

NEW YORK
HISTORICAL MANUSCRIPTS:
DUTCH

Volumes XX-XXI

DELAWARE PAPERS
(English Period)

*A Collection of Documents Pertaining
to the Regulation of Affairs
on the Delaware, 1664-1682*

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Published under the Direction of
The Holland Society of New York



GENEALOGICAL PUBLISHING CO., INC.
BALTIMORE 1977

Lord Baltimore, doth prete[nd] Right thereunto by his patent (which is a doubtfull Ca[se]) You are to Say that you only Keep possession till his Maje[sty] is informed and sattisfyed otherwise. In other things I mu[st] Leave you to your Discretion And the best Advice you Can g[et] upon the place.

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1. Other transcription in NYCD 12:457. Contemporary copy in General Entries 1:58; printed in State Library Bulletin: History, No. 2 (May, 1899) p. 125.

- 20:1b Articles of Agreement between the Honourable Sir Robert Carr Knight on the Behalf of his Majesty of Great Britain, And the Burgomasters on the Behalf of themselves, and all the Dutch and Swedes Inhabiting in Delaware Bay and Delaware River
- 1st That all the Burgers and Planters will Submitt themselves to his Majesties Authority without making any Resistance.
 2. That whoever of what Nation soever doth Submit to his Majesties Authority shall be protected in their Estates reall and personall whatsoever, by his Majesties Laws and Justice.
 3. That the present Magistrates shall be Continued in their Offices, and Jurisdictions to Exercise their Civil power As formerly.
 4. That if any Dutchman, or other person Shall Desire to Depart from the river, That it shall be Lawfull for him so to doe, with his Goods, within Six months after the Date of these Articles.
 5. That the Magistrates and all the Inhabitants (who are included in these Articles) Shall take the oaths of Allegiance to his Majesty, and of Fidelity to the present Government.
 6. That all the people shall Enjoy the Liberty of their Conscience in Church Discipline as formerly.
 - 7th That whoever shall take the Oaths is from that time a free Dennizen and Shall enjoy all the privileges of trading into any of his Majesties Dominions, As freely as any Englishman and may require a Certificate for so doing.
 8. That the Scout the Burgomasters Sherriff and other Inferiour Magistrates Shall use and Exercise their Customary power in Administration of Justice, within their precincts for Six months or until his Majesties pleasure is further Known.

The Oath: I do swear by the Almighty God, that I will bear Faith and Allegiance to his Majesty of Great Britain And that I will Obey all Such Commands as I shall receive from the Governour Deputy Governour or other officers Appointed by his Majesties Authority. So long as I live within these or any other his Majesties Territories

Given under my hand and Seal this 1st day
of October in the Year of our Lord God
1664 Robert Carr

Given under our hands and seales in the
behalf of ourselves and the rest of the
Inhabitants the 1st day of October in
the Year of our Lord God 1664.

Fobb. Out Gout²
Henry Johnson
Gerrett Saunders Vantiell
Hans Block
Lucas Peterson
Henry Casturier

[Endorsed:] Instructions to Robt. Kerr for reducing Delaware bay.

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1. Other transcription in Hazard's Register of Pennsylvania 1:37. The transcription of a contemporary copy of 20:1b appears in NYCD 3:71.
 2. Out Gout is a scribal error for Outhout; the correct spelling appears in the contemporary copy (NYCD 3:71).

20:2 [A CONFIRMATION GRANTED TO PETER ALRICHS FOR
TWO ISLANDS IN THE DELAWARE RIVER]¹

Richard Nicolls Esq. etc. Whereas there are two certaine Islands in Delaware River scituate lyeing and being on the West side of the said River and about South West from the Island commonly called Matiniconck The which is the biggest of the two Islands haveing beene formerly Knowne by the name of Kipps Island and by the Indian name of Koomenakimokonck conteining about a myle in length and half a myle in breadth and the other Island lying somewhat to the North of the former being of aabout half a myle in length and the quarter of a myle in breadth and there being also a small creek neare unto the lesser of the said Islands fitt to build a mill thereupon Now to the end the best improvement may be made of the said Islands and creek to which there appeare no other lawfull Pretenders and for divers other good reasons and considerations me thereunto especially moveing Know that by Vertue of the Commission and authority unto me given I have thought fitt to give and grant and by these

20:35 [REPORT FROM THE WHORE KILL CONCERNING A
SURVEYOR FROM MARYLAND]¹

27th of Aprill 1672

This morning appeared before us Harman Cornelius and John Kipshaven who informed that a certaine person by name Mr. Jenkins who came into the Hoer Kill and there surveyed severall lands in the bay by pretended Commission from the Lord Baltemore threatning the Inhabitants that denyeth his power that they shall be sent for into Maryland there to be punished whether he has Comission or noe is uncertayne these wee thought fitt to acquaint your honor with to wayte your honors further order.

