, to send up our Deputies to meet at Hempstead, and there the whole Island being assembled in our Representatives, wee did then and there upon the renewal of those former promises of our freedom and liberties, Grant and compact with the said Collonell Nicolls, Governor under his Royal Highness, That wee would allow so much out of the estates yearly as might defray the charges of Publicke Justice amongst us and for killing wolves, etc. But may it please your Honour to understand that since that time we are deprived and prohibited of our Birthright Freedomes and Privileges to which both we and our ancestors were borne; although we have neither forfeited them by any misdemeanour of ours, nor have at any time been forbidden the due use and exercise of them by command of our Gracious King, that we know of. And as yet neither wee nor the rest of his Majesty's subjects upon this Island, have been at any time admitted since then to enjoy a general and free Assembly of our Representatives as other of his Majesty's Subjects have had the privilege of. But Laws and Orders have been Imposed upon us from time to time without our consent (and therein we are totally deprived of a fundamentall Privilege of our English Nation) together with the Obstruction of Trafficke and Negotiations with others of his Majesty's Subjects, so that we are become very unlike other of the King's Subjects in all other coloneyes and jurisdictions here in America, and cannot but much resent our grievance in this respect, and remain discouraged with respect to the settlement of ourselves and Posteritie after us. But all this time, payments and performance of what hath been Imposed upon us hath not been omitted on our parts, although performance of our Promised Privileges aforesaid have been wholly unperformed and what payments from years to years, this many years hath been made by us, hath been made use of to other purposes than at first they wer granted for and intended by us. Soe that wee cannot but feare if the Publicke Affairs of government shall continue in this manner as they have been; but hope better lest our Freedomes should be turned into Bondage, and our Anciente Privileges so infringed, that they will never arrive to our Posteritie, And we ourselves may be justlie and highly Culpable before his Majestie to our Subjection to and supporting of such a Government, constituted so contrarie to the fundamentall Lawes of England, it being a principale part of his Majestie's Anciente and Just Government to rule over a free people endowed with many privileges above others, and not over Bondsmen oppressed by Arbitrary Impositions and Exactions. These things considered we cannot but humbly request your Honour to weigh our Condition in the Balance of Equity with Seryousness before you proceed to any Action of your owne, whereby to assert the proceedings of your Predecessors in Government which wee now with all Christian moderation doe complain of. And for the redress here of an address, as we understande hath been made to his Royall Highness by a late Court of Assize in behalfe of us and our Neighbors in this Colloney. Soe that we are not without hope. Your Honour hath received Directions to ease us in those our grievances, by the Remedies humbly represented by us and petitioned for by the Inhabitants of this Island to the last Court of Assize that did site att New Yorke, to which as yet no Satisfactorie Answer hath been made. If, therefore, your Honour may be an Instrument under God, and his Majestie, our Sovereigne Lord the King to relieve us, and the rest

of his Majestie's good Subjects upon this Island in our grievances, and bee a means to help us to the free Enjoyment of our Birthright Privileges, which the fundamentall Constitution of our English Nation's Government doth invest us with, (which as we doubt not, will bee very pleasing to his Majestie and all your Loyall Superiors,) so your Honor may bee assured it will firmly engage and oblige us your humble Petitioners, and our Posteritie after us to have your Prudence and Justice in Honorable Remembrance, as the first Restorer of our freedome and privileges to our great contentment. But, sir, if it should fall out otherwise, which God forbid, and wee are very unwilling to suppose, and that your Honour should by reason of Counsell and Suggestions pursue a Contrary Course to our humble Desires, soe as to continue or augment our grievances, then wee request your Honours Pardons and Excuse if our conscience to God, and in honour and submission to his Majestie, our most Gracious Sovereigne, we prostrate ourselves and our State and Condition before the throne of his unmatched Justice and Clemencies, where we doubt not to find Reliefe and Restoration, and can doe no less in the meantime, but Resent our forlorn and bereaved Condition. So, sir, as our prayers are continued for a happy and glorious Reign to his Sacred Majestie the King, and alsoe our prayers shall be for your Honour, that you may be a blessed Instrument under God, in your Wisdom, Justice and Equity over us. And Humblie make bold to subscribe ourselves his Majestie's poore, depressed though Loyall subjects, and your most Humble Servants. (1 E. H. R. 112-169. 2 Thompson 328.)

Governor Andros left the Province in 1681, and from that time until Col. Thomas Dongan, the new Governor, arrived, August 27, 1683, Anthony Brockholles presided as Commander-in-Chief. Governor Dongan issued writs in the name of the Duke of York to the High Sheriff, Col. Young, for an election of representatives to meet him in Assembly the 17th of October 1683. The action of Easthampton was prompt and characteristic:

Easthampton, Septemb. 24, 1683.

Att a Legal Towne Meeting there Left. Thomas Talmage (and others) were chosen to meete at Southold upon Wednesday next to joyne with ye Committee of ye other Townes in chusing two Representatives for thee Rideing to meet at York according to order. The Towne alsoe have desired and chosen Mr. Thomas James to goe along with our men and to advise with them in or concernes & have Impowered the persons above mentioned to joyne with the rest of the Rideing to give ye Representatives Instructions to stand upp in ye Assemblie for the Maintenance of our privileges and English Liberties. And Especially against any writt going in ye Duke's name, but only in his Majesti's, whom wee only owne as or Sovereigne; also in ye Townes name to certifie Capt. Young yt they do not send these persons in obedience to his warrant but only because wee would neglect noe opportunity to assert our owne Liberties. (2 E. H. R. 134.)

I offer no apology to the descendants of Thomas Baker for giving in so much detail the account of the contest of the first settlers of Easthampton for liberty and their rights as Englishmen and of the part taken in that contest by him. Take the record of May 24, 1667. "Upon debate at A Towne Meeting about the money which was demanded of the Towne to pay the Commissioners charges, it was agreed upone by the town not to pay it, thinking it not meete to pay it, whereupon they have appointed Mr. Backer to speak for them in that case." It was not "meete" to pay that money because the order to pay it was made by their Governor, and not by the people or the representatives of the people. The principle of that vote is the principle upon which John Hampden resisted the payment of the ship money two years before Thomas Baker left England and upon which more than a hundred years afterward Samuel Adams and Hancock and Warren resisted the Stamp Act—the principle that by the Law of England no power but the people can tax the people.

The descendants of Thomas Baker ought to take a greater and a juster pride in the record of that town meeting which shows that he was chosen by the people of his town, to speak for them and their town, in such a cause, than they could take in a record showing his right to coat armor.

Coming back to the personal history of Thomas Baker; in October 1665 he was foreman of the first grand jury that sat in the Province of New York, the grand jury at the first court of Assizes held at New York. Of this grand jury, Jacob Leisler, who in 1688 seized the Government and was convicted and executed for treason, was also a member. An indictment was returned against Ralph Hall and Mary his wife, for murder by witchcraft, upon which they were tried by a jury and the following verdict rendered:



Wee having seriously considered the case committed to our charge against ye prison'rs at the Barr, and having well weighed ye evidence, wee finde that there are some suspitions by the evidence, of what the woman is charged with, but nothing of considerable value to take away her life. But in reference to the man wee find nothing considerable to charge him with. (4 Doc. Col. His. 133.) (Smith's N. Y. 1815, 509.)

In 1666 he was chosen overseer, and the next year constable. This was then an office of much importance. The constable presided at the Town Meeting, was the only officer who carried a sword or wore a uniform, and the constable's staves were the insignia of authority. In January, 1675, he was appointed by Governor Andros Justice of the Peace for the East Riding of Yorkshire. To this appointment in the place of his particular friend John Mulford, Mr. Thomas James, the minister, seems to have been opposed, and represented to the Governor that Mr. Baker "was an excommunicated person and soe very unfit for Public employ." Mr. Baker had been excommunicated by the Milford church thirty years before, but was received back into the church two years later. He had in 1671, in behalf of the people of Easthampton, protested to the Governor against the confirmation of a purchase of lands from the Montauk Indians by Mr. James and Mr. John Mulford, upon the ground that such purchase was against the order of Governor Nicoll and deprived the other people of the town of their right of commonage in the lands so purchased. (14 N. Y. Col. Rec. 650.) The town records show that there had been dealings in horses between Mr. James and Mr. Baker, and such dealings, or the above protest, rather than the ancient church trouble, may have been the real cause of Mr. James' opposition to Mr. Baker's appointment.

The action of Governor Andros upon Mr. James' protest was well calculated to show what foundation, if any, there was for his charged against Mr. Baker. He wrote Mr. John Topping, Justice of the Peace of Southampton, as follows:

Whereas upon complaint in the behalf of (and a letter of Nov'r. last from Mr. Thomas James a Minister at East Hampton, to Mr. Wilson against Mr. Thomas Baker of the same Towne; representing him to bee an excommunicated person and soe very unfit for Publick employ. Also another letter from the same Mr. James of the 25 inst. to the same effect, and referring to his former letter, noe part of which having been before acquainted of either by Mr. James or any other of that Towne, though there and did particularly desire to be informed of all material concerns: Having informed myself as well as I could of the said matter particularly by Stephen Hand present constable accidentally here, who saith he hath nothing to allege against Mr. Baker. And being informed that it is an old business of twelve or more years standing: ffor remedying which among Christian neighbors that Justice may be done to either party: You are therefore to require Mr. Thomas James to give you forth with, as soon as conveniently he may a particular information and complaint of whatsoever matter or crime he hath to allege against the said Mr. Baker which he is to do in writing under his hand and deliver it to you, of which you are to deliver to Mr. Baker a copie, and require his speedy answer and soe to send both to me in order to farther proceedings and Determination as the case may require. In which I pray your present care for the same of importance both to the church and Towne. And therefore let the parties know they are not to faile in the above as they will answer their contempt at their peril.

Given Jan. 29, 1675-6.

E. ANDROS.

To Mr. John Topping, Justice of the Peace for the East Riding.  
at Southampton.

(14 Doc. Col. His. 712.)

Nothing further was heard from Mr. James, and Mr. Baker was appointed. He held the office ten years, and as such Justice sat in the Court of Assizes in New York, Southampton and Southold. (Woods L. I. 159. 1 Thompson 250.)

In 1688 he was chosen by the voters of Easthampton one of the commissioners for the trial of small causes and this appears to have been his last public office.

During the first forty years of his residence in Easthampton, he was seven years a "Townsmen," six

years a Magistrate or Assistant of the General Court of Connecticut, Deputy to the Hempstead Assembly, Ensign of Militia, Overseer, Constable, ten years a Justice of the Peace, Commissioner for Indian Affairs, and Commissioner for the trial of small causes. The records of the town and province show that his other services were numerous and varied. He was repeatedly called upon by the Proprietors of Easthampton to lay out their lands, that is, to assign to each, lands in proportion to his acres of commonage. December 6, 1676, the town voted him as a gift twelve acres of land—the only gift of land found in the records.

June 24th, 1666, the town empowered, “our attorney, Mr. Thomas Baker, to rest and prosecute a certain claim; November 29th, 1662, he was sent by the Town to Southampton to compound a difference about Montauk; February 19, 1682, it was voted at a town meeting, none opposing, “That Mr. Thomas Backer shall be and is appointed attorney in behalf of the ancient inhabitants of this town to prosecute their case against Nat. Indian, for leasing lands at Montauk, and he is empowered to get one or more attorneys to be helpful to him, if he shall see cause”; in 1686 a Committee was appointed to go to New York to procure from Governor Dongan a Patent and Mr. Thomas Backer was chosen one of the Committee to give them instructions. He is a patentee and corporator in the Patent of Easthampton granted by Governor Nicoll in 1666, and in the Patent of 1686 granted by Governor Dongan (*Gardiner's Chron. of Easthampton* 113, 114.), and a Grantee in the Indian Deeds of Montauk of 1660, 1661, 1670 and 1687. (*Hedge's Easthampton* 1897, 205-9.) The records of the province show that in 1665 he, before the Governor, represented his town in a dispute about boundaries with Southampton; that he was more than once appointed by the Governor a Commissioner in cases of disputed boundaries between towns.

In 1675, King Phillip's war hung a terror over New England. It was not until the 19th of December of that year that the “Dreadful Swamp” fight occurred in which the power of the dreaded Narragansets was broken. From Montauk to the Narraganset County was but little more than twenty miles with Block Island midway between. By that route came Ninigret with his warriors twenty years before, on the night of the marriage of the daughter of the Sachem, and killed the bridegroom and carried off the bride.

Letters preserved in the New York State Library throw light upon the position of Thomas Baker in the Province,—and the part he took in the affairs of his day. The first is a letter from Governor Andros dated July 10, 1675, to Thomas Backer, Justice of the Peace of Easthampton, referring to the war and to the intention of the Governor to visit Easthampton. (14 Doc. Col. His. 693.)

The arms of the Montauks were taken from them, and on October 5, Mr. James wrote the Governor that the Montauks had verbally made a request to Mr. Baker for their arms, which request he asks may be granted. (*Id.*, 700.) This request the Governor, in his letter of October 16, denied, but gave “the Justice of the Peace and Chief Officers of the town as they should see cause, authority to let some of the Indians have their arms.” (*Id.*, 703.)

October 24, Thomas Baker wrote the Governor, and in answer Governor Andros wrote the following letter:

Mr. Baker:

I have just now received yo'rs of ye 24th of ye'r Indyans friendly Intellegence & Declaracons of their Good Wills & constant ffriendshipp w'ch I shall also acknowledge upon all Occasions; and may assure them that if any Disturbance should happen to the Eastward, or any other against the Governm't. so long as they continue thus, they shall bee sure of Protection, and need not feare.

But I find noe cause or Likelyhood of their intelligence, w'ch I rather believe the ffancies of sounder-affected Indyans who would Gladdly have it soe; for I have not heard of one English man killed, much lesse 12; which could not have been concealed; nor is there nor hath been for some years one Indyan belonging to *Staten Island*; and those toward *Achtercull* are now as friendly as ever; However we as you know have made all fitting preparations, & are upon our Guard; And upon some Intellegence of the Rockaway & Mosha-Peoge Indyans Plotting have again disordered them & see rather lesse



cause of apprehending Troubles this way than when you were here, but would have all Watches continued, and soe none neglect their occasions abroad, as well as at home.

If any troubles should happen you have by you commissioners, & Places of the Peace and Militia sufficient Power to call before you, disarm & committ any that shall goe about, or (you suspect) would break the Kings Peace; not only Indyans but Christians; And if any resist to make use of all the fforce of yo'r Towne to reduce them, Pray both you and Southhampton, send daily to see yo'r Indyans in their Plantacons, and then unlesse you discover very good cause, bee not at all alarmed to hinder (as above) any yo'r Occasions, I am

Yo'r affectionate Friend

E. ANDROS.  
(*Id.*, 706.)

N. Yorke y'r 27th October 1675.

Of his private life and character less can now be learned. He was a farmer and like the other farmers of Easthampton in his day paid more attention to horses and cattle, sheep and goats than to the raising of grain. He was an innkeeper, licensed by the town in 1654, and by Connecticut in 1673. (1 E. H. R. 370.)

"The establishment of the tavern, or inn, ordinary or victualling house, as it was variously called, was an important event in the history of New England. The tavern was a recognized institution of Colonial life, its important character was recognized, and great care was exercised in its regulation. Only persons of good character were appointed innkeepers. The early records distinctly assert that taverns could be licensed only on the condition that 'men of good report & Ability to manage the calling, shall be willing to take it;' and in one instance, 'a fitt man that is godly' is required." (*N. E. Mag.*, July 1899.)

There was no store, no regular merchant in Easthampton in his day, and the records show that goods were consigned to him for sale by merchants in New Haven and elsewhere, that he bought and shipped whaleoil, then by far the most important article of production and export.

In the New York State Library there is a letter of Thomas Baker to Anthony Brockholles, Commander in Chief and Acting Governor, dated April 11, 1678, of which the frontispiece is a *fac simile* copy. In the Connecticut State Library is a letter signed and perhaps written by him. (1 Conn. His. Coll. Doc. 11.) The subject of the letter to Commander in Chief Brockholles is not pleasant, but the letter shows that the writer had a good knowledge of English and, for a layman, considerable knowledge of English laws and institutions. In England a jury of matrons has been impanelled from very early times when a female prisoner, condemned to death, pleaded pregnancy in stay of execution. The closing words of the letter indicate that our ancestor was a man of strong religious feelings. This also appears from a deed made only a year before his death, to correct a deed of gift to his son Thomas, which, by mistake, included property which he had therefore conveyed to his son Nathaniel, which deed concludes as follows: "I do further both desire and charge my son Thomas, and his heirs, that they shall not lay any manner of claim to any part of parcel of the said land or chattels, the which was granted to my said sonne Nathaniel as aforesaid, as they shall expect the blessing of God to prosper them, and answer it at that great day before the Judge of Heaven and Earth." (1 E. H. R. 456.) The deed of gift to his son Thomas referred to above does not appear to have been recorded. He executed a deed of gift of certain lands to "my son in law Ebyneeze Leeke and to my daughter Hannah his wife," June 12, 1678 (1 E. H. R. 421), and another deed of gift of certain lands to his son Nathaniel, Aug. 22, 1682, "with a third part of my commonage yt doth or may of write belong unto me in this towne and also at Meantecut" (Montauk). (2 E. H. R. 115.)

Mr. Thomas wrote his name "Backer," and it was so written in both the Easthampton Patents and in many places in the early Easthampton records. It was so written by his son Nathaniel in his family record. His son Thomas appears to have written his name without the "c," and it has been so written by the descendants of Mr. Thomas for at least a hundred and fifty years.

Gardiner in his Chronicles says of the people of Easthampton in the days of Mr. Thomas Baker:



In the article of diet, they were necessarily temperate; the different dishes into which they had learned to manufacture the Indian corn and pumpkin afforded a variety of the most nutritious food. Nearby every house stood the samp mortar, which might be heard in operation every Saturday afternoon, preparing the samp and hominy for the coming week. The following verses of an old song written about the times of our history are significant of the value set upon the pumpkin:

“ If fresh meat be wanting to fill up our dish,  
We have carrots and pumpkins and turnips and fish,  
And if there is a mind for a delicate dish,  
We haste to the clambanks and there we catch fish.

“ Stead of pottage and puddings and custard and pies,  
Our turnips and parsnips are common supplies;  
We have pumpkins at morning and pumpkins at noon,  
If it was not for pumpkins, we should be undone.”

Mr. Johnson says: “ Let no man make a jest of pumpkins for with this food the Lord was pleased to feed his people to their good content.”

On Monday morning, at break of day, was to be heard the beat of the pound barrel throughout the neighborhood. By midday the washing was over, and the afternoon was as regularly devoted to paying and receiving visits as the morning to washing.

During the autumn and winter the whale was a frequent visitor on the coast, and the records of the town provide how the watch for whales shall be kept, how they shall be pursued and how cut up and divided. Each owner of a thirteen acre lot of commonage was entitled to a share of the whale, was required in his turn, in the season, to stand watch for whales, and to take part in killing the whale and in cutting the whale when killed. From cutting the whale Mr. James, the minister, and Lyon Gardiner were excused by the following order made by a town meeting January 7, 1662: “ It is fully agreed that Mr. James & Mr. Gardiner shall give a quart of licker apiece to the cuters of every whale and be free from cutting.” (1 E. H. Rec. 199.)