[Signed:] Will. Tom
Pieter Alrichs
Walter Wharton
Ed. Cantwell

[Endorsed:] A Certificate from the Whore Kill, about a
Surveyor sent there from Maryland. 1672

1. Other transcriptions in ECM:669 and NYCD 12:496.

20:36 [RICHARD PERROT TO GOV. LOVELACE ABOUT
ACQUIRING LAND IN THE WHORE KILL]¹

May it plese youre Honer

In May Last my selfe with sume other Gentelmen of vergeney Came over to deliware to see the plase and Liking the plase wee made Choise of severall tractes of Land for our selves and nabores and had made bolde to Have given youre Honer A visitt had not one of our Companey falen ill so that wee implied Mr. Walter Whar[ten] For to paten our Land: now may it plese youre H[oner] About tenn dayes before I Came to seet the Mare[lande]men Have sarvaed it agane in the Lordes name I much fere it will disherten the Rest of the gentelmen from Cuming up at the falle and severall more of our nabores that would Cume up at the fale of the lefe very Honest men and good House Keepers they desired me to take them up sum land which I am doutfull to doue unlesse youre Honer will bee plesed to give me permishon for it: I dout not but to se the plase well seted in tow or three yeares at the [] and A trade from London the plase is good and Helthf[] and wanteth nothing but peple I was in good Hopes I should have had the Hapines to have got up before you[] Honer left deliware but my hopes was in vaine I Hope youre honer will bee plesed to honer mee with A line or two whoe is youre faithfull and Obedient servant unkno[ne]

[Signed:] Richard: Per[rot]

From the Horkill
June the 21th 1672

If youre Honer plesse to grant us all the Land [to us] vergenianes that lieth betwene the Horekill and the moth[] kill² wee shall take spedey Care for the seating of it as may bee Expeted at so great A distance when Layed out according to menes familise what good Land ther maye bee found in the distance I know not at present wee Ha[ve] A desire to be neare together as the plase will aforde In Ag[ust] I intend to ver-gey for sum Occasione of bisnes and send up my sonn

[Initialed:] R: P:

[Addressed:] These
For the Honored
Francis Lovlis Esqr.
Governer and Captane
Generall of nue yorke
per with
Care

[Endorsed:] [Mr.] Perrot
Whorekill - June. 21, 1672

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1. Other transcriptions in NYCD 12:498, ECM:671
 2. Mother Kill, which is a later English form of the Swedish Mordare Kijhlen, i.e. "the Murderer Creek."

20:37 [CAPT. CARR TO GOV. LOVELACE CONCERNING
THE WHOREKILL AND MARYLAND]¹

Sir

According to your Honors order we sent t[hose] papers to the Horekill by Mr. Whart[on] where they found noe reception, I need not give your Honor the resons, for your Honor will find them in the papers inclosed taken by Mr. Wharton, the number of men and horse that came to the Horekill was but thirty, but they were sixty halfe way, where meeting Mr. Parrott going to Acamake and soe to Virginia and understanding by him there was noe other forces from your Honor but the Inhabitants of the Horekill thirty Horse was sent ba[ck] to Maryland this Mr. Parrott is a gentleman seated near the Horekill by your Honors Patant, the Horekill boat is come hee[re] with fower of the Inhabitants and desier[s t]o take a tract of land up the River neare your Honors Land, they say before they came from thence Harmanus and Sanders² [was] returned from St. Maries, who brings ne[we]s that in Maryland they are Leviing a Considerable force to bring this place and soe fare up the River to the degree Forty northerly under theyr obedience, we shall know

more when Cantwell returns with Answer of your Honors Letter, which I shall dispatch t[o] your Honor with all expedition, I have not els[e] but waite your Honors Comaunds, and Subscribe my sealf as in duty bound Sir

Your Honors most Faithfull and obedient servant

[]w Castle 27th
[]pt. 1672.

[Signed:] John C[a]rr

[Addressed:] Thesse
For Generall Francis
Lovelace

Hast post Hast New yorke.
John Carr

[Endorsed:] C. Carr to the Gov[] Newcastle Sept. 1672

1. Other transcriptions in ECM:679 and NYCD 12:503.
For a transcription of Gov. Lovelace's reply to
Capt. Carr see ECM:680.
2. i.e., Helmanus Wiltbanck and Alexander Molestine.