Quoting again from Gardiner, pp. 22-30:

The salary of the clergyman was paid in oil, and it was sent to Boston to procure the necessary articles of West India produce and European manufacture. A weft, as a signal given at the station pole was termed, set all the folk in motion, and a general shout was raised throughout the settlement. The thresher and flax-dresser in the barn, the stump-burner and girdler of trees, the log-roller and wolf-hunter in the fields, as the alarm reached them rallied upon the shore. The large canoes, which were kept near by, were taken to the margin of the sea, borne upon the shoulders of the whaleman, and prepared for the launch. Each person belonging to the crew placed himself beside the boat, and opposite the seat he was to occupy in rowing. A favorable chance of pushing into the sea, and avoid the breaking wave is watched when at the words, “ Now, now,” a simultaneous shove is given. Each man leaps into his seat, grasps the handle of his oar, which has been placed apeak, and with the advantage of the receding wave, to the cry of “ pull away,” the boat is forced beyond the danger of the combing sea. Now, safely afloat upon the ocean, the spout of the whale directs the course of the chase, and the cry, “ There she blows ” imparts added impulse to the gliding boat from the vigorous pull of hardy oarsmen. A call from the steersman gives notice of the nearness of the game to the rower in the bow, who, peaking his oar, rises from his seat and prepares for the approaching conflict. As the bow of the boat, on the rising of the whale, comes within reach of her body, the uplifted harpoon is plunged to the haft in her black and shining side, when the reverse movement of the oars, at the call, “ Back all,” places the boat with-out the reach of danger. Life being extinguished, the boats in line fastened to each other (the successful one having the honor of being attached to, and first in distance from the prize in towing), proceed with laboring oar towards the shore. To meet the fortunate adventurers and to view the monster of the deep, a general gathering of all, young and old, who had not been engaged in the pursuit, appears and among them the Indian, claiming parts of the fin and tail as an offering to the god of his idolatry.”—Gardiner’s Chron. 22-30.

In early Colonial days the title Master (Mr.) was a title of dignity, conferred only upon those entitled to it under the customs and usages of the time. Goodman and Goodwife, or Goody, were the titles given to citizens generally, and servants were called by their first names. The title Mr. was given to the minister, and so Minister James is in the town records and on his gravestone "Mr. James"; to the proprietors of great landed estates, and so Lyon Gardiner, proprietor of the Manor of Gardiner Island, is in the town records "Mr. Gardiner"; to assistants to the Governor of a province who constituted the upper house of the assembly—but not to deputies or members of the lower house, and so Thomas Baker, John Mulford, and Robert Bond, who were assistants to the Governor of Connecticut, are in the records "Mr. Baker," "Mr. Mulford" and "Mr. Bond," and the five men above named are the only men whose names appear in the records of the town during the first forty years with the title of "Mr." Mr. James, as has been said, kept no church records. The records of the church at Easthampton begin with the list of "those who were communicants when I, Nathaniel Hunting, was ordained at Easthampton," Sept. 13, 1699. It contains the names of only five men and twenty-two women. Of the men two only were given the title "Mr.," "Mr. Baker" and "Mr. Mulford." Of the women two only were given the title "Mrs.," "Mrs. Mulford" and "Mrs. Baker." The deaths of Thomas and Alice Dayton Baker were thus entered in the church record:

1700,

April 30, Mr. Baker

1708/9 Feby. 6, Mrs. Baker died about 4 P. M. aged about 89 years. (5 E. H. R. 554-7.)

In the same record is a list of the articles used in the communion service in the handwriting of Mr. Hunting as follows: "Two small bread platters and two pewter foot wine cups for the sacrament I think were given by Mr. Thomas Baker sometime Justice of the Peace."

The house which Nathaniel Baker built at Amagansett in 1862 is still standing. It was occupied as a dwelling for nearly a hundred years, until the present house was built. It is now used as a shop. In this house Alice Dayton Baker lived with her son Nathaniel after the death of her husband, and from it she was buried in the burying grounds on the main street of the village of Amagansett in sight of the ocean and within hearing of its surf. Her grave-stone, the oldest in the burying ground, bears the following inscription:

Here lieth ye Body  
of Alice Baker, Foremli  
ye wife of Thomas  
Baker who died  
February ye 4 1708:9  
in ye 88 year of her  
Age.

The very wide main street of Easthampton, lined with trees on either side, is the crown and glory of the town. At its southern end is Pudding Hill, at its foot the town pond burying ground and an old windmill. At the northern end, the Hook burying ground and a windmill. Upon this main street most of the home lots of the original proprietors fronted. Thomas Baker's home lot, twelve rods front by half a mile deep, was the second lot south from Catherine or Buells lane on the northerly side of the street. Across the street was the home lot of Ralph Dayton, upon a part of which now stands the Episcopal church, and upon another part "Home Sweet Home," the house in which John Howard Payne once lived. Of the first house of Thomas Baker at Easthampton nothing is known. The houses of the first settlers were made of logs or rough boards with thatched roofs, and from the fact that the first meeting house built in 1651 was



"26 foote long 20 foote broade and 8 foote stooed," it may be inferred that they were small and low. The second house of Thomas Baker was probably built as early as 1673, for on June 12 of that year at the term on the County Court held at Easthampton under the authority of Connecticut, "Mr. Thomas Backer was lycensed to keep a house of public entertainment," and such license would not have been granted to him unless his first house had been replaced by a larger structure. It is quite possible that as first built the second house had only one room in front and that, as was quite usual, when his oldest son married in 1686, another room was added for him. It is reasonably certain, I think, that the house was built during the life of the first Thomas Baker, and quite certain that it remained unaltered from about 1700 until it was enlarged and in great part rebuilt by its present owner, Col. Poor, some years since. It stood side to the street upon the street line, was of the salt box style of architecture common throughout New England up to about 1700. It was two stories high in front, with a peaked garret above, the peak of the roof much nearer the front side of the house than the rear and the rear portion of the roof sloping down to within six feet of the ground. In the center of the house rose the great chimney, with a fireplace on each side for the two front rooms and another in the rear for the kitchen. The front door was divided into two parts horizontally and led into a small passage nearly square. At the right and left were doors leading to the front rooms, and at the rear a door to the stairway.

The house has been enlarged and remodelled into a fine modern Easthampton summer house, but the frame of the old house at the north end remains unchanged, and as a result we have in that end of the present house the shape and contour of the north end of the original house.

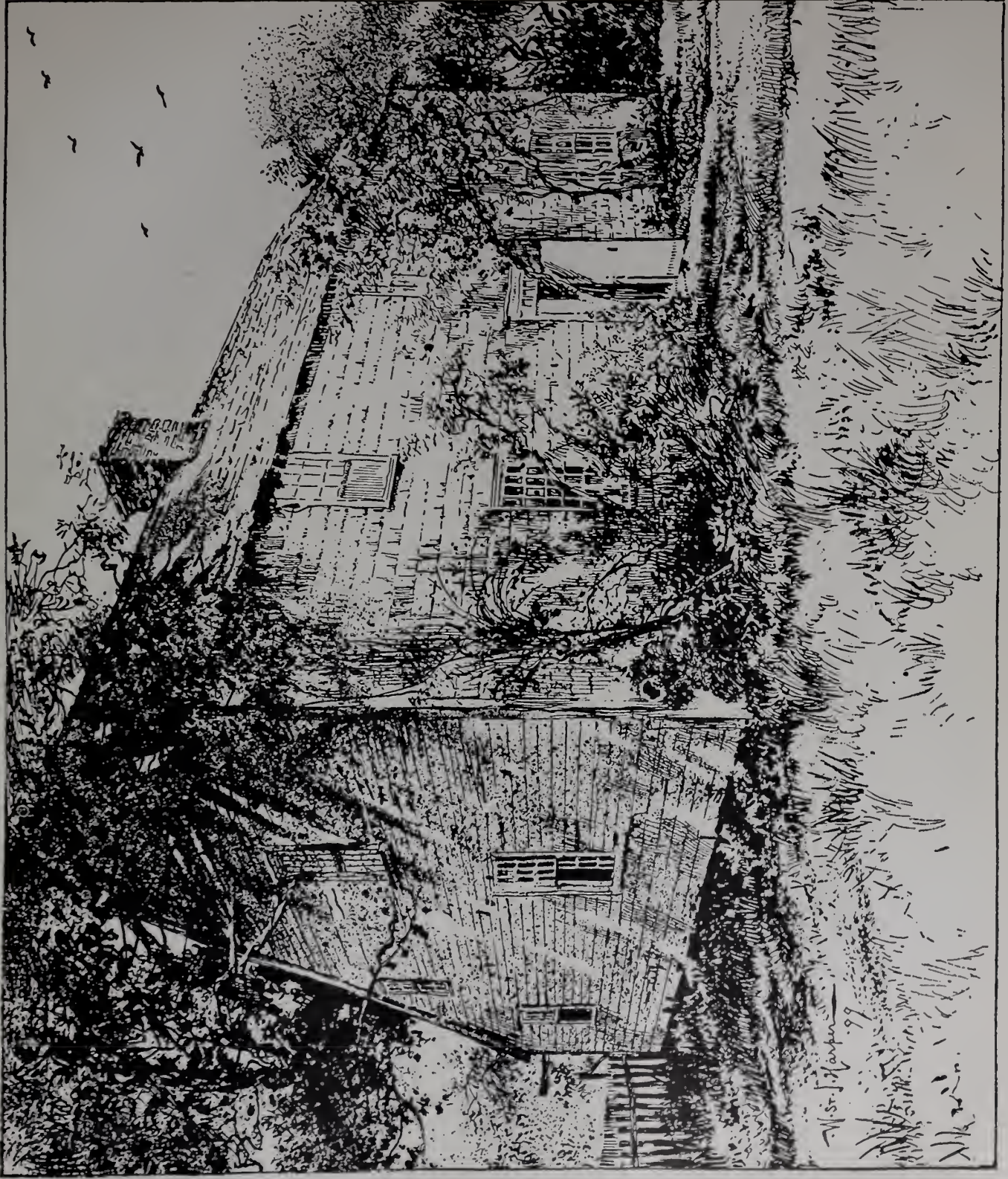
The engraving on the next page is of the Hobart house, built in 1682, which is in all respects very much like the original Thomas Baker house, except that it stands with the end to the street. The engraving on the following page is from a photograph of the north end of the present house on the Thomas Baker lot. The original lot, thirteen rods wide and extending back half a mile, has not been divided. Mr. Thomas was doubtless buried in the south burying ground, and his grave was probably marked by cedar posts which have long since disappeared.

A few years since some of his descendants set up a headstone over the place among the Baker graves in the old South burying ground in Easthampton, where he was buried, with this inscription:

IN MEMORY OF MR. THOMAS BAKER AND HIS WIFE ALICE DAYTON. THEY CAME FROM ENGLAND A. D. 1639, HE TO MILFORD, SHE TO NEW HAVEN, WERE MARRIED 1643. CAME TO THIS TOWN 1650 WHERE HE DIED 1700 AGED 80. SHE DIED AT AMAGANSETT







HOBART HOUSE, EASTHAMPTON.





1709 AND WAS BURIED THERE. HE WAS HERE A TOWNSMAN 1650. ASSISTANT OF THE GENERAL COURT OF CONN. 1658. OVERSEER. CONSTABLE. JUSTICE OF THE PEACE 1675 AND PATENTEE IN BOTH OF THE TOWN PATENTS.

In 1909 there was found in a house in Easthampton which had long been in the possession of members of the Dayton family the will of Ralph Dayton, dated July 25, 1658, a short time before his death. It is in the possession of Mr. J. T. Gardiner, and it is hoped that it will be given to the Easthampton Library. By the will the testator gave small legacies to his "daughter Baker" and to his "son Baker."

Other entries in the early records of Easthampton than those personal to Thomas Baker may be of interest to his descendants. October, 1650, it was ordered that if any man refuse or neglect to attend a Town Meeting, he shall pay a fine; May 15, 1651, our ancestor Ralph Dayton was fined 6d. for failing to attend a Town Meeting; August 6, 1651, it was ordered that a Meeting House be built and that "Thomas Baker have eighteen pence for every Lord's Day that the Meeting shall be at his house"; February 2, 1651, it was ordered that "Goody Edwards shall pay a fine of 3s, or have her tongue in a cleft sticke for contempt of a warrant"; January 9, 1651, it was ordered "yt one half of the Towne shall carry arms every Lord's Day"; October 3, 1655, William Simons was fined 3 shillings for "his provoking speeches to the 3 men in Authority, which is to be disposed of to make a pair of stockes"; March 18, 1677-8, Samuel Rodgers executed to James Loper a bill of sale "for a valuable consideration" of "one Indian Captive Girl commonly called Beck."

Both the South and the Hook burying grounds were unfenced when John Howard Payne wrote his account of Easthampton, published in the Democratic Review for February 1838, which tends to show that the practice common among the Puritans of burying their dead in the common prevailed in Easthampton nearly two hundred years.

The towns of Southhampton and Easthampton cover the territory from Canoe Place to Montauk Light and have water on three sides and sand barrens on the fourth. They are to all intents and purposes a part of New England. Within the last few years there has been into both towns a great influx of people from parts beyond Canoe Place and land has advanced to \$2,000 per acre "and advantage," to use a word that Shakespeare as well as the early settlers of Easthampton used where we would say "upward." When Southhampton was two hundred and forty years old there were living in it just two Irishmen and one German, and it is not believed that there were any more in Easthampton.

Braintree, Mass., and Milford, Conn., were settled in the same year, 1639. In his address at the celebration of the two hundred and fiftieth anniversary of the settlement of Braintree, Charles Francis Adams, speaking of the time of the settlement of that town, said:

History, as we know it, had scarcely yet begun. Galileo, the father of modern astronomy, was still living and learning; and John Milton, a man in the flower of his youth, had just returned to England from his memorable sojourn in Italy. Scarcely a dynasty in Europe which now exists existed then. Russia was an unknown and barbarous region, not yet admitted into the number of civilized states, for a whole generation of men was to pass away before Peter the Great rocked in his cradle. Prussia was to be created; Gustavus Adolphus had died at Lutzen only seven years before; the Thirty Years War was still raging, and Sweden was the first military power in Europe. Poland has since been obliterated from the list of nations; but Poland then was the bulwark of civilization, for it was more than forty years later that John Sobieski smote the Turk before the walls of Vienna and released Christendom forever from fear of the Islamite. Further west, Richelieu, the great Cardinal-Duke, was organizing modern France, and planting those seeds of wind which ripened in the fulness of time into the whirlwind of a century ago. Finally, in England, the Second Stuart still sat upon the throne, for the famous Long Parliament had not yet been convened. John Hampden was a country gentleman, and men had yet to hear of Oliver Cromwell.



## CHAPTER II.

THOMAS BAKER (2), ANN TOPPING, HIS WIFE, AND HER ANCESTOR,  
CAPTAIN THOMAS TOPPING.

The birth of Thomas Baker (2), the son of Mr. Thomas, July 26, 1654, is shown by the record made by his brother Nathaniel, set out in the last chapter. His marriage to Ann Topping of Southampton is recorded at Southampton as follows: "Ann Topping of Southampton was married to Thomas Baker of Easthampton by Mr. Jos. Whiting, April 24, 1686." (Howell's S. H. 199.) The children of this marriage, mentioned in the will of Thomas Baker, were:

- i Thomas,
- ii Daniel, born 1693, died March 16, 1740,
- iii Nathaniel, bap. December 24, 1699,
- iv Micah, bap. July 28, 1700,
- v Samuel (3) bap. April 5, 1702,
- vi Jeremiah, bap. April 29, 1705,
- vii John, bap. July 6, 1707,
- viii Mercy, bap. November 8, 1716.

The death of Ann Topping Baker is not shown in the Easthampton church records. December 6, 1711, "Thomas Baker, Jun'r., & Elizabeth Osborn, daughter of Joseph Osborn, Tayler, both of Easthampton," were married. (5 E. H. R. 522.)

That the Thomas Baker who married Elizabeth Osborn was Thomas 2nd, and not his son Thomas, is certain, for in his will he mentions his wife Elizabeth, and in the old burying ground in Easthampton, they lie side by side, with the following inscriptions on their gravestones:

Here lies ye body  
of Mr. Thomas  
Baker who departed  
this life September  
8, 1735, in ye  
80th year of his age.

Here lies Interred  
the body of Mrs.  
Elizabeth Baker,  
Relict of Mr.  
Thomas Baker,  
who died July ye  
18, 1753, in ye 84th  
year of her age.

Mercy, daughter of Thomas Baker, who is mentioned in his will, was baptized November 8, 1716.

In the church records is the following entry: "1712-13, Feby. 15. Thomas Baker and Elizabeth his wife owned covt." This means that they had both been baptized in infancy and on that day publicly owned the covenants made for them in baptism and put themselves under church government, without giving any account of religious experience or of any radical change in heart or life. Such persons in the Easthampton church were not, apparently, considered members in full communion, but their children might be baptized.

The will of Thomas Baker, proven before Brinly Sylvester Esq. of Shelter Island, December 4, 1735, and the letters issued under the seal of the Prerogative Court in the name of "William Cosby, Captain General and Gov'r in Chief of the Province of New York, New Jersey and the territories thereon depending in America, Vice Admirall of the same, Colonell in his Majesties Army, etc.," are of record in the office of the Surrogate of the City and County of New York. It begins as follows:

In the name of God Amen.

I, Thomas Baker of Easthampton in the County of Suffolk being in good health of body and of perfect sound mind and memory, praise be therefore given to Almighty God, do make and ordain this my last will and testament in manner and form following that is to say:

First and Principally I commend my soule into the hands of God hoping in and through the Merits Death and Passion of my Saviour Jesus Christ to have full and free pardon of all my sins and inherit everlasting life.

Ann Topping was the daughter of Thomas Topping of Southampton, the son of Captain Thomas Topping, the first of this name in that town. (Howell's S. H. 395, 7.)

Captain Thomas Topping held many offices of trust and importance in New York and Connecticut. In New York he was a member of the Governor's Council, Captain of the Southampton train band, Constable, Deputy to the Hempstead Assembly of 1665, Commissioner in Admiralty and Deputy Commissioner of Indian Affairs of the Province. In Connecticut he was a representative from Wethersfield to the General Court in 1639, Patentee in the Connecticut Charter, Assistant, Member of the Council of War and Captain of New Haven County troop. He was an Englishman, and was at Wethersfield in 1636. His name appears with Thomas Baker's on the roll of the "free planters" of Milford in November, 1639. Later he was at Hempstead, and in 1650 was at Southampton. October 18 of that year he was appointed "Captain of the banded soldiers" of that town. (1 S. H. R. 67.)

Southampton was then under the jurisdiction of Connecticut, and up to 1662 nominated three men in each year from whom the General Court of Connecticut chose two Magistrates or Assistants who were members of the upper house of the General Court of the Colony. Captain Topping was elected Assistant each year from 1651 to 1662. (Howell's S. H. 56.)

In 1662, Charles II granted to Governor Winthrop and his associates, under the Great Seal of England, the Charter of Connecticut which remained the fundamental law of the Colony and State until 1817. Edmund Andross, Governor General of New England, in 1686 demanded of the General Court the production and surrender of their charter. It was produced, but during the discussion between the officers of the Colony and the Governor General, the lights were extinguished and the charter was seized and hid in a hollow oak. Captain Topping was one of the patentees in that charter and was therein named one of the Assistants to the Governor. (2 Palfrey's New England, 540; 3 Conn. His. Coll., 306.)

In 1663, after the charter, he was again chosen an Assistant by the General Court of Connecticut. After the conquest of New Netherlands by the English in 1664, Long Island became a part of the Province of New York. Captain Topping was a deputy from Southampton to the Hempstead Assembly February 28, 1665, in which Thomas Baker was a deputy from Easthampton. (2 Broadhead, 68.)

In 1665, he was appointed by Governor Nicolls, the first Governor of the Province of New York, a member of his council. This was a position of great dignity and importance. A councillor's title was "The Honorable," and in the absence of the Governor a member of the council, if present, presided at the Court of Sessions. (N. Y. Civil List. 1868, 17. 2 Broadhead, 43.)

August 23, 1665, he was appointed by Governor Nicoll Commissioner of Admiralty of the Province of New York. (2 Broadhead, 87.) The next year he was appointed by the Governor Constable then, as has been said, an office of much importance; later he was appointed Deputy Commissioner of Indian Affairs of the Province. About 1671 he returned to Milford, and May 16, 1673, was by the General Court of Connecticut confirmed Captain of the New Haven County Troop. In November of the same year, when war with the Dutch was threatened, he was appointed a member of the Council of War. (1 Conn. His. Coll. 197, 219.)

He went from Milford to Branford about 1671, and was chosen Magistrate or Assistant by the General Court of Connecticut each year from 1678 to 1684. (3 Conn. His. Coll. 2, 25, 48, 75, 96, 114.)

Captain Topping's death at Branford in December 1687 was thus recorded in the town records:

In this town died Thomas Topping, one of the Colony to whom King Charles granted his letters patent of the Colony of Connecticut. (3 Conn. His. Coll. 306.)

Judge Hedges in the introduction to Vol. 3 of the Easthampton records says of Captain Topping that, "He was fitted by nature to counsel and command."

A Topping Genealogy, compiled by Frank H. Allaben of New York is in press.



## CHAPTER III.

SAMUEL BAKER (3), MERCY SCHELLINGER, HIS WIFE, AND HER ANCESTORS, JACOBUS SCHELLINGER (2), JACOBUS SCHELLINGER (1), CORNELIA MELYN, HIS WIFE, CORNELIS MELYN AND JANETJE MELYN, HIS WIFE.

Children of Samuel and Mercy Baker:

- i Mercy, born at Easthampton July 22, 1722,
- ii Hannah, do. Feby. 24, 1724,
- iii Esther, do. March 17, 1727,
- iv Samuel, born at Branford, Conn., Dec. 24, 1729,
- v Jacob, do. Feby. 11, 1732,
- vi Elizabeth, do. March 11, 1734,
- vii Jonathan (4), do. Nov. 10, 1736.

LINE OF DESCENT FROM CORNELIS MELYN TO MERCY SCHELLINGER, WIFE OF SAMUEL BAKER.

## I

Cornelis Melyn, 1602, 166—.

## II

Cornelia Melyn, 1627, 1717. m. Jacobus Schellinger, 1.

## III

Jacobus Schellinger, 2, 1666, 1714.

## IV

Mercy Schellinger, 1699, 1749.

In the records the name Melyn is written Melyn, Molyn, Mollyns; the name Schellinger, Schellinger, Shallinger, Skellinx, Skalinx, Schellinx; the Dutch name Jacobus, James and Jacob.

The baptism of Samuel Baker and Mercy Schellinger and their marriage are recorded in the Easthampton church records. (5 E. H. R. 449-450-534.)

Samuel Baker removed with his family from Easthampton to Branford, Conn., in 1728, and on his arrival there had the following certificate of Mr. Hunting, the minister at Easthampton, recorded in the town records of Branford:

Samuel Baker son of Thomas Baker of ye town of Easthampton in ye county of Suffolk and Collony of New York was married to Mercy daughter of Jacob Skalinx of ye town aforesaid dec'd on ye eighteenth day of October 1721 per Nathl Hunting minister of Easthampton as per certificate.

Mercy daughter of Samuel Baker born July ye 22, 1722.

Hannah daughter of Samuel Baker and Mercy his wife Feby ye 24, 1724.

Esther daughter of Samuel Baker and Mercy his wife born March 17, 1727.

It is the record of this certificate at Branford which proves beyond all question the identity of the Samuel Baker who settled at Branford in 1728 with the Samuel Baker who married Mercy Schellinger at Easthampton Oct. 18, 1721, and who was the son of the second and grandson of the first Thomas Baker of Easthampton.

The births of the four younger children of Samuel and Mercy Baker are recorded in the Branford town records, but the Branford records have not been printed.

There is in Hedge's Easthampton a Schellinger Genealogy in which it is stated that Jacobus Schellinger

came to New Amsterdam in 1643; that his wife was *Catharine Melyn*, sister of Cornelis Melyn, Patroon of Staten Island, and that they had children. William, bap. March 8, 1654, Catharine, April 9, 1656, Abraham, Feby. 11, 1659, Daniel, Cornelius and Jacob; that Catharine married Nathaniel Baker; that Jacob (2) had wife Hannah and children \* \* \* Mercy, b. Nov. 4, 1699, m. Samuel Baker October 18, 1721.

The record of the marriages and baptisms in the Dutch Reformed Church in New Amsterdam have been published by the New York Historical and Genealogical Society, the former as Vol. 1, the latter as Vol. 2 of the collections of that Society.

In the Trouw Boeck (Marriage Register) of the church appear the following:

1647		(p.14)	
ultim, June.	Jacob Loper Capt. Luyt., j. m. (young man) Van Amsterd.		Van Stockholm, en Cornelia Melyn, j. d. (Young maid)
1653		(p.18)	
den 7 April.	Jacobus Schellinger, Van Amsterdam, en Cornelia Mellyns, wed'e, (widow)		Van Jacob Loper.

In the Doop Boeck (Register of Baptisms) appear the following:

Ouders Parents		Kinders Children	Getuygen. Witnesses.
1654 den 8 March.	Jacobus Schellinger.	(p.36) Willem	Cornelis Melyn Hester ten Neuf.
1656 den 14 Apr.	Jacobus Schellinger. Cornelia Molyms.	(p.42) Catalyntje	Geen Getuygen. (No witnesses.)
1662 den 20 Sep.	Jacobus Schellinger. Cornelia Molyms.	(p.66) Abraham	Marritie Paradys
1665 den 19 July	Jacobus Schellinger. Cornelia Molyms.	Daniel.	Isaac Molyms Janetje Molyms.

In Fernald's Records of New Amsterdam, Vol. 2, 48, is the record of a suit of Tryntie Van Hegelen vs. Janetje Melyn, in which Cornelia Schellinger appeared "as Attorney and Security for her mother Janetje Melyn." In the same volume, p. 203, is the record of a suit by Tryntie Van Hegelen vs. "Cornelia Schellinger, Attorney for her mother Janetje Melyns."

These records show that the wife of Jacobus Schellinger was Cornelia Melyn, the daughter of Cornelis Melyn, and not *Catharine Melyn*, his sister, as stated in the genealogy in Hedge's History.

#### SAMUEL BAKER.

It is recorded in the Easthampton Church records that August 22, 1722, "Sam Baker owned cov't. Marcy his wife could not come out, but owned to me and published in congregation." Their daughter Mercy was born July 22 and could not be baptized until her parents, who were not communicants, had

“owned the covenant.” Samuel Baker appears to have been for some years after his removal to Branford a farmer, but later was a merchant engaged in the West India trade, and acquired a good estate. December 14, 1759, he conveyed to his son Jonathan, land for a consideration of £2500. As Jonathan was then but twenty-three years old, this conveyance was probably, in part at least, a gift. He was several times chosen selectman of Branford, and in 1765 was a Deputy to the General Court of Connecticut. His wife Mercy died at Branford August 25, 1749, and July 24, 1750, he married Martha Goodsell. His death is recorded in Branford records as follows:

“Mr. Samuel Baker departed this life August 22, 1767, in the 66th year of his age.” He is the only one of my six Baker ancestors who died before his eightieth year.

CORNELIS MELYN, PATROON OF STATEN ISLAND, PRESIDENT OF THE COUNCIL OF “EIGHT MEN” IN NIEUW NETHERLAND 1643, HIS DAUGHTER CORNELIA AND JACOBUS SCHELLINGER, HER HUSBAND.

The highest body of the central government of the Republic of the United Netherlands was the Estates, or States General, which sat at the Hague. The greatest individual office in the Republic was that of the executive, the Stadholder. In 1621 the West India Company was incorporated by the States General. It was not only a trading company, but also a sovereign political body. The directors were appointed by the States General, but a committee of nineteen, one appointed by the States General, the others by certain cities, had the direct management and control of the affairs of the Company. This committee sat at Amsterdam and appointed the officers of the Company, subject to the approval and control, to some extent at least, of the States General. In 1647 Frederick Henry was succeeded as Stadholder by his son William II Prince of Orange.

Cornelis Melyn, a native of Antwerp, came to New Amsterdam in 1639. He returned to Holland and procured from the Amsterdam Chamber of the Dutch West India Company authority to settle a colony on Staten Island. He returned next year to settle his colony and brought with him his family and servants. His family consisted of his wife and three children, the eldest of whom was his daughter Cornelia. June 29, 1642, Director General Kieft issued to him a “ground brief” or patent, covering all of Staten Island excepting De Vries’ reserved “bouwerij” and investing him with all the powers, jurisdictions, privileges and pre-eminence of a patroon. (1 Brodhead N. Y., 314.) He established a number of settlers on the island and built a house there in which he resided with his family. Trouble with the Indians began as early as 1640. De Vries’ bouwerij was attacked and the measures taken by Kieft only served to further enrage the Indians against Kieft and the Dutch. These troubles led to the Indian war of 1643, which completely frustrated Melyn’s design to establish a settlement on the island. He held Kieft responsible for the war, and became the leader of the party opposed to Kieft’s government. He was compelled by the war to abandon his home on Staten Island and retire to Manhattans, or New Amsterdam. He received in 1643 a grant of a double lot in Manhattans, the patent for which was issued April 28, 1644. (2 O’Callaghan, 583.) In the same year he was made president of the Council of “Eight Men” in Nieuw Netherland.

The shore of East River was then about the line of the present Pearl street, and the present Stone street east of Broad corresponds nearly with the Hoogh street of that day. The present Broad street was not laid out until long afterwards. Melyn’s patent covered the east half of the present Broad street from the south line of Hoogh street, extended west, south to the shore of East River. He acquired by purchase in 1644 the property bounded by Hoogh street (Stone street) on the north, the lot on which the Great Tavern stood on the east, East river (Pearl street) on the south, and the double lot granted to him



by patent on the west. This property had a frontage on Hoogh street and on the river of about one hundred and thirty-five feet. On the lot granted him by patent Melyn built a modest two story house, probably of brick. Its location appears to have been in the easterly half of the present Broad street, midway between Stone and Pearl streets.

In 1657 a canal, the Heere Graft, was dug in the present Broad street, and the lot granted Melyn by patent was taken for that purpose. In partial compensation the Burgomaster gave to the Melyn family a lot only eighteen feet square at the southeast corner of Stone and Broad streets. On this lot the second Melyn house was built. May 28, 1684, after the death of Jannetje, the widow of Cornelis Melyn, this lot was conveyed by her son Jacob. "It is a curious fact that this small plat of ground has retained its dimensions through the vicissitudes of nearly two centuries and a half, and is today occupied by a small and somewhat dingy brick building with a wealth of rusty iron fire-escapes; it appears to have stoutly resisted absorption by the more imposing structure whose blank walls of yellow brick overtower it on two sides." (Innes, 124.)

In Innes' is a view of the East River shore in 1652, taken from an old print showing the first house of Cornelis Melyn, and a view of the site of the later Melyn House as it now appears.

In 1645, Melyn leased from the Company two acres of ground covering the site of the present Trinity Church and the northern portion of the church yard and extending to North River, and raised a crop of grain thereon. (Innes, 107.)

#### THE TRIAL OF CORNELIS MELYN AND JOCHEM PIETERSEN KUYTER IN 1647 FOR CRIMEN LAESAE MAJESTATIS.

Captain Kuyter came to New Amsterdam with Melyn in 1639, and received a grant of four hundred acres of land on the Harlem river. He suffered great losses during the Indian war of 1643, and with Melyn held Kieft responsible for that war.

October 24, 1643, the "Eight Men" sent a letter, supposed to have been written by Melyn, to "The Honorable, Wise, Prudent Gentlemen of the XIX of the General Incorporated West India Company at the Chambers at Amsterdam," praying for immediate and decisive help.

November 3, they sent a Memorial, also written by Melyn, to "The Noble, High and Mighty Lords, The Noble Lords, The States General of the United Netherlands Provinces," making a bold complaint of the neglect of the West India Company, and said: "We have had no means of defence provided against a savage foe, and we have had a miserable despot sent out to rule over us."

In 1644 affairs grew worse. October 28, the "Eight Men" in a cutting Memorial sent by the "Blue Cock" addressed to the West India Company, charged the whole blame of the war upon Kieft and demanded his recall. They particularly warned the Company against a book which Kieft sent, also by the "Blue Cock," ornamented with water colors. They say it contained as to the origin of the war "as many lies as lines" and "as few facts as leaves," and ask how it comes that the Director can so aptly describe all localities and the nature of the animals in the Colony since His Honor, in the seven years he has been in the Manhattans, has never been farther from his kitchen and bedchamber than the middle of the Island.

The College of XIX, the governing body of the West India Company, finally decided to recall Kieft and July 28, 1646, Peter Stuyvesant received his commission as Director-General and reached New Amsterdam May 11, 1647. On his arrival Melyn and Kuyter who had sustained great losses by the Indian War were determined to compel an investigation of its causes, and particularly of the part Kieft had taken in the massacre of Indians at Pavonia and Corlear's Hook, February 26, 1643, which

brought on the war. They prepared a series of pointed and well-framed interrogatories to be answered by Fiscal Van Dyck, Secretary Van Tienhoven, Dominie Bogardus and some of the leading burghers, which they presented to Stuyvesant, with a petition, praying that the witnesses might be summoned and required to answer the interrogatories. Stuyvesant at first seemed inclined to favor the investigation, he appointed a Commission to decide whether it should be made, and appointed as one of the members Commander Loper, but when the Commission met he made a most bitter speech, attacking Melyn and Kuyter, in which he said they "were two malignant fellows, disturbers of the peace, and that it was treason to complain of one's magistrates, whether there was cause or not."

The petition was denied, and petitioners were required to state if they were authorized to demand information concerning the war, either by the Director-General, the Church or their Sovereign. Friends of Kieft in Holland had sent him copies of the letters of the "Eight Men" to the States General and the Council of XIX. When Stuyvesant stated that it was treason to New Netherland for a citizen to complain of a Magistrate, whether there was cause or not, Kieft sent to Stuyvesant a petition addressed to "Myn Heer General and the Hon'ble Council" charging Melyn and Kuyter with sending the letters aforementioned to Holland in the name of the "Eight Men," charging that they were libels and demanding that the Fiscal prosecute them according to the heinousness of their crimes.

The law of the land in New Netherland under Dutch Rule was the Roman or Civil Law, glossed by mediæval jurists, expounded by mediæval decrees and overlaid by the customs of Holland. Under that law the offences corresponding to treasons in English Law are comprehended under the *Crimen Laesae Majestatis*, the *Lese Majeste* of the French, the *Majestaets Beleidigung* of the Prussian Code.

It included every kind of act by which public authority was resisted or any disrespect shown to the head of the state. Constructively, it included any indignity offered to, or any libel on any officer of the state or contempt of his authority. When Tiberius Cæsar claimed divine honors, the law of *Majestatis* was so far developed that it was sacrilege, punishable by death, to throw stones at the Emperor's statue. In Scotland in 1606 Archibald Cornwall, town officer of Edinburg, was convicted and executed for treason, for attempting to hang up the king's picture on the gallows.

Stuyvesant ordered Schout Fiscal Van Dyck to prosecute Melyn and Kuyter and directed that they answer the charges in "twice twenty-four hours." Their answer fills four large pages of the first volume of the New York Documentary Colonial History. In it they ask that the truth of the charges made against Kieft in the letter of the "Eight Men" be investigated, and set out the evidence they can produce of his misconduct, in relation to the war and responsibility for the subsequent ruin of the province.

"If he establishes his innocence, we are content," they say, "to be esteemed the pestilent and seditious persons, such as His Honor describes us, and shall willingly suffer and take it with an honest face for the wisest man teaches that the feeble man must not speak evil, as anger is not excited against the silent man." They farther say, "We have not injured Mr. Kieft in general nor in particular, and His Honor ought not so severely to censure us for the ancient sage was of opinion that a person in high station could not commit a graver fault than to insult one who durst not answer him." The substance of their answer was that in fact there was no necessity for the war, that therefore it was unlawful to commence it and that Kieft should be punished and made to indemnify those who had suffered loss thereby. They quote an aphorism of Linius, "Only that is a just war which is a necessary one," and cite the words of King James, St. Ambrose, Aristides and Xenophon and the precepts of Christ in support of it. Under the law of *Majestatis* as construed by Peter Stuyvesant, this answer was a confession of the charges, and moreover the paper itself, containing charges, by private persons against a Governor, was nothing less than *Crimen Laesae Majestatis*.



There was no trial by jury in New Netherland. The Supreme Council of the Colony, under the instructions of the Council of XIX of the West India Company was the tribunal for the trial of causes. This Council was to consist of the Director as President, the Vice-Director and the Schout Fiscal, but in criminal cases, where the Fiscal was the prosecutor, the Military Commandant should sit in his stead, and there should be added two capable persons from the district where the crime was committed. In 1647 Stuyvesant was Director, Lubert van Dincklagen Vice, Hendrix van Dyck Fiscal, and Captain Lieutenant Brian Newton Military Commandant. The trial court, therefore, should have been composed of Stuyvesant, van Dincklagen, Newton and two others. It appears to have consisted of the three above named, Jean La Montagne, Paulus Lunderson, Abraham Planke and Jan Jansen Damen. In March, 1652 Stuyvesant removed van Dyck from his office of Fiscal; van Dyck appealed to the States General, and presented to their High Mightinesses a written defense in which some interesting facts as to the court organized by Stuyvesant for the trial of Melyn and Kuyter appear. In this defence van Dyck says, "the Commander of the soldiers who was an Englishman named Brian Nuton, and understands little or no Dutch, who can when necessary sign his name, receives his wages and support at the Director's Hand, having no other means of livelihood, hath continual seat and vote in the council. Also a Frenchman named La Montagne who is burdened with a large family and is greatly in want of provisions, who is indebted several thousand guilders to the Company and derives his support from the Director. In place of two capable persons to be adjoined in criminal cases from the Commonalty of the District or Colony where the crime or act was committed (which God be praised was of rare occurrence), the Director keeps there two persons at the expense of the Company and with them and the Minister Megapolensis and as many other private persons as he approves and expect his favor, deliberates, resolves and dispatches business all in the name of the Director and Council; they, especially Montagne, must always conform to the humor of the Director and say nothing else but yes, otherwise the purse is closed, all favor withheld and they get beaten in addition, if the Director's head be not well, or he be not sufficiently well pleased."

The members of the court found no difficulty in agreeing with Stuyvesant as to the guilt of Melyn and Kuyter; some were for temporary, others for perpetual banishment with a fine.