20:38 [CAPT. CANTWELL TO GOV. LOVELACE ABOUT
AFFAIRS AT THE WHOREKILL]¹

Right honorable Sir

your honor writts Mr. Alrichs of my not wri[] to your honor I had writt to Capt. Nicolls [att] Large of what I heard and saw att m[] Land I thought Capt. Nicolls would ha[ve] informed your honor of all I heard so [much] that my lorde thus intend for to keepe the whore kill I saw Jones power to seas² all Indyan goods or skins att the whore kill and one Smith the Juge of the Court att the whore kill tould me that my Lorde Baltemore gave him order for to drive a 20d naill in the touch hole of the great gon and seas the gone and mill stones att the whore kill his Comission was soe Large as your honor Can Imagen when I Came to St. Marys Jones went to the gou[ernor] and he writt upon the back side of his Commiss[ion] that he would mantane his Comission I tould them that itt was a folly for them for to strive aganst your honors power and tould them If your honor gave but order for to beat a drom all the servans would Com away from them the most part o[] the people thus fear that theire servan[] will run away from them all the people w[] be glade submitt them selves onder your honor Government and they plaenly say that they will not Resist your honors power nor will have noting to doe with what my lorde has done

Capt. Nicolls writts to me about Derick Smith goin up the River I gott him for to goe for the quit Rent the which he has aboarde for to be sent to your honor what he has not in I

shall thake Care for to send in the spring nor Derick Smith
should not goe [up] the River If itt had not bene for the quit
Rent without your honors order the vessell is just going away
and I shall end and Remane

Your honors
most faithfull servant
To Comand
[Signed:] Ed: Cantwell

[Addressed:] For the Right honorable
Coll. Francis Lovelace Esqr.
Governor off all his
Royall highnesse Terotories
In Amerikae att
new yorke
present

[Endorsed:] Delaware fr[om Cap] Cantwell of the 10th of
December 1672

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1. Other transcriptions in ECM:682 and NYCD 12:505.
 2. i.e., "I saw Jones' power to seize..."; Capt. Thomas Jones was sheriff of Somerset County, Maryland. See MA 65:37 for a reference to this seizure of goods.

20:39 [MAGISTRATES OF DELAWARE TO GOV. LOVELACE
CONCERNING WAR WITH THE INDIANS]¹

Right Honorable

the Indyans not bringing in the murtherers according to
their promise I² went up with Mr. Aldricks³ to Peter Cocks and
there called the Raedt⁴ together to informe your honor what wee
thinke most for our preservacion and defense of the river

first wee think that att this time of the yeare itt is to
late to begin a warr against the Indyans the hay for our beasts
not being to be brought to any place of safety and so for want
of Hay wee must see them starve before our faces the next
yeare wee can cutt itt more conveneint

2dly our corne not being thrashed or ground wee must
starve for want of provision which this winter wee can grind
and lay up in places of safety

3dly that there must upon necessity a warr in the Spring
and by that time wee shall make so much as wee can preparacion
but wayte from your honor assistance of men ammunition and
salt

4thly wee intend to make Townes att Passayuncke Tinna-
combe Upland and Verdrieties Hooke whereto the out

2. Possibly "firkin," i.e., a barrel or cask. NCCR:99 in a 1677 letter from Gov. Andros to the court at New Castle repeats these items as: "Fyve Gunnes thirty Hoes and one ancor of Rume..."

20:81a [LIST OF PERSONS AT WHOREKILL]¹

[] of the persons young and old who are here at Sekonnessinck or WhoreKill

[] nus Fredricks Wiltbanck, his wife, two sons, one servant.....	5
[] der Moelsteen, his wife, two sons, one servant.....	5
[] Wolgast, his wife, one son, one servant.....	4
Willem Klasen, two daughters, one child.....	4
Jan Kipshaven, his wife, one daughter.....	3
James Weedon, his wife, 1 daughter, 1 son, 4 servants.....	8
John Rods, his wife and five children: 3 sons and 2 daughters.....	7
Daniel Brun, his wife and his partner John Colleson.....	3
Jan Michiels, Antony Pieters, Abraham Pieters, Pieter Hansz..	4
Pieter Gronendick, Antony Hansen, Herman Cornelissen.....	3
Hendrick Drochstraeten.....	1

1671 the 8th of May Total souls 47

Capt. Martyn Cregier's sloop the Bedford is still here.....5
 As well as Pieter Alrichs' small boat from New
 Castle with 2 persons.....2
7

[Signed:] Helmanus Fr. Wiltbanck

[Entitled:] List of persons at Sekonnessinck.

[Endorsed:] [] at the Whore[] 16[]³

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1. See 21:104/105 for a 1671 list of inhabitants in settlements from New Castle northward. Other translation in NYCD 12:522.
 2. i.e., Sander or Alexander Molestine.
 3. Endorsement in the hand of Matthias Nicolls.