Stuyvesant spoke last. He declared that nothing less than death and confiscation of property was due to Melyn; cited the Old Testament and books of Criminal Law to show that to speak evil of Magistrates is the highest degree of slander that can be committed; that one who slanders a Chief Magistrate is guilty of *Majestatis*; that injuries done in writing to officers constitute a Capital offence and Capital punishment ought to follow, and voted that Melyn be sentenced to death and his property forfeited to the state. The judgment against Melyn pronounced July 25, 1647, recites that Melyn, "according to his confession without torture or iron bands," had threatened the Honorable Director Kieft, his governor and superior, with the gallows and the wheel; had likened him to the biggest liar in the country, giving fair words and plenty of promises which bore no fruit; had slandered justice saying here be no justice and calling the "Hon'ble Director a headstrong fool (een duyvels kop) and had with Kuyter forged, conceived, drafted and wrote the most false and scandalous letter of October 28/1664 to the Hon'ble Chamber at Amsterdam defaming the Hon'ble Director Kieft, then *in loco* their governor, etc."

"Wherefore," the judgment proceeds, Melyn is convicted "of having here committed in writing against the Hon'ble Director Kieft the crime of insult, defamation and falsehood and consequently is declared guilty of *Laesae Majestatis*" and sentenced, "to be banished for seven years from the district and jurisdiction of New Netherlands, and also to depart by the first ship, revoking all previous granted benefits, actions and pretences which he may have obtained or yet claims from the Hon'ble Directors, and moreover to pay a fine of three hundred carolus Guilders, to be applied, one third for the Poor, one third for the Fiscal, and one third for the Church."



Melyn and Kuyter determined to appeal to the States General of the United Netherlands by Petition to be presented to their High Mightinesses at the Hague.

In the month following the trial, Melyn and Kuyter were taken on board the Princess bound for Holland. Kieft and Dominie Bogardus were fellow passengers. The ship was wrecked September 27 off the coast of Wales; Kieft, Bogardus, Melyn's son and most of the ship's company perished. Melyn and Kuyter were saved and with them their box of papers relating to their appeal. These were laid before the States General February 7, 1648, and referred to the Directors of the West India Company for information. April 25, 1648, the States General granted them a provisional appeal, suspending the sentence, granting them liberty to return to New Netherland and have the free possession and use of all their property, and the protection of their High Mightinesses' pending the appeal. A mandamus was issued to Stuyvesant, commanding him to carry out the orders of their High Mightinesses' and on May 6 a passport, giving them the right to return to New Netherland upon any ship in the service of the States General or the West India Company. May 19 William, Prince of Orange, wrote Stuyvesant as follows:

Honorable, Prudent and Discreet, Specially Dear:

You will receive by the bearers hereof Joachem Pietersen Kuyter and Cornelis Melyn the commands which the High and Mighty, Lords States General have resolved to communicate to you, to the end that you will allow these people to enjoy their property free and unmolested there by virtue of provision of appeal granted by their High Mightinesses unto them with Inhibitory Clause respecting the sentence pronounced by you against them on the 25th of July 1647; though we do not doubt that you will understand duly to respect and obey their command yet we are disposed earnestly to admonish you hereby in addition expressly notifying you that you shall have to allow said Petitioners to enjoy the effect of their High Mightinesses' aforesaid resolution.

PRINCE D'ORANGE.

Melyn reached New Amsterdam late in December, 1648, and January 2, 1649, delivered to Stuyvesant the letter of the Prince of Orange. He had been publicly banished "with ringing of the bell" and was determined to make his triumph as public as his dishonor had been. March 8, a weekday, when the people were assembled at the Church by order of the Director, he requested that the mandamus granted by their High Mightinesses might be read and served there by the Nine Men, and that it might be read particularly by Arnoldus van Hardenburg. Stuyvesant regarded the attempt to have the mandamus publicly read as a personal affront on the part of Melyn, flew into a rage, snatched the mandamus from Hardenburg's hands so that their High Mightinesses' seal fell almost entirely off, hanging only to a small strip of parchment. Finally, however, as the record says, out of respect for their High Mightinesses, the Noble Lords States General and their Commission, the Honorable Director Petrus Stuyvesant permitted van Hardenburg to read the mandamus. Stuyvesant refused to give Melyn copies of the sentence and other papers in the case.

July 29, 1649, Melyn made the following protest to Stuyvesant:

It is now about seven months since I arrived here with their High Mightinesses' Mandamus and Order, which, on the 8th March, were served on you Petrus Stuyvesant, Director, and afterwards on the other members of the Court.

Accordingly on the twentieth of March I demanded reintegration, pursuant to the tenor of the Mandamus, and observing neglect, on the 20th June, insisted and at divers times applied verbally, for the most part, in these terms—Pursuant to the Mandamus and your obligation to honor their High Mightinesses and their Commission (I demand) reintegration and such satisfaction as that brings with it; I have now borne long enough with postponement and fruitless promises; time is short and the vessels are making ready; if your Honor designs to make restitution or reparation, let it be done quickly, according to the tenor of the Mandamus; if not, I hereby protest against you.

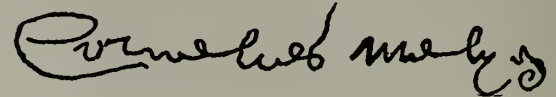
And if your Honor intends to maintain what, if you have yet any conscience left, you cannot deny to be your Honor's pronounced sentence, you must appear personally, or by another qualified to represent you and will so stand and suffer and bear what is charged against you, as if you were yourself there; you shall also permit the other member of the court, who is subject to you, to depart in person, or some other individual for him; for one delinquent cannot defend the other; and in case such be not done, I do hereby again protest.

I demand, according to your Honor's promise, that all copies both of judgment, affidavits, acts and proceedings which have been heretofore refused, be seasonably furnished me, in order that I may also summon the deponents; for the affidavits which *Myn heer*, or his like, take here from their subjects, who must say what you please, are, in my opinion of no value, and, as I, therefore, conclude, of no force in law. In case, then, all the documents, proceedings and declarations, or one or any of them, which are to be used in law against me, are detained from me; and in case they are refused me, and copies of the papers and documents are not furnished, as heretofore has been the case, I declare that I am deprived of, and excluded from the right and proper means of justice and legal evidence, against rules and order to you well known.

In like manner I do declare null, void, and of no effect all acts, proceedings, affidavits and declarations whereof I have not obtained copies here, and of which use shall hereafter be made against me, being utterly unworthy of consideration on account of the suspicion of being acknowledged in bad faith; and, thirdly, against you, Petrus Stuyvesant, Director, individually, and against all the members of the Court generally, do I protest for and on account of all damage and losses already suffered or yet to arise, from the omission and neglect of orders and instructions to do what is right; and their High Mightinesses command and expressly order you, in case you do not repent, to wit, sincerely and indeed, and not in fine phrases, as has hitherto been your case.

Dated Manahatans, New Netherland, this 29th July, 1649.

(Signed)



To this protest Stuyvesant made the following answer:

We hear and see, but protest against the disrespectful discourtesies contained in the protest, especially against the seditious service of the Mandamus, at an unsuitable place, in the Church, and with much disparaging language in presence of the entire Commonalty. Nevertheless, we esteem the service valid, and say, as before, that we shall honor and regard whatever our Sovereigns will decide. We are no ways bound to restitution, since we have not received anything; nor to any reparation so long as the case is in appeal, and no additional injury done the protestor. We grant and allow him peaceable use of his lands and effects; what I have promised I shall perform; namely, to send an Attorney to hear, and to witness the confirmation or annulment; what other officers, councillors, will do, whether to go or to stay, we leave at their discretion and pleasure. Therein we have nothing to command; neither does it quadrature with the tenor of the Mandamus.

Who the delinquent is, God and the law have to decide. The protestor has never been refused copy of the judgment. The party must apply for the other papers in the suit and appear before the Judge who will have prudence and knowledge enough to decide what and which affidavits ought to be produced; whether they have been legally taken before Commissioners or whether they were given clandestinely and by inducement to affront and asperse the Judge, on which points the opinion of the protestor himself is of no avail. Of damage and losses we deem ourselves guiltless, since we do not oblige the protestor to pay any costs, or to return anew to Fatherland. We give and grant him, pending the matter in appeal, the quiet possession and peaceable use of his lands, houses and property.

Done Manhattans this 1<sup>st</sup> August, 1649.

(Signed) P. STUYVESANT.

In August Melyn returned to Holland in company with the "delegates of the commonalty" who were sent to secure a redress of grievances. During this visit Melyn seems to have written the *Breeden Raedt* (Aen Vereenighde Nederlandsche Provintien) printed at Antwerp in 1649. It is the earliest known separate publication relating to New Netherlands (1 Brodhead 509 Int. Mag. Dec. 1851, p. 597). It attacks without mercy both Kieft and Stuyvesant. The delegates took with them the *Vertoogh* (Remonstrance, of the New Netherlands), written by Adrian Vanderdonk. In this Remonstrance the signers, some of the leading burghers of New Amsterdam, say, "In the proceedings against Cuyter and Melyn every one saw that Director Kieft had more favor and aid and counsel in his suit than his adversary, and that one Director was the advocate of the other as Director Stuyvesant's own words imported and signified when he said. 'These Boorish Brutes would hereafter endeavor to knock me over also, but I shall



now manage it so that they will have their bellies full for all time to come.' . . . . . When Melyn pleaded for grace until the result of his appeal to Fatherland, he was threatened in these words, 'Had I known, Melyn, that you would have divulged our sentence or brought it before their Mightinesses, I should have had you hanged forthwith on the highest tree in New Netherland.' . . . . . On another occasion Stuyvesant said, 'People may think of appealing in my time, should any do so, I would have him made a foot shorter, pack the pieces off to Holland, and let him appeal in that way.'" Stuyvesant sent Secretary van Tienhoven to Holland to defend the sentence and he presented, November 26, 1649, Stuyvesant's answer dated August 10, 1649.

February 8, 1650, Melyn addressed to the States General the following petition:

*To the High and Mighty Lords the Lords States General of the United Netherlands.*

High and Mighty Lords!

Cornelis Melyn, Patroon on Staten Island in New Netherland, your High Mightinesses' humble servant, respectfully showeth: That he repaired to New Netherland with your High Mightinesses' Mandamus in case of appeal and favorable letter, obtained herein the year 1648, against the sentence pronounced by Director Petrus Stuyvesant and his Council, on your Petitioner, and caused due service of said Mandamus on the abovenamed Director and his Council, as well as on all others in any wise concerned, pursuant to the tenor of your High Mightinesses' addition endorsed on the aforesaid Mandamus. Petrus Stuyvesant, the Director, treated the service of the Mandamus with very boisterous disrespect, tearing it in the presence of all the People, out of the officer's hands, so that your High Mightinesses' own seal fell off, and had the Mandamus not been written on parchment but only on paper, it would indeed have been torn in pieces; all of which will further appear by the return of the officer in the copy hereunto annexed, the original whereof is in Petitioner's possession. And notwithstanding the Petitioner hath not been able to obtain, either before or after judgment, nor even after service was made of your High Mightinesses' Mandamus, nor after his indispensable protest, aught or any of the papers and documents against him whereby the judgment is claimed to be well sustained, nor sufficient copies thereof; notwithstanding the declaration of Vice-Director Lubbertus van Dinclagen, a Doctor of Law, as by the return can be seen, that he (the petitioner) is wronged by Director Petrus Stuyvesant and his advisers detaining the papers which are favorable to the petitioner, and otherwise apply to the vote on the judgment; notwithstanding also, that Henrick Opdyck, the fiscal, in answer to the petitioner, denied being a party in the suit against him, and other councillors offer other excuses and subterfuges—yet he, your petitioner, cannot obtain in fairness from Director Stuyvesant, according to the tenor of the abovementioned Mandamus, any revocation of the judgment, nor reparation of suffered defamation and loss; but inasmuch as the aforementioned Director, about fourteen days previous to your petitioner's last departure from New Netherland, did dispatch hither his Secretary, Cornelis van Tienhoven, who, when summoned, obstinately refused to answer on service of your High Mightinesses' Mandamus, your petitioner hath finally found himself obliged immediately to follow him.

Therefore, in order to complain of the abovementioned frivolous, unfounded judgment, as well as to institute his further action which he hath against the abovenamed Secretary, the petitioner humbly applies to your High Mightinesses, respectfully requesting that you would be pleased to appoint time and place for the said Secretary to appear and to hear such demand and conclusion as your petitioner shall make against him as principal, and as attorney, as the same shall then be found requisite.

Wherefore the petitioner, most respectfully, and with all humility, prays that your High Mightinesses will be pleased to help him, for once, to the speedy expedition of his good right, and to take into consideration that your petitioner hath now groped such a length of time, since the year 1643, in this labyrinth without any error or fault of his, for the advancement of the public interests, being, in the meanwhile, obliged to neglect, for so long a time, his private affairs and family, being burdened with six children, and to encounter, to his excessive cost and great injury, all sorts of vexation and trouble in his private affairs, on account of a public matter so entirely just; therefore the petitioner will respectfully expect your High Mightinesses' favorable postil and speedy conclusion, inasmuch as the time for returning back draws nigh. Which doing, &c.

(In the margin was:)

The States General of the United Netherlands have, upon previous deliberation, placed this petition, with the papers annexed, in the hands of Messrs. van Aertsbergen and other their High Mightinesses' Deputies for the West India



Company's affairs, to inspect and to examine them, and to hear and understand the petitioner and Secretary van Tienhoven, who is at present here at the Hague, again and again, and to make a report on the whole matter to their High Mightinesses.

Done at the Assembly of the Noble States General, the 8th February, 1650.

(Signed) JOHAN VAN REEDE, VT.

By order of the same.

(Endorsed) CORNELIS MELYN.

(Signed) CORNS MUSCH, 1650.

All of Melyn's efforts to have his appeal disposed of by the States General were without avail. It remained pending eleven years and then, Melyn, wearied with the delay, broken in fortune by the great losses he had sustained in the Indian Wars of 1643 and 1655 and in his unequal contest with Stuyvesant, surrendered to the Company his rights as Patroon of Staten Island by the following deed:

Sale & Surrender of Staten Island, by Cornelis Melyn, as Patroon, to the Directors of Amsterdam.

This Day the 14th of June, in the year 1659, acknowledges Mr. Cornelis Melyn, thus far Patroon, and enjoying the Jus Patronatus of the Colonie on Staten Island, situated at the mouth of the North River in New Netherland, for himself, his heirs and posterity, and agreed with the Lords Directors of the Privileged West India Company, and the Department of Amsterdam, voluntarily, in the following manner: He shall and will make a cession and transfer of all his authority, pre-eminence, jurisdictions, prerogatives, advantages, emoluments, privileges and exemptions, which he as Patroon enjoyed, in the lands and over the inhabitants of the Colonie of Staten Island, with all its consequences, appendices and dependencies, without any exception, which he obtained, as well by resolutions, acts and articles of privileges and exemptions, as by open letters, which were granted him by the Director Willem Kieft, deceased, in New Netherland; and by other letters confirming his claims, which might yet have been produced, without exception, all which he shall deliver to the aforesaid Department both here and in New Netherland, as far as these can be discovered. *Provided*, that by the aforesaid Company and Department, shall in New Netherland to him be reimbursed all such money as have been obtained from the sale of a dwelling house, situated on the Manhattans in New Amsterdam, near the Fort, which was sold by the Director-general Stuyvesant, by execution in behalf of Daniel Michaelson, skipper of the ship, The New Netherland Fortune, in so far this money is yet in the possession of the Company; and besides that shall be paid to him here in ready cash, the sum of fifteen hundred guilders; and further that he shall enjoy the freedom and exemptions, as well here as in New Netherland, from recognitions, to the amount of about one thousand guilders in wares and merchandise, necessary articles for husbandry, or similar permitted goods, which he might conclude to transport with him to New Netherland; and further, that he with his family and attendants shall be transported thither either in a hired vessel, or in one belonging to the Company, at the Company's expense, in conformity to present usage. Further, that he, too, shall as a free Colonist and Inhabitant, possess for himself and his posterity, as free and allodial property, all the lands, houses and lots which he thus far possessed, or might in future possess (and of which no other person had taken possession), or to the inheritance of which he may be entitled either by a last will, codicil, donation or legacy, or by contract or in any other manner, to dispose of these, agreeably to the articles of freedom and exemptions which were granted to the Patroons and Colonists; that whenever his oldest son shall be of age, and be competent to execute the office, and a Sheriff in aforesaid Colonie, shall be wanted he shall be preferred, by the Company and Department of Amsterdam, above all others; and finally that the Company shall procure him by the Director-general Stuyvesant, a full amnesty, with regard to all disputes and contentions between them, whether these regard the Company, or their Province, or whatever subject these may relate to, which existed before, and shall now be entirely obliterated, so that henceforward they shall treat one another as good friends and with respect, and assist one another whenever it shall be in their power.

For all which the aforesaid Cornelis Melyn submits his person and property, real and personal, present and future, without any exception, to the control of the Court of Justice in Holland, and to that of all other Courts and judges, as well in New Netherland as here. In good faith and truth whereof, have subscribed the Directors and Commissaries, appointed and authorized by their Brethren for this special purpose, on the 10th of April last, and signed by the aforesaid Cornelis Melyn, in Amsterdam on the day and year mentioned above. Was signed Edward Man, as Director; Abraham Wilmerdonck, as Director; H. Bontemartel, as Director; Cornelis Melyn, former Patroon of Staten Island. (2 O'Callaghan's New Netherlands 575.)

By this instrument, it will be noticed, Melyn did not surrender but retained his land on Staten Island.

After the Dutch recaptured the Province in 1673 his son made an unsuccessful appeal to the Dutch authorities to be restored to his father's land on the Island.

There is an account of the trial of Melyn and Kuyter in Brodhead's and in Valentine's New York, in O'Callaghan's New Netherlands, and in Inness. Judge A. A. Redfeld read before the New York State Bar Association in 1899 a paper on the trial, which was printed in the proceedings of that year, pp. 63-81. In Vol. 1, Doc. Col. His. of N. Y., are printed in full many of the documents relating to the trial. In the same volume is a translation of the "Vertoogh," (the Remonstrance of the New Netherlands) dated July 28, 1649, and of the Defence of the Fiscal, Van Dyck, who prosecuted Melyn and Kuyter and was removed in 1652, dated September 18, 1652. The "Vertoogh" and the "Defence" are contemporary accounts of the trial and of Stuyvesant's conduct written by enemies of Stuyvesant. In the translation of extracts from the Breeden Raedt in Vol. 4 Doc. His. of N. Y., 99, is Melyn's own account of some of the incidents of the trial. The documents relating to the trial printed in Vol. 1, N. Y. Doc. Col. His., are the following:

Memorial of the "Eight Men" to the States General Nov. 3, 1643, p. 139; Memorial of the "Eight Men" to the XIX, Oct. 28, 1643, p. 190; Memorial of the "Eight Men" to the Amsterdam Chamber, Oct. 28, 1644, p. 209; Letter of Kieft to Stuyvesant June 19, 1647, containing charges against Melyn and Kuyter based on the memorials of the "Eight Men," p. 203; Answer of Melyn and Kuyter to Kieft's charges, p. 205; Judgment against Kuyter July 25, 1647, p. 213; do. against Melyn, p. 349; Order of the States General allowing the appeal, p. 249; Mandamus, p. 250; Letter of Prince of Orange, p. 351; Passport to Melyn and Kuyter, p. 253; Answer of Stuyvesant, p. 321; Petition to the States General Feby. 8, 1650, p. 348; Return of the service of the Mandamus on Stuyvesant, p. 352; Protest of Melyn against Stuyvesant's Conduct, p. 353; Stuyvesant's answer, p. 354; Letter of Jancken Melyn Dec. 1649, p. 386; Portions of "Vertoogh" relating to the trial, p. 310, Letter of protection to Melyn June 30, 1650, p. 408; Van Dyck's Defence, pp. 489, 495, 498.