3. Endorsement is in the hand of Matthias Nicolls.

20:94 [NOMINATION LIST FOR MAGISTRATES IN DELAWARE]¹

- 1 Mr. John Moll
- 2 Mr. Henry Ward
- 4 Mr. Jacob Young
- 5 Mr. John Paul Jaquett
- 3 Mr. William Tom
- Fof Authout²
- Gerett Otho

Peeter Cock
 Peeter Rombout⁴
 Israell Helme
 Laes Andrisen
 Woole Swaine
 Ernestus Otho⁶

Whorekill
 defer'd till Mr. Avery³
 or in all
 Hermanus Wildebonck⁵

Nominated Sept. 1676

[Endorsed:] Nomination of Magistrates Sept. 1676. Delaware.
 At Newcastle and up the river

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1. Document is written in the hand of Matthias Nicolls. The first group of nominations is for New Castle, cf., NCCR:4; the second group is for Upland, cf., UCR:35. cf., also 20:95. See Miscellaneous Records 3:213 for a copy of the commission for the magistrates at Upland. Other transcription in NYCD 12:559.
 2. i.e., Fop Outhout.
 3. i.e., John Avery, who was commissioned Captain of the militia at Whorekill in October 1676.
 4. i.e., Peter Rambo.
 5. i.e., Helmanus Wiltbanck.
 6. i.e., Otto Ernest Cock. Cf., UCR:37-38 for this version of his name.

1. Other transcription in NYCD 12:561. Transcriptions of contemporary copies of the final draft appear in NCCR: 5 and UCR:39. This document represents an engrossed draft which Matthias Nicolls saw fit to revise extensively. All revisions are written in his hand. The bracketed material has been recovered from the copy in NCCR.
2. The original preamble is crossed out and is printed in the appendix to this volume. This revised preamble appears on the reverse of the last leaf of the MS.
3. This phrase: unlesse...themselves, is marked for insertion at this point.
4. This sentence beginning with: But the Sheriffe..., is marked for insertion at this point.
5. This word is marked for insertion at this point.
6. These final two paragraphs are marked for insertion at this point, replacing: That this Regulacion bee of force for the space of one whole Yeare after the date hereof or till further Order, which is crossed out.
7. This space left for the day appears in the NCCR and UCR copies as the 27th.
8. This order appears on the reverse of the last leaf below the revised preamble. It represents a first draft of an order which is to be sent to Capt. Cantwell and Johannes de Haes and bears no relationship to the preceding orders. See 20:96, No. 16, for a reference to this order.

20:99 [MEMORANDUM OF ORDERS ON PETITIONS FROM
WHOREKILL]

Memorandum

Upon the petition of Peter Bawcom, The Governor Recommends the buinesse to a friendly Composure, or the Law.

Upon the Petition of Joshua Barkstead, The Governor Orders, if the Land were not possessed, afore, It is to be enjoyed (if surveyed for and Settled) by the Peticioner, of which a returne to be made by the Magistrates of Whorekill by the first Convenience in Order to a Confirmacion according to Law.

Upon the Letter of Wm. Winsmore, The Governor Referrs it to the Court of Whore Kill to examine and report the matter to him with all Just favour to the petitioner, if the matter he writes about be justly stated by him in Order to a Determinacion.

Upon the Petition of George Young, According to law and practice referred to the Court at the Whorekill.

[Endorsed:] No. 40 The Governors Answer to severall petitions and letters from the Whorekill. Oct. 28. 1676.¹

1. Endorsement in the hand of Matthias Nicolls.

20:100 [THE MAGISTRATES OF NEW CASTLE TO GOV. ANDROS ABOUT MUNICIPAL AFFAIRS]¹

Right Honorable Governor

Sir Wee your Honors Humble Subjects, being Commissionated by your Honor to bee Magestrats for the Towne and Jurisdiction of New Castle, do find ovr selves oblided, (for the Best of the Towne and Inhabitants) Humbly do present to your Honor the hereafter mentioned particulers for which wee desire his Honors favorable Grant, and order;

1. That your Honor will bee pleased to send the Lawbooke, of his Royall Highnesse, Corrected of all such Lawes and orders, as do not properly Concerne this River, Your Honor being pleased, to make mention of the same att his being here;

2. Itt prooves verry Burthensome to those who belong to the Company of the Militia of this Towne (who for the most part Live out of it a myle 3 or 4) to come and watch in the forth,² and therefore Suppose itt to be better (if his Honor thinks fitt) that some small number of souldiers were Kept (it being not only for the Ease of the People, but also for the Reputation of the Government and Concdiering that this is a frontier place) as itt was in the tyme of Your Honnors predecessors and do find that severall of the Inhabitants would Incline to pay towards their maintainance then to be Con-strayned to watch themselves;

3. That your Honor will bee pleased to bestow on us a Lesser Seale for the office. There being necessity in severall Respects for the same, and Cheefly in sending papers or Instruments to the Neighbouring Collony, who have a Seale in Every County Given them for the Lyke Purpose;

4. There being no prison for the securing of debtors, fugitives and malefactors, who often make their Escape for want of the same, Wee therefore desiery his honors order for the Errecting of a prison, which wee Immadgine would bee