Returning to the personal history of Melyn,—he appears to have returned to Staten Island after the peace of 1645. In some of the papers relating to his appeal he is described as, "Cornelis Melyn residing on Staten Island."

While at the Hague in 1649, '50, he met Baron Henryk van der Capellen, a deputy to the States General and a man of independent fortune, and entered into an agreement with him for the improvement and development of his Staten Island Manor. van der Capellen purchased in the summer of 1650 a ship, the Nieuw Nederlandsche Fortuyn. The vessel sailed for New Amsterdam late in that year carrying a superintendent, carpenter, seven farmers and a company of seventy persons in all, with domestic animals, supplies and equipment for the colony. Melyn obtained from the States General the following letter of protection against his inveterate enemy, Stuyvesant:

Letter of Protection and Safeguard for  
Cornelis Melyn, Patroon and  
Colonist on Staten Island  
in New Netherland, permitting  
him to return thither.

The States General of the United Netherlands. To all those who shall see these or hear them read. BE IT KNOWN: That We have granted on the 28th April 1648, unto Cornelis Melyn, Patroon and Colonist on Staten Island in New Netherland, provision of appeal, with inhibitory clause from the sentence which was pronounced against him by Peter Stuyvesant, Director of New Netherland under the jurisdiction of the West India Company, with the advice of his Council, on the 25th



July of the year 1647. And whereas the aforesaid suit is not yet terminated and the actual circumstances of the petitioner do not by any means admit of his longer sojourn in this country, Therefore, We, after previous deliberation, have granted and accorded, as We do hereby grant and accord unto him, safe conduct and passport to repair freely from this country back again to New Netherland aforesaid, the abovementioned suit notwithstanding; and he shall be accordingly at liberty to dwell there on his property unmolested and undisturbed by any person whatsoever, during the time that the suit remains here undecided; the petitioner having empowered a person here to defend his right in or out of court against the said sentence. Wherefore We order and command all and every person being in our service and under our obedience, whom this may in any wise concern, either in this country, on the passage, or in New Netherland, and especially the abovenamed Stuyvesant and his Council that they shall cause and allow the abovenamed petitioner to enjoy the full effect hereof, and accordingly, not to molest him in his person nor in any wise to be hindering unto him, on pain of incurring our highest indignation. Given at the Hague, under our seal, paraph and signature of our Secretary, the 30th June XVIc and fifty.

Melyn took passage on the *Fortuyn* only to learn of how little avail was even the Safeguard of the States General against the hatred of Stuyvesant. It was a rule of the West India Company that a vessel should not break bulk between Holland and New Netherland. The *Fortuyn* was delayed by contrary winds and boisterous seas and when it reached our coast, the water was short and the "last biscuit had been divided among the passengers." The Captain went into Rhode Island for water and provisions. When the ship arrived off Staten Island, Stuyvesant, under the belief that Melyn was her real owner, seized the vessel and cargo for an alleged violation of the rule of the company in going in to Rhode Island. Stuyvesant was again both prosecutor and judge, van Dyck was still Fiscal and in his "Defence" he shows how Stuyvesant obtained evidence. "In the case of Cornelis Melyn and the ship the *Fortuyn* I must take the information of the ship's crew in confinement in the Tavern according to the draft and order of the Director in the presence of his illegal councillors."

Stuyvesant was cast in his first suit against Melyn. He then sued the skipper and by collusion and want of defence obtained from himself and Council a decree of confiscation of ship and cargo. He then allowed the skipper recourse against Melyn and gave him a judgment and caused execution to issue thereon upon which Melyn's houses and lots at the Manhattans were sold. (1 N. Y. Doc. Col. His. 528-9.) The ship was sold to Thomas Willett who sent her on a voyage to Virginia and Holland. When she reached Holland the States General allowed Baron van der Capellen an appeal from Stuyvesant's judgment of confiscation and after a long litigation the West India Company was compelled to pay heavy damages and restore the ship to her owners.

About this time van Dincklagen wrote of Stuyvesant, "Our great Muscovy Drake keeps on as of old, something like the wolf, the longer he lives the harder he bites," and certainly towards Melyn he showed the disposition to bite long and hard. Jacobus Loper, who had served as Captain-Lieutenant with Stuyvesant at Curacoa, and been a member of Stuyvesant's first council in New Netherland, asked permission to trade at the South river, the Delaware. Stuyvesant objected because he was Melyn's son-in-law. The Council demanded, "Shall the sins of the father then be visited on the son." The Director replied, "It cannot be otherwise this time he shall not go." (*Id.*, 358.)

The confiscation of the *Fortuyn* and her cargo and the consequent inability of Melyn and van der Capellen to retain the people brought over in her was a severe blow to their plans. Stuyvesant caused other charges to be made against Melyn and summoned him to Fort Amsterdam to answer. He refused to go and his remaining property on Manhattan Island was confiscated and sold by the Government. Expecting that an attempt would be made to arrest him, he fortified his Manor House on one of the hills overlooking the present village of Clifton. Stuyvesant made no attempt to have him arrested but claiming that there was danger of an attack upon his person by Melyn, induced his Council to give him a bodyguard of four halberdiers.



That Melyn was living on Staten Island June 25, 1652, and still having trouble with Stuyvesant, is shown by the very interesting letter of that date in his autograph (No. 4 of the Dodd and Livingston Collection), and signed also by six other early settlers of the Island, stating that Director Stuyvesant had hired Indians to rob and kill people on Staten Island.

In the New York Historical Society are a large number of papers relating to Cornelis Melyn, received from J. D. Sergeant of Philadelphia, a descendant of Melyn. Among them is the original Writ of the States General of the United Netherlands, allowing to Melyn and Kuyter an appeal with suspensory clause from Stuyvesant's sentence dated April 28, 1648, the day the appeal was allowed, and letters and petitions of Cornelis Melyn and his son Jacob, in reference to Staten Island.

In 1913, Dodd and Livingston, booksellers in New York, had for sale at the price of \$2,500.00 five manuscripts relating to Staten Island and Cornelis Melyn. They were:

1. The safe conduct of the States General to Melyn and Kuyter dated May 1, 1648.
2. A second warrant for the safe conduct and protection of Melyn, dated June 30, 1650. This was issued after Stuyvesant had refused to obey the first, and Melyn had returned to Holland, and was about to sail for New Amsterdam in the ship "New Netherlands Fortune," fitted out at the expense of Baron von der Capellen and other merchants with the purpose of colonizing Staten Island.
3. Contract between Melyn and Lord Hendrick von der Capellen for a part of Staten Island, dated June 4, 1650.
4. Is the letter of Melyn dated June 25, 1652, above mentioned.
5. Agreement between Cornelis Melyn and the West India Company, by which he relinquished his patronship of Staten Island, dated Amsterdam, June 13, 1659.

In September, 1655, another disastrous Indian war occurred for which as in case of the war of 1643 the Dutch, not the Indians, were to blame. The whole of Staten Island was again laid waste, Melyn's Manor House and other buildings were burned, his stock driven away and some of his people killed. According to the report of Secretary Van Tienhoven, Staten Island was left, "without an inhabitant or a house." This misfortune was the ruin of Melyn's prospects on Staten Island. Against both Stuyvesant and the Indians, he could not longer contend. He went to New Haven and with his son Jacob, there took the oath of "fidellitee ye 2 mo 1657." In 1659 he again went to Holland and effected with the States General the settlement shown in his deed of June 14, 1659 (page 72), by the terms of which he surrendered to the Company his Patent to Staten Island and was to receive the proceeds of his house and lots sold by Stuyvesant in 1651, 1,500 guilders in cash, exemption from duties upon any goods he might export, full amnesty, a grant of all lands in which he was then in possession and his son to be Sheriff whenever a Sheriff was required. He appears to have resided in New Haven several years, but where he lived after 1662 and the place and time of his death are all uncertain.

Appendix II to Inness' New Amsterdam is an account of Melyn and his descendants, in which the author says that he, "is inclined more and more to regard him as the central figure of his day in New Netherland."

#### CORNELIA MELYN AND JACOBUS SCHELLINGER (1).

Cornelia, the eldest daughter of Cornelis Melyn, as has been said, was married to Captain-Lieutenant Jacob Loper in the Dutch Reformed Church in New Amsterdam, June 30, 1647. Of their wedding the following account is given in Valentine's Manual 1862, p. 765:

Cornelia Melyn, daughter of Cornelis Melyn, was, in her day, the belle of New Amsterdam, and was sought for by the principal aspirants to the felicities of matrimony. Her father, unlike most of those who emigrated to this colony in early times, was a man of considerable wealth on his arrival here in 1639. After examining into the prospects and resources and conditions of the country, he returned to the fatherland, where he procured a patent for a large portion of Staten Island, and having decided upon establishing his residence here, he brought his family in the year 1641 and at once commenced

colonizing the extensive territory of which he was patroon. He also had a residence in New Amsterdam on the present Northeast corner of Pearl and Broad streets, then a pleasant place of residence facing the East River.

Here the youthful Cornelia grew to the estate of womanhood, the admired and envied of the neighbors.

None of the youth of the community were of sufficient condition to make pretension to the aristocratic beauty, until Captain Loper, the Commander of the Dutch ship of war permanently stationed in the harbor, put forth his claims, which met with a favorable response. The marriage took place with great festivities in the year 1647. The married life of this distinguished couple did not prove of long duration, for the Captain died within three or four years, and his widow, in the year 1655, married Jacob Schellinger, a merchant of high standing, resident in New Amsterdam.

The Schellingers of Amsterdam were a well to do family. In the "Kohier" or Assessment List of Amsterdam for the year 1631 on which Kilian Van Rensselaar was assessed as 50,000 florins, Hillebrant Schellinger was assessed at 70,000, Cornelis Gerritz Schellinger at 70,000 and Cornelis Schellinger, the elder, at 36,000 florins. Jacobus Schellinger came to New Amsterdam about 1652. March 13, 1653, the Burghers of New Amsterdam were assessed in proportion to their property to raise a fund to be used for the defence of the place against the New England Colonists. Jacobus Schellinger was assessed 200 guilders; no one was assessed more and only a few an equal amount (Valentine's N. Y., 313). This money was used to construct an earth work of sods on the top of which were placed palisades. This line of defence ran along the northerly side of the present Wall street from East river to the present Broadway, and thence to North river, crossing the site of the present Trinity Church. It was from this line of defence that Wall street took its name. The next year the New England Colonists actually began to prepare to assist in a proposed attack by the English on New Amsterdam. It was then that the famous resolution of June 29, 1654, was adopted by the freeman of Easthampton by which they declared that they did "thinke themselves caled to assist the sd power of England against the Dutch," and confirmed Thomas Talmage and Thomas Baker as the "Millitary officers to command the army of the town when called on to take part in such attack.

Jacobus Schellinger appears to have lived either in New Amsterdam or on Staten Island twelve or thirteen years after his marriage. He lived on Staten Island at the time of the Indian War of 1655, in which his house was burned and goods which had been consigned to him were destroyed. The conquest of New Netherlands by the English in 1664 put an end to trade with Holland and he went to Easthampton to retrieve his fortunes in the "whale design." He settled at Easthampton before October 2, 1667, for in a deed of that date he is described as "Mr. James Schalinger of Easthampton." His house lot was the original "home lot" of Andrew Miller on the north side of the main street about midway between the Pond and the Hook Mill and is now the home of Mr. David J. Gardiner. He died in Easthampton 1693, ae 67, and his widow died there February 25, 1717, aged 88.

Like that of her mother, Jannetje Melyn, Cornelia Schellinger's life was long and eventful; her memories must have embraced Antwerp in its decaying splendor, and New Amsterdam with no splendor at all—merely a few thatched cottages around the fort. She remembered Staten Island as an unbroken wilderness, and her father's plantation there, twice destroyed by Indians, and the days of panic and distress in the little house on the Graft in New Amsterdam. Then came the long struggles of her father against Colonial maladministration, and his self-imposed exile from New Amsterdam, during many years of which the care of his family had devolved largely upon herself. She had seen the village of huts at New Amsterdam grow into a town of importance, and had seen the English rule supplant that of the Dutch. Of her father's two great enemies so well known to her, she could remember how the life of one had closed in horror in the wreck of the "Princess" (when her brother and her pastor also perished) and how the other had ended his days in seclusion and in bitter humiliation at his farmhouse up the Bouwery Lane on Manhattan Island. In her latter years she found half a century of quiet life filled with domestic duties, but besides her son Abraham she was also fated to see her youngest son Jacob grow up to adult manhood, and die before her in the year 1714. He, as it appears, had married into the English family of Baker at Easthampton, and left a family of eight children surviving him. (Inness, 356.)



There is in the New York State Library a copy in Dutch of the joint will of Daniel Schellinks and Constantia van Rijssen his wife, of Amsterdam, dated May 17, 1698, and of three letters written in 1704-5 and 6, by a Notary at Amsterdam to the widow of Jacobus Schellinx at Easthampton in relation to the settlement of said estates. Under this will the children of Jacobus Schellinger took one-sixth of the residuary estate of the testator, which amounted to about \$7,000. From the will it appears that Jacobus Schellinx had three brothers, one of whom was the well-known landscape painter, Willem Schellinx, another, Laurens Schellinx, surgeon at Amsterdam, and a third the testator, silk cloth merchant and amateur painter, also at Amsterdam.

The will makes the following bequests:

To testator's niece and servant girl, Geertruijd Schellinks, 400 guilders and a mourning dress; to Daniel Schellinks, only son of testator's late brother Laurens Schellinks, testator's clothes, a painted coat of arms and large silver signet; to Willem Schellinks testator's portrait in gilt frame, a landscape painted by his (Willem's) deceased father, and a diary concerning friends and relatives, kept by testator; to Maria Jacoba Schellinks two portraits of testator and his first wife; to Constantia Schellinks two landscapes painted by testator; to Mr. Jacob van Rijssen, advocate, two portraits of testatrix, two portraits of her father and mother, and two portraits of her grandfather and grandmother van Meerle; to Christina van Rijssen a gold ring with seven diamonds belonging to testatrix; rest of the estate to children of testator's deceased brothers Jacobus, Willem and Laurens, and to relatives on wife's side.

#### JACOBUS SCHELLINGER (2).

The latest baptism of a child of Jacobus Schellinger and Cornelia Melyn recorded in the Record of Baptisms in the Dutch Reformed Church of New Amsterdam is that of Daniel, bap. July 16, 1665. It was not long after that date that the first Jacobus Schellinger removed to Easthampton. He died there in 1693. No record of births or baptisms was kept in Easthampton before Mr. Hunting was ordained Sep. 13, 1699. The second Jacobus Schellinger died in Easthampton Jan. 23, 1714, "aged abt. 49 years." He was therefore probably born at Easthampton about 1666, and there is no record of his birth or baptism. That he was the brother of William and Abraham Schellinger of Easthampton is shown by their deed to him March 20, 1696, of certain lands at Amagansett "and half a share of the lands and privileges at Meantaukett (Montauk) which formerly belonged to Andrew Miller." The grantee by a writing on that deed signed "Jacob Schellinx" agreed "to run the hazard of half of that halfe share and to stand by my brothers within named, William and Abraham Schellinx," etc. (2 E. H. R. 333, 4-5.) That the grantors William and Abraham Schellinx were the children of Jacobus Schellinger and Cornelia Melyn is shown by the record of their baptism in the Dutch Church at New Amsterdam.

That Mercy Schellinger, wife of Samuel Baker, was the daughter of the second Jacobus Schellinger, is also clear. It is so stated in the Schellinger Genealogy in Hedges' Easthampton, and she was born in 1799, six years after the death of the first Jacobus Schellinger.



## CHAPTER IV.

## JONATHAN BAKER (4), MARY BARKER, HIS WIFE, AND HER ANCESTRY.

Jonathan Baker (4) married Mary, daughter of Deacon Edward Barker of Branford, September 17, 1758. Their children were:

- i Caty bap. Branford April 20, 1762, (Mrs. Ford);
- ii Samuel (V) bap. " April 24, 1763;
- iii William Pitt bap. " Dec. 4, 1766;
- iv Peter " " Aug. 27, 1767, died in infancy.

Deacon Barker was perhaps the leading man of Branford, and when the chief of the Branford Indians took too much fire water he would strut up and down the street saying, "Me Deacon Barker, me Deacon Barker."

Jonathan Baker began life under more favorable conditions than did most of our ancestors. The year after his marriage his father conveyed to him land for the expressed consideration of 2,500 pounds and other conveyances to him appear in the Branford records, but about 1770 he and his wife separated and fortune never favored him afterwards. A divorce followed and she married Jonathan Chidsey and is known in the family as "Grandmother Chidsey." After Mr. Chidsey's death she lived with her daughter (Mrs. Ford) at West Galway, N. Y., and there in 1825 died. One of the stories told of her is that, speaking of her son Samuel, she said: "I hear that Sam has a farm and a mill and is very rich. I also hear that his children have white bread every day. Now no matter how rich he is, he cannot stand such extravagance."

Jonathan Baker married, second, Sarah Morris and removed to White Creek in Charlotte, now Washington County, New York, and lived there during the Revolutionary War. The present town of White Creek was taken from Cambridge in 1815 and is not to be confounded with the old "White Creek," which has gone for a hundred years by the name of Salem. He lived during the later years of his life in the town of Canisteo, Steuben County, New York, and then died about 1820. A daughter, Betsey, by his second wife, married Mr. Purdy and left several children, some of whom and their descendants have been men and women of high character and standing.

## BARKER ANCESTRY.

Deacon Edward Barker, the father of Mary, was the son of Edward Barker 2nd of Branford and grandson of Edward Barker of New Haven and Branford. He married Hannah, daughter of John Baldwin of Branford and Hannah Tyler, daughter of Deacon Peter Tyler, his wife.

The children of Deacon Edward and Hannah Barker were Papillon, called "Propeller" in the record of his father's will, Mary, Ebenezer, Edward, Hannah, John, Sarah, Peter, Benjamin, Irene, Samuel.

The first Edward Barker was at Branford as early as 1667, for in that year he signed the Branford Covenant. The town records state that Edward Barker, Jr., was one of a committee to hire a schoolmaster in 1706 and to make a tax rate in 1709. The records also state that Deacon Edward Barker died Jan. 17, 1763, in the 56th year of his age. The will of Edward Barker 2nd, dated Nov. 27 and proved Dec. 28, 1727, is recorded in the Guilford, Conn., Probate records, p. 255. In it he leaves to his wife Mary, a 1/3 interest in his lands, also 1/3 "of my right in my corn mill between Deacon Baldwin

and myself," provides that after her death her right in the mill should go to Edward and John Barker, his sons. The will names his oldest son, Edward, sons Ebenezer and John, daughter Eunice and son-in-law John Russell. It refers to rights in lands which come to him by his wife Mary, lying in the town of New Bristol in ye Colony of Massachusetts Govt., in New England. Bristol, R. I., was in 1727 in Massachusetts and was called New Bristol, but was afterwards ceded to Rhode Island. Peter, Benjamin and Samuel, the names of sons of Deacon Edward Barker, are the names of brothers of Mary, the daughter of Peter Papillon, and are not Barker or Baldwin names. Peter (Pierre) is a very common French but not a common English name. The wife of Edward Barker 2nd gave the name to one of her sons, and her granddaughter, the wife of Jonathan Baker, gave it to her youngest son, and no other Peter is found in either the Barker or Baker family. After Mr. Chidsey's death his widow (Grandmother Chidsey) lived for many years with her daughter, Mrs. Ford (Aunt Caty Ford) at Broadalbin or West Galway Church in Fulton County, New York, and there died in 1825. Caty (Cousin Caty Ford), the youngest daughter of Aunt Caty Ford, was never married. She was twenty-five years old when her grandmother died. After her mother's death in 1852 she lived with her sister Mary Papillon Burnham at West Bloomfield, Conn. In 1863 I went there to see my cousins. Caty Ford's memory seemed remarkably retentive and accurate, and I have no doubt that the account she gave me of the ancestry of her grandmother was given to me as it was given to her by her grandmother. She told me that her grandmother said that her grandmother Barker's maiden name was Mary Papillon; that her grandmother gave to her father, Deacon Edward Barker, two embroidered christening robes, with the request that his first son should be named Papillon, his first daughter Mary, and that one robe should go to the son, the other to the daughter; that her oldest brother was named Papillon and his robe was made into a jacket during the Revolutionary war; that she was the oldest daughter and the girl's robe was given to her; that she gave it to her only daughter, Mary Papillon (Mrs. Burnham). The robe was shown to me. It was a white robe beautifully embroidered. After Mrs. Burnham's death it passed to her grandson, Mr. Frank Burnham, of West Bloomfield, who writes me that the robe has been lost.

When we supplement the record evidence by the tradition coming from the source it did, no doubt is left that Mary, the wife of Edward Barker 2nd, was the daughter of the Huguenots Peter and Joan Papillon. The evidence was held sufficient by the Huguenot Society of New York when it admitted our cousin Mary Baker Cameron to membership by virtue of her descent from Peter Papillon, as was the evidence of Mrs. Cameron's descent from Cornelis Melyn held sufficient by the Holy Dames of America when she was admitted to membership in that society by virtue of her descent from him.

Peter Papillon and his wife Joan, were at Boston in 1679 and soon afterward removed to Bristol, then in Massachusetts. Their daughter Mary, was baptizd at Bristol May 13, 1688, and the record of her baptism states she was born at Boston March 16, 1682. Vital Rec. of R. I. 36. In the Branford graveyard are stones with the following inscription: "In memory of Mr. Edward Barker, who Departed this life Jany. 17, 1763, aetat 55. He was the second son of the late Edward Barker and a Deacon of Ye first Church in Branford." "Here lieth the Body of Edward Barker, Esq., who Dyed November ye 10, 1727, aged 59 years." "Here lyeth the Body of Mrs. Mary Barker, the wife of Edward Barker, who dyed December ye 2nd, 1728, aged 49 years." 62 N. E. His & Gen. Reg. 143-144. The discrepancy in the date of the birth of Mary Papillon between the record at Bristol and her gravestone is by no means unusual. Pierre (Peter) Papillon was a descendant of Anthony Papillon, a Huguenot leader, a friend of Erasmus, who held office under Francis I and enjoyed in an eminent degree the favor and protection of that Prince and Margaret of Valois, his Queen. His son, a champion of the Reformation, fell on Saint Bartholomew's Day, August 24, 1572. Another son, David, escaped to England and there founded the



Papillon family of England, from which Peter came. When the census of strangers resident in London was taken in 1618 (Cambden Soc., Vol. 82, p. XXX), David Papillon, "born in the City of Paris," had been a resident of London more than thirty years. There is a very good account of the family of Papillon in Burke's Landed Gentry giving a history of the family in England and in France for several centuries. See also Baird's Huguenot Emigration to America, vol. 2, p. 312. Agnew's French Revolution, v. 3, p. 99. Records of the First Congregational Church in Bristol. In 34 N. E. His. and Gen. Reg. 405, is the census of the families residing in New Bristol 1688-9, in which is this entry: "Peter Papillon, wife and four children." In the first book of Bristol County Probate Records 203 is the Inventory of the estate of Peter Pampello, sworn to Dec. 27, 1797, by Joan Pampello, his widow, which there is little doubt refers to the estate of Peter Papillon. The Papillon family was well known in Massachusetts and Rhode Island up to the time of the Revolution, when it became extinct. Mary Papillon on her marriage brought to Edward Barker not only "good lands in ye Town of New Bristol," but also a French vivacity, energy and grace, along with little luxuries and accomplishments foreign to the sterner nature of the Puritans.

#### BALDWIN ANCESTRY.

A very full and complete Baldwin genealogy has been published, and only the line of descent from Sergt. John Baldwin of Milford to Mary Baker will be given here. In the Milford list of 1639 the name of John Baldwin appears as a settler, but not as a planter because he was not a church member. He married second Mary Bruen born at Bruen Stapleford Cheshire, England, then of Pequot, New London, Conn. She died Sep. 2, 1670, and he died June 21, 1681. Their children were:

- i George;
- ii Mary, bap. Sep. 27, 1674;
- iii Sarah, bap. Dec. 25, 1665;
- iv Abigail, bap. Nov. 15, 1658;
- v Obadiah, bap. 1662;
- vi Hannah, bap. Nov. 10, 1663.

His house lot was original lot 13 in Milford. His son George, settled in Branford as early as 1686 and joined the church there in 1693. He married Deborah, daughter of Deacon Jonathan Rose of Branford. He was a blacksmith and left a large estate. He was a Deacon before 1715. He had eight children (Baldwin Cen. 304). His oldest son, John, born Jan. 13, 1690, married Hannah, daughter of Deacon Peter Tyler of Branford by his wife Hannah Whitehead, daughter of John Whitehead and granddaughter of Lesby Bradfield. Hannah Baldwin, daughter of John, married Deacon Edward Barker and Mary Barker was their daughter. She was, as has been stated, also a descendant of Deacon John Rose, of Deacon Peter Tyler, of John Whitehead and of Lesby Bradfield, all of Branford.

John Bruen, born in 1560, had a large estate, was a prominent Puritan and the personal friend of Oliver Cromwell. His life was published in 1641 under the title, "The Very Singular Life of John Bruen, Esq., of Bruen Stapleford Cheshire, exhibiting a variety of memorable and exemplary circumstances which may be of great liberty to all persons, but principally intended as a precedent for purity and charity for the inhabitants of the County of Chester, by Rev. William Heide." It was republished in Chester in 1799 and in New York in 1857. A synopsis is in Ormond's History of Chester. His biographer says of him: "His house was no other than the home of God and in religion he carried the top sail of all England." Speaking of him, the Archbishop of Ireland said: "In him was the very beauty of holiness; and he was of so amiable and cheerful a countenance that when I beheld him I was reminded of Moses, whose very face shone as having some more than ordinary eminence of grace in his heart." He died Jan. 1, 1625. It is said that



in his life there is a pedigree, but there is none in the New York Reprint. There is, however, in the Baldwin and in the Tuttle Genealogies and in Browning's Americans of Royal Descent a pedigree from which it would appear that among the ancestors of John Bruen were Alfred the Great, Charles Martel, Charlemagne, Louis Debonair, William the Conqueror, and Bishops, Crusaders, Dukes, Earls and all sorts of great people. John Adams wrote that he should "think a descent from a line of virtuous, independent New England farmers for a hundred and sixty years was a better foundation for family pride than a descent from regal or noble scoundrels ever since the flood."

Without vouching for the accuracy of this pedigree and agreeing with the view expressed by John Adams, I copy the following pedigree from Browning's Americans of Royal Descent, for if John Bruen was of royal descent the descendants of Samuel Baker are "Americans of Royal Descent," for they are the descendants of John Bruen.

## PEDIGREE.

## Browning's Americans of Royal Descent 451:

1. LOUIS IV., KING OF FRANCE, had of his wife, Princess Geburga, daughter of Henry the Fowler, Emperor of Germany:
2. CHARLES, Duke of Lorraine, eldest son, excluded from the throne, who had by his wife, Lady Agnes de Vermandois, the great-granddaughter of Alfred the Great, King of England:
3. CHARLES, Duke of Lorraine, who was heir to the throne of France, usurped by Hugh Capet, and was exiled to Germany. Her son:
4. WIGERIUS, Duc de Lorraine, was the father of:
5. BALDRIC TEUTONICUS, who married a daughter of Richard Fitzgilbert de Tunbridge, who accompanied the Duke of Normandy to England, and was created by him Earl of Clare, in County of Suffolk, and Justiciary of England, and his wife, Lady Robesia de Balbec, sister of the Earl of Brion, and had:
6. NICHOLAS DE BASCHAVILLE, or Bosqueville, Lord of Castle Martel, in Germany, who married a daughter of Herfastus, the Dane, and a niece of Gunnora Duchess of Normandy, and had:
7. WILLIAM DE MARTEL, Earl of Gauerrena, or Warren, in Normandy, who married a daughter of Rafe de Torta, a noble Dane, Protector of Normandy during the nonage of Duke Richard I., and had:
8. ROGER DE MORTIMER (brother of William de Warren, first Earl of Surrey, both companions of William the Conqueror), father of:
9. RALPH DE MORTIMER, Lord of Wigmore Castle, who also accompanied the Conqueror, and who had by his wife, Lady Millicent:
10. HUGH DE MORTIMER, second Baron Mortimer, of Wigmore, d. 1185, who had by his wife, Lady Maud:
11. ROGER DE MORTIMER, third Baron Mortimer, of Wigmore, 1215, who had by his first wife, Lady Millicent, daughter of Robert de Ferres, fourth Earl of Derby:
12. LADY JOAN DE MORTIMER, who married Watcheline de Beauchamp, d. v. p. 1235, son of Walter, fourth Baron de Beauchamp, and had:
13. WILLIAM DE BEAUCHAMP, fifth Baron Beauchamp, of Elmley, d. 1268, who married Lady Isabel, daughter of William, sixth Baron Mauduit and fourth Baron Houslope, Heritable Chamberlain of the Exchequer, and had:
14. WILLIAM DE BEAUCHAMP, sixth Baron Beauchamp, created Earl of Warwick, d. 1298, who married Lady Maud, daughter of John Fitz-John, Chief Justice of Ireland, in 1258, and widow of Gerard de Furnival, and had:
15. GUE DE BEAUCHAMP, second Earl of Warwick, b. 1275, d. 1315, who married Lady Alice, daughter of Ralph de Toni, and widow of Thomas de Layborne, and had:
16. LADY MATILDA DE BEAUCHAMP, who married Geoffrey, second Baron de Say, Admiral of the King's Fleet, d. 1359, and had:
17. LADY IDONES DE SAY, who married Sir John Clinton, Knt., of Montoch, third Baron Clinton, Governor of Warwick Castle, b. 1326, d. 1397, and had:
18. LADY MARGARET CLINTON, who married Sir Baldwin de Montfort, and had:
19. SIR WILLIAM DE MONTFORT, d. 1453, who married Lady Margaret Peche, and had:

20. SIR BALDWIN DE MONTFORT, b. 1445, d. 1475, who married Lady Joanna Vernon, and had:
21. ROBERT MONTFORT of Bescote, Staffordshire, who had:
22. KATHERINE MONTFORT, who married Sir George Booth, d. 1483, son of Sir William Booth, Sheriff of Chester, and had:
  23. SIR WILLIAM BOOTH, d. 1519, who married Lady Ellen, daughter of Sir John Montgomery, and had:
  24. LADY JOAN BOOTH, who married secondly, Sir Thomas Holford of Chester, and had:
  25. LADY DOROTHY HOLFORD, who married JOHN BRUEN or Brewen, of Bruen Stapleford, Cheshire, son of John, and grandson of John Bruen and his wife, Annie Starkie, of Stratten, and had:
    26. JOHN BRUEN of Pequot or New London, Conn., b. 1560, d. 1625, who had by his third wife Margaret:
    27. MARIE BRUEN, b. 1622, who married 1653 (his second wife) John Baldwin, one of the founders of Milford, Conn., d. 1681.

That Mary Bruen who married John Baldwin of Milford was the daughter, not the granddaughter, of John Bruen, of Bruen, Stapleford, by Dorothy Holford, is stated in the Bruen pedigree in the Baldwin genealogy, and the statement in the Browning pedigree that she was his granddaughter is probably an error.

## CHAPTER V.

## SAMUEL BAKER (V), ELIZABETH DANIELS, HIS WIFE, AND HER ANCESTORS.

Samuel Baker and Elizabeth Daniels were married at Hudson, N. Y., in 1786. Her mother's maiden name was Goes and the name is so written in Holland, but in this country Goes became Hoes, or more commonly Hoos. The Goes family is said to have attained some distinction in Holland and is a well-known North River Dutch family in New York. There is some account of the Hoes or Goes family in N. Y. His. and Gen. Rec., Jan., 1900, p. 52, where it is said that the American ancestor of the family was Jan Tyssen Hoes or Goes. In the same magazine for July, 1900, is a list of baptisms in Linthigow Church, showing the baptism of Cornelia Hoes Oct. 2, 1643. With no town and few church records in New York, it is difficult to trace relationship between persons of the same name. The maiden name of the mother of President Van Buren was Mary Hoes and his wife was Hannah Hoes, but I know of no evidence to show that they were related to each other, or that either was related to Cornelia Hoos, the mother of Elizabeth Daniels. It is said that Cornelia Hoos had six brothers, who lived at Coxsackie, and that the mother of President Van Buren was the daughter of one of these brothers. Cornelia Hoos was born in 1766, Mr. Van Buren in 1782, and it is therefore quite possible that her brother was the father of Mr. Van Buren's mother.

Richard Daniels was an Albany man. He had been a soldier in the French and Indian War, and when the struggle for Independence came felt himself bound by the oath he had taken to serve his King and refused to take the oath of allegiance to the new government. He was therefore considered a Tory and sent through the lines to New York City, where he remained during the war. At its close he proposed to his wife that they go to Canada so that he might there receive a grant of lands as a reward of his loyalty. Her answer was: "You go to Canada if you want to. I got along without you for seven years and I will never leave my own country." He did not go to Canada, but, like a stubborn Dutchman as he was, he never took the oath of allegiance to the New Government, never voted nor took any part in public affairs. After the war he lived at Kinderhook and in the city of Hudson, and about 1790 went to the Cowenisque in Pennsylvania, where Samuel Baker had settled, and from there to Pleasant Valley, where he bought a farm of 320 acres adjoining the farm of Samuel Baker and running back from the Inlet to the top of the hill. This farm he conveyed in 1816 to Samuel Baker in trust for my father, reserving to the grantor and his wife, if she survived him, a life estate. My father conveyed it to his brother Samuel, and after his death it passed to his son-in-law Charles D. Champlin, and part of it is now owned by his son, Harry Champlin. On this farm above the road is the Wine House of the Pleasant Valley Wine Company. Grandfather Daniels was not a favorite with his grandchildren. Perhaps the fact that he was a Tory had much to do with their feeling towards him. It is not easy for us to realize how bitter was the feeling towards Tories during the first fifty years after the war. My father was born in 1809, and he was taught both by example and precept by his brothers that the taunt, "Your grandfather was a Tory," must be answered with a blow, no matter when, where nor by whom spoken. A little below Grandfather Daniels in the Valley lived Eli Read, a Rhode Island Revolutionary soldier, who was justly proud of his record. Daniels and Read both drank quite as much as was for their good; then, as now, there was a tavern at the Corners across the Inlet from Daniels' house where they often met, usually to drink and smoke in peace and quiet. But now and then Captain Read would say, "Daniels, I've smelled powder." The first time Daniels would make no answer. If he said it again, Daniels would say, "You've smalt der Duyvil." If he said it a third time, the fight was on. Nothing serious ever came of these squabbles, and



the two remained bosom friends until the death of Daniels. One time when the pair had had a particularly good time at the old tavern, Captain Read insisted that Daniels go home with him. Aunt Nellie, his wife, had been dipping candles that day, and her husband in honor of his guest took all her candles, put them in the windows, lit them and then said, "Nellie, Nellie, get up and see this great and glorious light," or, according to Tim Younglove's version, said, "Nellie, Nellie, get up and see the glory of Jerusalem." Both Daniels and his wife spoke a strong Dutch accent and she ended her sentences with a "but." A man who was making hay on equal shares for Grandfather Daniels, my father helping to haul the hay, told grandmother that her grandson Dick, was a very saucy boy; that he had asked him why he hauled so much bigger loads of hay to his own barn than to grandfather's when the road was as good to one as to the other, and her answer was: "Childers and fools always speak de truth, but." She died Nov. 13, 1823, aged, 80; her husband died Jan. 23, 1825, aged 90, and both are buried in the Pleasant Valley Cemetery.

We are just beginning to learn how much we, as a people, owe the Dutch; how fortunate it was for America that so many of our English Puritan ancestors spent years in Holland before they came to New England. It was from the Dutch, through those ancestors, that we first had written constitutions, recording of deeds and mortgages, local self-government, the New England town meeting, freedom of the press, and the written ballot.

#### SAMUEL BAKER (V) OF PLEASANT VALLEY.

Samuel Baker was taken by his father to White Creek, the old "White Creek," now Salem, when he was seven years old. When he was twelve the Revolutionary war began.

No family story has been so often told or is so well known as the story of his capture by Indians in August, 1777. General Burgoyne reached Fort Edward July 26 and slowly advanced towards Albany. The forests in advance of his army were filled with his Indian allies and they were paid for either scalps or prisoners. The White Creek of that day is about thirty miles southeast of Fort Edward. On the morning of his capture he, with his brother William, was picking blackberries in a field adjoining a forest. William saw the Indians, and whispering, "Sam,—Injuns!" hid among the bushes and escaped. Samuel hid behind a large stump and might probably have also escaped discovery had not his curiosity to see an Indian overcome his caution. Raising his head above the stump for that purpose, he was promptly captured and hurried into the woods. There were but two Indians in the party, one old, one young. The captive was without shoes, but was given a pair of moccasins. He had had no breakfast, and the party traveled all day without dinner. He soon learned, partly from the few words he could understand, but more from the actions of the Indians, that there was a difference of opinion between them; the young Indian insisting that the boy could not keep up and therefore that they should take his scalp; and the old one, that they should take him alive into the camp, because there they could get more money for him alive than they could for his scalp. Fortunately he was a strong, vigorous boy, possessed of great powers of endurance, and with the inducement to put forth his best efforts found no difficulty in keeping pace with the Indians. Just before night a deer was shot and preparations were then made to camp for the night. The only article carried by the Indians other than their arms was a brass kettle, and in this were placed pieces of venison to cook. While the kettle was on the fire the young Indian came up with a nest of young robins in his hand and threw the young birds, just as they were, alive and almost ready to fly, into the kettle. Judge Baker always insisted that no meal that he had ever tasted was so good as that venison and young robin stew.

The next day the party reached the camp of Burgoyne and the captured boy was sold for twelve dollars to an officer on the staff of the General. It was his duty to wait on the table at headquarters and

especially to serve such liquid refreshment as the General or members of his staff demanded. In this way he saw much of Burgoyne and was one of the few Americans who were present at the formal surrender of his army to General Gates at Saratoga. On the day of the surrender he attracted the attention of an American officer who said to him, "My boy, who are you?" And he told his story. The officer then said, "Have you any money?" And the boy said, "Very little." The officer replied, "I have very little myself, but here are two dollars, and now go home as fast as you can." He soon found his way home, and there remained until 1781. In that year, at the age of eighteen, he enlisted in Captain Peter Van Rensselaer's company, which was attached to the corps raised for the protection of the northwest frontier, of New York, commanded by Colonel Marinus Willett. He took part in the action at Johnstown, Oct. 24, 1781, where Colonel Willett lost about forty men, and in the pursuit of the enemy to West Canada Creek, where Major Walter Butler, a noted Tory leader, was killed. The pursuit was made during a heavy snow storm. In their eagerness to come up with the enemy many of the troops threw away their blankets and provisions and there was great suffering from cold and hunger. His name appears in the rolls of Captain Van Rensselaer's Company in Vol. XV. of Doc. Relating to the Colonial His. of N. Y., also called "New York in the Revolution," and a score or more of his descendants have been admitted to membership in the Sons and in the Daughters of the American Revolution by virtue of their descent from him.

That he took part in the Revolutionary War is also shown by the following certificate of George Rogers Howell, State Archivist of the State of New York:

## NEW YORK STATE LIBRARY.

ALBANY, N. Y., Feb. 13, 1895.

This may certify that in the military records of the State of New York, in the custody of the Regents of the University in the State Library, the name of Samuel Baker is recorded as a private soldier in the regiment of the New York Militia under command of Col. Marinus Willett and in the company commanded by Capt. Peter Van Rensselaer, and that this said regiment was employed in active service in the revolutionary war.

GEORGE ROGERS HOWELL,  
Archivist.

In the spring of 1787 he set out alone to make a home. Connecticut claimed Western Pennsylvania under her patent. In New York Sir William Pulteney and his associates had bought the great tract of land known as the Morris Reserve, formerly owned by Robert Morris, which included the present County of Steuben and several other counties. It is uncertain whether he intended to settle in Pennsylvania, relying on the title of Connecticut, or on the Pulteney tract, but in fact he settled in Tioga County, Pennsylvania, a few miles south of the New York line. Judge Guy McMasters, the author of the Pioneer History of Steuben County, knew Samuel Baker and his son William, well. The History was written either in Judge Baker's lifetime or very soon after his death. It contains very full accounts of the journeys of Judge Baker between the city of Hudson and his new home in Pennsylvania, and I have no doubt they are given as they were told to the author by Judge Baker. I therefore shall give the accounts of his journeys as they are given by McMasters. He states that Judge Baker reached the upper waters of the North Branch of the Susquehanna, floated down to Tioga Point, the mouth of the Chemung, pushed up the Chemung to Painted Post, thence up the Tioga to the mouth of the Cowenisque in Pennsylvania, and there on the open flat built a cabin and commenced a clearing. He was the first settler in the Valley of the Tioga. Samuel Harris, a trader, lived at Painted Post, and his next neighbor was Col. Brady on the Chemung below Big Flats. He had a cow, fish and game were plenty, and, like a true son of Connecticut, he managed to live comfortably and well. He planted with a hoe a patch of corn and raised a good crop. In the fall Amos Stone came and they were friends and neighbors from that time until his death. Stone had been a soldier of the Massachusetts Continental line and had taken part in Shay's Rebellion. All of the



Northern States except Pennsylvania offered rewards for the capture of Shay's adherents, and Stone sought refuge in that State. At Christmas, leaving Stone to hold his claim, Samuel Baker set out for the City of Hudson. The following is Judge McMaster's account of his journey:

On the morning of Christmas day in the year 1787, a backwoodsman and an Indian issued from the door of a log cabin which stood half buried in snow on the point of land lying between the Cowenisque Creek and the Tioga River, at the junction of those streams, and set forth on the ice of the river for a journey to the settlements below. They were clad according to the rude fashions of the frontier and the forest, in garments partly obtained by bargains from outpost traders, and partly stripped by robbery from the beasts of the forest. Tomahawks and knives were stuck in their belts, snowshoes were bound to their feet and knapsacks of provisions were lashed to their backs. The snow lay upon the ground four full feet in depth. The pioneer and his savage comrade pursued their journey on the ice. The Tioga was then a wild and free river; the only habitation of human beings on its banks was the log cabin at the mouth of the Cowenisque. The travellers kept on their course beyond the mouth of the Canisteo to the Painted Post. Here they expected to find the cabin of Harris, the trader, where they might have lodgings for the night, and, if necessary, for their comfort, a draught from the cup which cheers (and also inebriates). On their arrival at the head of the Chemung they found that the cabin had been destroyed by fire. Harris had gone for a holiday visit to his relatives in Pennsylvania, and to prevent his claim being taken in his absence had burned his buildings, and Steuben County was in consequence depopulated. Disappointed in this hope, the two travellers continued their journey on the ice as far as Big Flats, where night overtook them. They kindled a fire on the bank of the river, and laid them down to sleep. The air was intensely cold; the savage rolled himself up in his blanket, lay with his back to the fire, and did not so much as stir till the morning, but his companion, though framed of that stout stuff of which backwoodsmen are built, could not sleep for the intensity of the cold. At midnight a pack of wolves chased a deer from the woods to the river, seized the wretched animal on the ice, tore it to pieces and devoured it within ten rods of the encampment. Early in the morning the travellers arose and went their way to the settlements below, the first of which was Newtown, the site of the present city of Elmira.

In due course he reached Hudson, where he spent the remainder of the winter. There, Feb. 7, his first child Mary (Aunt Polly) was born. On the opening of the river in 1788 he set out with his wife and daughter to return to his cabin on the Cowenisque. There is in the present County of Schoharie a short portage from Schoharie Creek, a tributary of the Mohawk, to a stream that flows into the Susquehanna, and it is probable that he in a canoe went up the Hudson to the mouth of the Mohawk, thence up the Mohawk to the mouth of Schoharie Creek, thence up that creek to the portage to the Susquehanna. He floated down the Susquehanna to Tioga Point in a canoe, but could not at once go up the Chemung by reason of a freshet, and leaving his wife and child there he set off across the hills to see how things had gone with Captain Stone in his absence. He reached the bank of the Tioga, opposite his cabin, and saw near it an Indian pounding corn in a samp mortar, but no Captain Stone. He hid in the bushes and in an hour or two along came the Captain driving his cow. The Indian turned out to be a sort of a "Man Friday" for Captain Stone. He returned to the Point and brought his wife and child to the cabin and there they lived for six years, and there were born to them three children—Caty (Aunt Caty Fairfield), William and Tryphena (Aunt Phenie Gray). The Connecticut titles to lands in Pennsylvania were held bad by the courts; the first decisions were against the settlers' rights to their "betterments," and he at once sought a new home. Captain Williamson, the first agent of the Pulteney Estate, had often enjoyed his hospitality on the Cowenisque, and now offered him a farm anywhere in the Pulteney tract. He had, a few years before, while on his way from the Cowenisque to Canandaigua to have a gunlock mended, followed a north and south line run by the Pulteney Estate surveyors, which ran over Mt. Washington and across Pleasant Valley, and on Mt. Washington had climbed a tree and from there seen the beautiful valley at his feet and the lake beyond and to his right and he selected the farm of three hundred acres running from the Inlet up the face of Mount Washington on which he lived until his death. He received a deed for this farm from Captain Williamson Dec. 9, 1793, and brought his wife and children there in



the spring of 1794. The town of Urbana was organized in 1821, and up to that time Pleasant Valley was in the town of Bath. He was elected assessor of the town of Bath at the first town meeting, 1797, and was collector and supervisor of the town for many years. In 1797 John Jay, Governor of New York, issued to him a commission of Lieutenant of Militia in the regiment whereof Charles Williamson was Lieutenant-Colonel and Commandant. He was commissioned by Governor Daniel D. Tompkins Loan Commissioner in 1808; by the same Governor in 1813 First Judge of the Court of Common Pleas of Steuben County; and by John Taylor, Lieutenant-Governor, who became acting Governor on the election of Governor Tompkins, Vice-President of the United States, as Surrogate of Steuben in 1817. I have all of these commissions except the Commission as First Judge, and if that commission is in existence, it ought not to be longer kept separate from the other three.

In politics he was a Jeffersonian Republican. In honor of his first election he gave a ball in his new house, the first frame house in Pleasant Valley, and opened the ball with the wife of Judge William Read as his partner. He gave to his son, born three months after Jefferson's inauguration, the name of Thomas Jefferson. He, like Governor Tompkins, was a Tammany man or "Bucktail" and opposed to the "Clintonians," as the followers of Governor and Vice-President George Clinton, and later of his nephew DeWitt Clinton, were called. His opposition became more bitter after DeWitt Clinton became a candidate for President against Madison in 1812, and he opposed in 1817 DeWitt Clinton's plan for the Erie Canal. In the contest for the Presidency in 1824 between John Quincy Adams, Andrew Jackson, Henry Clay and William H. Crawford, all Republicans, he favored the election of Adams, and in the division of the Republican Party following Adams' election into the Democratic Republican Party, led by Jackson, and the National Republican Party led by Adams and Clay, he became a member of the National Republican Party. About 1830 the Democratic Republican Party took the name of the Democratic Party, which it still retains, and the National Republican Party took the name of the Whig Party, and he was a member of that party until his death.

John Magee, for many years a resident of Bath, said to me in his later years, when his wealth ran into the millions, "To your grandfather more than to any other man I am indebted for my success in life. I was a poor boy and he took an interest in me, was my friend, my adviser, my counsellor, and no young man ever had a better adviser or wiser counsellor." From my father I heard the other side of that story. John Magee was a poor boy, and was made constable before he was of age; before the end of his year he came to see Grandfather, and the Judge asked him how he had done. "Oh, very well," was the answer. "Tell me," was the reply, "how much you have saved and where it is." The answer was that he had some money, that there was so much costs due him from one man, so much from another, so much from a third, and so on. "No, no," said Judge Baker, "that will not do at all; you will not get all, even of the face of your cost bills. They will get old, you will ask for the money once or twice and then be glad to throw off something or take them out in trade. Collect your costs at once; if you cannot get money, get a note bearing interest. You will not be asked to throw off even the interest from a note. If you have money, get that out at interest where it is earning something, where it is working for you." Magee was made constable for another year, and at its end was able to go to Judge Baker and say that he had no cost bills uncollected, and that every dollar he had was drawing interest.

Judge Baker lived on the frontier from the time he was seven years old, and his opportunities for acquiring an education were very limited. It is said that he devoted his time while at home in the early months of 1787 to study; that one of the books he then read and reread was Morse's Geography. But however defective his early education may have been, his letters show that he wrote good, correct English. I do not remember that in any of his letters I ever saw a misspelled word or an ungrammatical sentence.

The *facsimile* of his first letter to my father after he left home shows how correctly he wrote and how wise was his counsel. The wisdom of his counsel is also shown by a letter to another son who had sold part of his farm. He wrote that he himself would have paid 1,000 dollars rather than have him obliged to sell the land, and then proceeded to say: "If you think you have talent for speculation, do confine yourself to your surplus means and not endanger your farm either by running in debt or putting your name to other people's paper. You remember an old saw of mine, that every man has a soft spot in his head, or, in other words, his weak side. I am afraid that you put too much confidence in those you think your friends. If the soldier finds a weak spot in his fortification, it is his duty to place a double guard at that spot. You remember the Scotchman's prayer, that the Lord would protect him from his friends, that he could defend himself from his enemies."

Senator Samuel H. Hammond, who knew him well, wrote of him in his "Country Margins": "Judge Baker was a most remarkable man. Strong in physical strength, well calculated to endure the hardships of a new country, but stronger still in mental vigor and common sense. He was always a thoughtful man; in his later years he was a great reader." Mr. Timothy M. Younglove, not long before his death, gave me his recollections of Grandfather and Grandmother Daniels and Grandfather and Grandmother Baker: "Richard Daniels was of Dutch origin, small of stature, but tough and hardy, while his wife was tall, erect, and carried a marked dignity in every movement. Mrs. Baker was the very image of her mother. Judge Baker was a large man, not particularly tall, but his shoulders were high and he had a large head, set on a short neck, so that he was generally called a tall man. In his more advanced years he was quite corpulent, weighing more than two hundred pounds. He had black curly hair, black eyes, and stood up very straight. He was both in mind and body a splendid specimen of the New England farmer of his day. He prospered personally and financially, was perhaps the most prosperous farmer in the County and gave to each of his twelve children a farm." Aunt Gray said to me of her mother, "My mother was tall, quick in motion. My brother Franklin was most like her. She was fond of nice things, had a black satin cloak that my Uncle William brought her from China. She was a member of St. Thomas Episcopal Church, Hammondsport, from 1826, when the church was established and Mr. Bostwick made the first Rector." In early life Judge Baker entertained liberal religious opinions, but in later life those opinions were greatly modified. The Baker blood of our immigrant ancestors was a strong blood and was made better and stronger by the strains of Dutch and Huguenot blood introduced by marriage.

Judge Baker died Dec. 2, 1842, in his 80th year; his wife died May 18, 1854, in her 89th year, and both are buried in the Pleasant Valley Cemetery.



Urbana 27<sup>th</sup> September 1835

My son Richard I write you for the first and  
most probably for the last time - my health has  
not been good since you left here I think it very  
doubtful whether I shall live to see another summer  
and if I should I am afraid I shall be a burden to  
myself and friends - but as I have been permitted  
to live to see or hear that you and the rest of our  
children are settled in the world I have but little  
anxiety about it - I understand that you have located  
near your brothers & sisters which is very pleasing  
to me you can be of great use to them and they  
to you I hope you will all conduct yourselves in  
such a manner as to live in love and friendship  
with each other bearing with each other in kindness

Now Richard is the very crisis of your fate as you lay  
the foundation so will the building be strong or weak  
one thing I would impress on your mind - It is much  
easier to be what you would wish people to think you are  
than to make them believe you are what you are not  
it is very easy to practice justice mercy and truth but  
very hard to make people believe you are an honest man  
without being in reality such - Ann poor Ann what  
shall I say for poor Ann - The napp has a lot of land in the  
land I gave to Ann - if it should be sold to pay his debts  
I hope you and your brothers will bid it all and secure  
Ann a home if it should happen before my death I  
will furnish the funds if after I hope you will do it for  
the reneration you have for your parents and the love you  
have for Ann and his children - we have been much pleased  
with the visit that Thomas & Sophia has made us I had a great  
desire to see them once more - I love by Thomas 50 dollars to you  
and 50 to each of the other children - Your Father Sam<sup>l</sup> Baker  
Richard Baker





## CHAPTER VI.

## THE DESCENDANTS OF SAMUEL BAKER OF PLEASANT VALLEY.

Of the twelve children of Samuel Baker, six sons and six daughters, two sons, William and Samuel, lived in Pleasant Valley. A daughter, Caty, lived in Pultney, and the three are buried in the Pleasant Valley cemetery. Tryphena lived during the greater part of her life in Wheeler. She with her brothers, Franklin, Thomas, John and Richard, and sister, Sophia, died in Seneca County, Ohio, and are buried in the Rock Creek cemetery. Three daughters, Mary, Lucretia and Ann, removed from Seneca County to Garden Grove, Iowa, and there died.

## VI. GENERATION.

## CHILDREN OF SAMUEL BAKER.

- i. Mary, b. Feby. 6, 1787, m. Joseph Baker 1810, d. 1861;
- ii. Caty, b. June 14, 1789, m. William Fairfield, d. 1861;
- iii. William, b. May 24, 1791, m. Eunice Conger, d. May 16, 1863;
- iv. Tryphena, b. May 8, 1793, m. Levi Gray;
- v. Samuel, b. Oct. 8, 1795, m. Catharine Hammond, d. Jan. 25, 1842;
- vi. Sophia, b. Aug. 26, 1797, m. first, George Stearns and second, William Fleet, d. June 5, 1839;
- vii. Franklin, b. Sept. 13, 1799, m. Elizabeth Ford, d. Dec. 26, 1832;
- viii. Thomas Jefferson, b. June 15, 1801, m. Sarah Boyd, d. Oct. 16, 1863;
- ix. Lucretia, b. 1803, m. Silvanus Arnold, d. June 19, 1890;
- x. John, b. Jany. 7, 1806, m. Mary Eaton, d. March 3, 1876;
- xi. Richard, b. Jany. 1, 1809, m. Fanny Wheeler, d. Feby. 14, 1889;
- xii. Ann, b. Jany. 13, 1811, m. Zelotes Knapp.

Franklin Baker married his cousin, Elizabeth Ford. In 1823 they came to Ohio and he bought from the United States 320 acres of land in Seneca County. There two children were born, Edwin, and Elizabeth. Edwin died in 1827, his mother the next year and in 1831 the daughter Elizabeth died. December 26, 1832, three months after his thirty-third birthday, Franklin Baker died. I have some of his letters and one of Aunt Elizabeth's. In a letter to his brother William dated October 22, 1827, he said: "In mentioning politics, I find I shall be at a loss for room, but would be much pleased to have a little personal conversation on that subject. But by close examination I have come to the conclusion on the principle of protective duties. That it is a principle that must meet the approbation of nearly every enlightened politician in the United States. But that the violent opposition from the South exists from a spirit of jealousy that is well founded. That the North will, by this system, more rapidly increase in population and of course our power in Congress will increase, which, of all things, they most dread. As they have been used to rule, they cannot bear to become the minority. They would sooner the universe should suffer than that they should be humbled in their forward ambition—not ambitious of despotic power, but of having whatever there is in their own hands."

This letter shows that the writer a third of a century before the civil war clearly saw that the southern people would not willingly surrender the control of the government, and their acts and conduct in 1861 proved how correct was his judgment.

*Baker Ancestry.*

## VII. GENERATION.

## GRANDCHILDREN OF SAMUEL BAKER.

## CHILDREN OF HIS DAUGHTER, MARY, WIFE OF JOSEPH BAKER:

- i. Seneca;
- ii. Elizabeth, m. Ethan Smith;
- iii. William, b. 1813, m. Elizabeth Chandler, d. 1884;
- iv. Sophia, b. 1815, m. Albert S. Fleet, d. 1895;
- v. Eunice, m. Clark Lampman;
- vi. Irene, m. Chambard;
- vii. Ruth, m. James McClung;
- viii. Samuel;
- ix. Jefferson;
- x. Richard, enlisted 1861, died in the service 1862;
- xi. Mary, b. 1833, m. Louis Guillaume, d. 1912.

## CHILDREN OF HIS DAUGHTER CATY FAIRFIELD:

- i. Christine;
- ii. Eliza, m. Lucius Williams;
- iii. Kate;
- iv. Rebecca, m. Silas Smith;
- v. Emma;
- vi. Electa;
- vii. Lure;
- viii. Ann;—
- ix. John;
- x. Scott;
- xi. Baker.

## CHILDREN OF HIS SON WILLIAM:

- i. Eliza, b. 1816, m. Rev. John G. Gulick;
- ii. Fanny, b. 1818, m. Alonzo Tunncliff;
- iii. Azariah C., b. 1819, m. Harriet Kennedy; Lieut. 164th Ohio Vols., d. 1863;
- iv. Thomas J., b. 1821, m. Louisa Tunncliff, d. 1855;
- v. Benjamin Franklin, b. 1823, m. Mary Brundage;
- vi. Aaron Y., b. 1827, m. Maria Dorsey;
- vii. Mary Papillon Barker, b. 1835, m. Angus Cameron of LaCrosse, Wis.

## CHILDREN OF HIS DAUGHTER TRYPHENA GRAY:

- i. Samuel Baker, b. 1811, m. Jane Stryker;
- ii. Daniel, b. 1813, m. Lydia Myrtle;
- iii. Franklin, b. 1815;
- iv. Harry, b. 1818;
- v. Jane, b. 1821, m. Jonathan B. LaRue;
- vi. Lauren, b. 1823;
- vii. Eunice, b. 1826, m. James Neely;
- viii. Elizabeth, b. 1828, m. Samuel Van Pelt;
- ix. Lucretia, b. 1831, m. Abraham Brown;
- x. Richard, b. 1838, m. Candace Barney.



CHILDREN OF HIS SON SAMUEL:

- i. Juliana, b. 1819, m. Zenas Cobb;
- ii. Elizabeth, b. 1821;
- iii. Sarah, b. 1823, m. Dr. Van Keuren;
- iv. John H., b. 1826, m. Roxana Kingsley;
- v. Emily Alice, b. 1829, m. Charles Davenport Champlin;
- vi. Kate, b. 1835, m. Ezra Hawley.

CHILDREN OF HIS DAUGHTER SOPHIA:

She married, first, George Stearns.

- i. John Baker, b. 1824, m. Adaline Killey;
- ii. George W., b. 1826, m. Arvilla King;
- iii. Daniel, b. 1828, m. Louisa Simmons;
- iv. Alfred, b. 1830, m. Nancy Sloat.

She married, second, William Fleet and had daughter Sophia, m. Charles Nolan.

CHILDREN OF HIS SON FRANKLIN:

- i. Edwin, d. 1827;
- ii. Elizabeth, d. 1832.

CHILDREN OF HIS SON THOMAS JEFFERSON:

- i. Caroline, b. 1826, m. John Lapham, d. 1913;
- ii. Dugald Cameron, b. 1828, d. 1850;
- iii. Frances J., b. 1831, m. Cornelius Y. Brundage;
- iv. Franklin, b. 1833, m. Matilda Blair;
- v. Samuel, b. 1837, m. Lavinia McCormick, Lt. 164 Ohio Vols.;
- vi. Ann, b. 1839, m. Randolph Fitz Eastman, Captain 55th and Lt. Col. 166th Ohio Vols.;
- vii. Elizabeth D., b. 1842, m. Captain James H. Hall;
- viii. Julia Dennison, b. 1846, m. Albert Ewer.

CHILDREN OF HIS DAUGHTER, LUCRETIA ARNOLD:

- i. Ann, b. Feby. 27, 1828, m. Solomon White Shepard, d. Oct. 21, 1903;
- ii. John, b. July 29, 1831, d. Dec. 28, 1859;
- iii. Samuel Baker, b. Oct. 18, 1834, d. Mch. 4, 1847;
- iv. Nancy Long, b. Jan. 26, 1837, m. Stanfield Pinkhard McNeill, d. Dec. 18, 1881;
- v. Guy Perry, b. March 6, 1843, m. Elsie Howe.

CHILDREN OF HIS SON JOHN:

- i. Elizabeth, b. Nov. 20, 1832, m. John G. Patterson, d. June 9, 1901;
- ii. George E., b. June 10, 1835, Sergt. 8th Ohio Vols., d. 1910.
- iii. William F., b. July 29, 1837, 164th Ohio Vols., d. 1913;
- iv. Emily, b. May 8, 1840, m. James Thompson;
- v. Thomas Corwin, b. March 26, 1842, Lieut. 3rd Ohio Cav.;
- vi. Fanny E., b. Jany. 27, 1856, d. Dec. 13, 1884;
- vii. Zack, b. March 16, 1852, d. Aug. 11, 1862.

CHILDREN OF HIS SON RICHARD:

- i. Silas Wheeler, b. Nov. 26, 1837, m. Delilah Brown;
- ii. Frank, b. May 11, 1840, m. Eliza Warner, 84th Ohio Vols., Judge Circuit Court of Cook County, Illinois, since June, 1887;
- iii. Job, b. March, 1843, m. Eliza Nichols, 49th and 164th Ohio Vols.;
- iv. Grattan Henry, b. Sep. 15, 1848, m. Frances Fleet;
- v. Ralph W., b. Jy. 7, 1851, m. Patience Hatch Graves, d. May 18, 1911;
- vi. Richard Ward, b. Dec. 25, 1858.

## CHILDREN OF HIS DAUGHTER ANN KNAPP:

- i. Thomas Jefferson, b. March 25, 1833, m. Sylvia Mudgett;
- ii. Charles Maurice, b. Jany. 10, 1835, 3rd Iowa Cav., m. Hester Ann Wooley;
- iii. Samuel Baker, b. Aug. 16, 1836, m. Frances Burns;
- iv. Edward Young, b. July 30, 1838, 3rd. Iowa Cav., m. Mary Mudgett;
- v. Lucretia, b. June 16, 1841, m. Charles Armstrong;
- vi. Mary, b. Oct. 31, 1850, m. Ladislaus, Count Zichy, May 21, 1879.

## VIII AND LATER GENERATIONS.

## THE GREAT GRANDCHILDREN OF SAMUEL BAKER AND THEIR DESCENDANTS.

This list is imperfect, but in it I give such information as I have as to the grandchildren of each of his children and their descendants.

## I. DESCENDANTS OF HIS DAUGHTER MARY, WIFE OF JOSEPH BAKER:

- a. Of her son William:  
Sibyl, Ella; Sibyl m. William C. Mettler, issue Carl Benson, John C., William C.; Ella m. Morgan Ink, issue John Baker, Sibyl Margaret, Charles Raymond;
- b. Of her daughter Sophia Fleet:  
Elizabeth b. 1840, Ardilla D., b. 1842, Mary b. 1843, Ellen Jane b. 1845, Anna b. 1846, Ruth B. b. 1852; Anna Fleet m. Benjamin Miller 1876, issue Earl Fleet b. 1879, Albert Rutherford b. 1882, Mary Sophia b. 1886; Ruth B. Fleet m. Albert S. Bloomer; dau. Almeda m. Harrison Biddle, issue George Albert, Donald Ward;
- c. Of her daughter Eunice, m. Clark Lampman, Stephen m. Lydia Wooley, issue Mary Ann Lampman.

## II. DESCENDANTS OF HIS SON WILLIAM:

- a. Of his daughter Eliza Gulick:  
Ellen m. Rev. Sanford Van Benschoten, D. D.; Mary m. John Smith Brown, Lt. Col. 126th New York Vols.; Frances m. Loren H. Bachelder, LL. D., Professor and Dean, Hamline University;
- b. Of his son Azariah C:  
Florence Gertrude, m. Oliver Watson Williams, Lieut. 25th Ohio Vols., Elizabeth m. Dr. Lyman Tompkins; Hugh, John K.; children of Florence Gertrude Williams; Jane Adelaide m. George M. Edmanson, Henry Baker, Roger Oliver, Harriet Eunice m. William C. Halstead, issue Roger Williams, b. 1911; children of John K. Baker, Winfield, Sarah Ethel, Harold, William Kenneth;
- c. Of his son Benjamin Franklin:  
Kate Elizabeth b. 1848, m. Orrin Gowell, Mary Brundage m. William Newton Copeland; children of Kate Elizabeth Gowell, Edith Lucy, Frank Baker;
- d. Of his son Aaron:  
Frank Dorsey, Walter, Frederick, Attorney at law, Los Angeles, Cal., m. Elizabeth Hooker, issue Frederick Hooker, b. 1901.

## III. DESCENDANTS OF HIS DAUGHTER TRYPHENA GRAY:

- a. Of her son Samuel Baker Gray:  
Marquis, Charles, Edson F. and Jane (Mrs. Merchant); Marquis and Charles enlisted in the 45th Ohio Vols. and died in the service. Edson F. 164th Ohio Vols. m. Harriet L. Smith, issue Gretta Tryphena (Mrs. Echelberry), d. 1909, Frank Grattan, m. Elizabeth Dilson, issue Letha Louise b. 1891;
- b. Of her son Daniel:  
Caroline b. 1836, Thomas J. b. 1838, Kit b. 1840, m. George Orr, Clara b. 1842, m. Grattan H. Brundage, Aaron b. 1845, Ellen b. 1847, Henry b. 1849, James b. 1850, Frances b. 1853, m. Frank Dunn, William b. 1855;
- c. Of her son Franklin:  
Caroline, m. Frederick Steigmeyer, issue Frederick Steigmeyer, Attorney at law, Salt Lake City;

- d. Of her daughter Jane LaRue:  
Frank, 45th Ohio Vols., Charles 45th Ohio Vols., died in Andersonville prison, Levi, Comfort, Albertus;
- e. Of her daughter Elizabeth Van Pelt:  
Mary Frances, Candace;
- f. Of her son Richard:  
Harry, Edward E., Charles, John, Fannie, Frederick, Richard, James J.;
- g. Of her daughter Lucretia Brown:  
Samuel, Carolyn, Richard, Fannie, Rush Grant; Samuel Brown m. Emma Bowlus, issue Edna, Grace, Mary; Mary Brown m. Otto C. Jordan Nov. 5, 1902, issue Margaret Emma b. Mary I, 1904.

## DESCENDANTS OF HIS SON SAMUEL:

- a. Of his daughter Juliana Cobb:  
Samuel Baker, Catherine, Henry B.;
- b. Of his son John H.:  
Fannie, Samuel; Fannie m. first, Thomas J. Zeigler, and second, Frank Lindicke, Children of Fannie Zeigler, Jessie and Charles; Jessie m. Ward Levering, issue dau. Caroline, Charles d. 1903;
- c. Children of his daughter Sarah Baker Van Keuren; Franklin Baker, Nellie (Mrs. McCulloch);
- d. Children of Emily Alice and Charles Davenport Champlin:  
Julia Catherine, Caroline Adsit, Harry M., Charles A.; Julia Catharine m. DeWitt C. Bauder, issue James; Caroline Adsit m. William Hastings Nichols; Harry B. m. Eva Drummer, issue Emily Louise; Charles A. m. Georgia Malburn, issue Charles Davenport, Gladys Helen, Frances Malburn.

## V. DESCENDANTS OF HIS DAUGHTER SOPHIA STEARNS:

- a. Of her son John B.:  
William F. b. 1850, Alden W. b. 1852, Clara A. b. 1854, Grace Brundage b. 1874; William F. m. Alice C. Iler, issue Pearl H. b. 1880, Alden Lloyd b. 1881, Julia Grace b. 1883, Walter Iler b. 1889; Alden W. m. Mary E. Wales 1879, issue John William, b. 1883, Ruth H. b. 1890, Dan. P. b. 1894, Mary Marcella, b. 1897, Guy C. b. 1899; Clara A. m. Julius D. Bartow, issue Addie S. b. 1879, Nora H. b. 1881, John S. b. 1887; Grace Brundage m. John E. Vail, issue Ferry E. b. 1897, Helen L. b. 1899, John S. b. 1901, Adaline E. b. 1908;
- b. Of her son George W.:  
Frank E., Clary S.; Frank E. m. Mary L. Edwards, issue Josie b. 1878, Lena b. 1880, Nellie b. 1882, Fred b. 1885; Clary S. m. Kate Sullivan 1879;
- c. Of her son Daniel:  
Harry, m. Maggie Hamill, issue Bessie b. 1901, Dan. b. 1904;
- d. Of her son Alfred:  
George b. 1855, m. Agnes Amos 1878, Louis Alfred b. 1861. Children of George Stearns: Rolla Alfred b. 1884, m. Zaide Ravidou.

## VI. DESCENDANTS OF HIS SON THOMAS JEFFERSON:

- a. Of his daughter Caroline Lapham:  
Julia, m. James Dunlap, issue William;
- b. Of his daughter Frances J. Brundage:  
Samuel, Eugene, Frederick, Grace, m. Dr. Robert C. Steele;
- c. Of his son Franklin:  
James B., Webster D. Thomas J.; James B. m. Josephine V., dau. of Captain Francis Le Clair, issue Florence B., Beatrice M., Virgil P., J. Blair, Dorothy R. and Jocelyn L.;
- d. Of his son Samuel:  
Dugald Cameron, Henry Beecher; sons of Henry Beecher Baker, Ralph Cornell and Howard Thomas;
- e. Of his daughter Ann Eastman:  
Sara Baker, Katherine; Sarah Baker m. Ellwood Vandiver Matlack, issue Ellwood Vandiver, Jr.; Katherine m. Dr. Stanly Holden;
- f. Of his daughter Julia Dennison:  
Albert B.



## VII. DESCENDANTS OF HIS DAUGHTER LUCRETIA ARNOLD:

- a. Of her daughter Ann Shephard:  
Kate Ford, Fanny Baker, May Lucretia;
- b. Of her daughter Nancy Long McNeill:  
Grace B., Kate B., Guy Arnold, Edward Russell, Anna B., Mary Barker, Norah, Ruth; Grace B. m. Edward Gaunt, issue Joseph McNeill, Edward Arnold, John Davenport; Kate B. m. Myron E. Wells, issue Stanfield McNeill, Guy McNeill, Mary Sheldon; Edward Russell m. Bess Gilson, issue Gilson Arnold; Mary Barker m. Benjamin F. Aten, issue Margaret, Robert Edwards, Nancy Elizabeth; Ruth m. Joseph Major, issue Stanfield McNeill, William Joseph;
- c. Of her son Guy Perry:  
Helen E., Ethel Lucretia, Alice Pauline, John Dent.

## VIII. DESCENDANTS OF HIS SON JOHN:

- a. Of his daughter Elizabeth Patterson:  
William Hal, Blanche, m. Edward Staley, issue Nelson, Robert P., John Edward;
- b. Of his daughter Emily Thompson:  
Mary, Fannie, E., Rush, Charles; Mary m. Harry S. Spencer, issue Gladys, Raymond, James, George, Jack, Kathryn, Robert, Russell. Children of Rush Thompson: Geraldine and Thelma; Fannie E. Thompson m. William M. George.

## IX. DESCENDANTS OF HIS SON RICHARD:

- a. Of his son Silas Wheeler:  
Robert Anderson, Fanny, Eliza, Richard; Children of Robert Anderson Baker, Jean and Helen. Fanny Baker m. Arthur J. Simmers, issue Charles J., Edith Eliza, Anabel; Eliza Baker m. Charles O. Lee, issue Roscoe Silas, Lyman Charles, Richard Baker, Mary Rocelia, DeWitt Rodgers; children of Richard Baker, Paul and Dorothy;
- b. Of his son Frank:  
Ethel, Nora; Ethel m. Edmund Lathrop Andrews, issue Frank Baker, Frances Ethel, Edmund Lathrop, Edward Wyllys; Nora m. Captain Stephen Morris Kochersperger, U. S. A.
- c. Of his son Job:  
Mary, Maud, Monroe, Wheeler, Nora, Frank; Mary m. Lincoln Rhodes, issue Helen, Richard Edgar, Ralph Baker, Robert Lincoln; Helen Rhodes m. Wilson P. Clemans, issue Jeanette Ruth; Monroe m. Della Ashlock, issue Evelyn Elizabeth, Eleanor Eliza, Mildred Cathrine; Wheeler m. Gertrude Lucile La Rue Oct. 2, 1902, issue Eugenia Elizabeth, b. Dec. 25, 1903, Ruth Virginia, b. April 12, 1905, James Douglas, b. Sep. 28, 1906;
- d. Of his son Grattan Henry:  
William Fleet, Richard Guy, Eliza Ogden, Florence; William Fleet, m. first, Catharine Paddock, issue Margaret; m. second, Anne O'Connor; Richard Guy m. Jane Elizabeth Heinley, issue Richard H. and Frank Fleet; Florence m. Henry Earl Sheldon, issue Grattan Henry and Thomas Baker;
- e. Of his son Ralph W:  
Richard Selden, Gertrude Gretchen, Grattan Henry, Fanny Grace, Margaret Helen; Gertrude m. Brice McDonough. Richard Selden d. 1913.

## XI. DESCENDANTS OF HIS DAUGHTER ANN KNAPP:

- a. Of her daughter Mary Zichy:  
Marianne Livia b. Nov. 8, 1880, Margaret Emily b. Nov. 20, 1881, Aurelie Edith b. Aug. 25, 1883, Elsie Eugenie b. July 3, 1886, Grace Alice Dayton b. July 24, 1889, Dorothy Catharine b. March 17, 1904;
- b. Of her son Edward Y.; Billman C. b. March 18, 1871, Edward T. b. May 24, 1872.

## ELEGIBILITY TO MEMBERSHIP IN HEREDITARY PATRIOTIC SOCIETIES

The descendants of Samuel Baker are eligible to membership in the Society of Colonial Wars by virtue of their descent from Ensign Thomas Baker, Sergeant John Baldwin and Captain Thomas Topping. In the Index to Ancestors and Descendants in the Register for 1897-8, published by the Society, the names of Ensign Thomas Baker, Sergeant John Baldwin and Captain Thomas Topping are given as eligible Ancestors and the name of Frank Baker as a Descendant of each. The services of each are thus stated in the General Register of the Society 1899-1902:

"Baker, Ens. Thomas 1618-1700 Milford, Conn. and Easthampton, L. I. Ens. Easthampton, L. I. 1654. Assistant 1658-1662.

Baldwin, Sergt. John 1635-1681. Sergt. Milford, Conn. Militia 1658.

Topping, Capt. Thomas—1688. Capt. Southampton L. I. Militia 1651. Asst. 1655 *et seq.*"

They are eligible to membership in the Colonial Dames by virtue of their descent from Captain Thomas Topping, Assistant to the Governor of Connecticut and member of the upper house of the General Court of the Colony from 1651 to 1662. Corporator in the charter granted to Connecticut by Charles II, King of England, in 1662 and therein named as one of the Assistants to the Governor. Member in 1665 of the first Council of the first English Governor of New York. Assistant of the General Court of Connecticut from 1678 to 1684. Also by virtue of their descent from Cornelis Melyn, Patroon of Staten Island. President of the Council of "Eight Men" in Nieuw Netherland 1643. And also by virtue of their descent from Mr. Thomas Baker, Assistant to the Governor of Connecticut Colony 1658-1664, Delegate to the Convention held at Hempstead 1665, Ensign of Easthampton Troops in 1654.

The names of Captain Topping, Cornelis Melyn and Thomas Baker are given in the Register of Ancestors with Eligible Services published by the New York Colonial Dames 1901, and by virtue of such descent Mrs. Mary Baker Cameron was admitted to membership in the New York Society, and Mrs. Julia Baker Ewer to membership in the Pennsylvania Society.

They are also eligible to membership in the Holland Dames of America and in the Holland Society by virtue of their descent from Cornelis Melyn, and in the Huguenot Society by virtue of their descent from Peter Papillon, a descendant of the Huguenot leader Anthony Papillon through his son David, who escaped to England at the time of the St. Bartholomew's Massacre. Mrs. Cameron and Mrs. Matlack were admitted to membership in the Holland Dames by virtue of their descent from Cornelis Melyn, and in the New York Huguenot Society by virtue of their descent from Peter Papillon.

They are also eligible to membership in the Sons and in the Daughters of the Revolution and of the American Revolution by virtue of their descent from Samuel Baker, who served in the War for Independence, and a score or more of his descendants have been admitted to membership in these Societies by virtue of their descent from him.





# Family Record



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