

Be it Remembred That on the twenty second
day of June in the tenth year of the Reign of our Sovereign
Lord George the second King of Great Britain &c. Annoq[ue]
Domini 1736. Before me Andrew Hamilton Esq[ui] Recorder
of the City of Philadelphia in the Province of Pennsylvania
in America and one of his Majesty's Justices of the Peace
for the said City and County personally appeared John
Taylor Surveyor of the County of Chester in the said
Province aged Thirty seven years or thereabouts who
being one of the people called Quakers upon his Solemn
Affirmation according to Law did Declare and Affirm That
he has run and measured a Line of twelve English Statute
Miles in length due West from the Town of Newcastle
on Delaware and that from the End thereof he run a
Line due North till it intersected the parallel of
Latitude of the most Southern part of Philadelphia in a
Point at the distance of Thirty Miles due West from
the same, and that the Line commonly called Lord
Baltimore's Line, said to be run from the Mouth of
Ottararoc Creek (which empties it self into the River
Sasquehanna) over to the River Delaware, is
sixteen English Statute Miles and three hundred
perches due South of the said parallel of Latitude
which passes through the most Southern part of the
said City of Philadelphia; In which Line of
Lord Baltimore's diverse marked Trees were
shewn to this Affirmant by his father, formerly
Surveyor of Chester County, upwards of fifteen
Years agoe, and are now distinctly Visible

In Testimony whereof I have ~~by~~ ~~of~~ ~~the~~ Caused the
Seal of the said City to be hereunto affixed the day and Year above written

Jacquemahawk River

Ochararoc
Creek

Lord Baltimore's
Line

a Due North Line from 12 Miles West
of Newcastle to the Parallel of Latitude
of the most southern part of the City of Philadelphia

a Line 12 Miles due West from the Town
of Newcastle

The parallel of Latitude of the
most southern part of the City of Philadelphia

A Draught explaining the
Annoyed Affirmation of W. Taylor Esq.

Delaware River

Philadelphia

Newcastle

Deposition of
John Taylor
N. 681

To be filed but not
in. J. B. Tuttle

1881

2811

Whereas, the original boundary ^{stone} established at the point where the States of Pennsylvania Maryland and Delaware, join each other, having been removed, lost, or destroyed; and whereas it is of importance that the boundaries of our State should be clearly defined, and permanently established by the erection of a stone or other suitable monument. Therefore

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met. That the Governor of this State is hereby authorized and empowered to appoint a commissioner whose duty it shall be to act in conjunction with similar commissioners on the part of the States of Pennsylvania and Maryland, in ascertaining the original site from which said boundary stone has been removed, lost or destroyed; and in erecting thereon some suitable monument which may be permanent

Resolved, That the Governor be and is hereby authorized to draw his warrant on the State Treasurer for such sum or sums of money, as may be required for the payment of the commissioner to be appointed as aforesaid, and for the defraying all necessary expences incurred by carrying into effect the foregoing resolutions

Resolved, That the Governor be and is hereby authorized and directed to transmit to the proper authorities of Pennsylvania and Maryland copies of these resolutions, with the information that this State is prepared to carry into effect the foregoing resolutions.

Resolution authorizing
the appointment of
a Commission to
fix the Northwest
Boundary States of
this State.

H. Rep's
Jan. 12, 1847 Reported &

read -

Feb. 4. Taken up -

Amended &

Adopted

M.D. Smith

C.H.B.

For Com. In Senate
Feb 4. 1847 Presented
for concurrence
& Read.
6. Taken up
for consideration
Read and
postponed until
Monday 8th Inst.
10. Taken up
Read and adopted.
Ans. to Patterson
at large

Report of the Committee
to whom was referred that
petition of the Governor
message relating to the
boundary between
Pennsylvania, Maryland
and Delaware

H. Rep's

Jan. 12, 1847
Reported read -

Section 14. That the governor of this commonwealth be and is hereby empowered to appoint a commissioner, to act in conjunction with commissioners appointed or to be appointed by the States of Delaware and Maryland, with power to survey and determine the point of intersections of the States of Pennsylvania, Delaware and Maryland, and to fix some suitable mark or monument whereby the said point may hereafter be indicated, and the said commissioner shall receive a compensation for his services three dollars per diem, for the time necessarily employed in the discharge of the duties prescribed by this section; and the auditor general is hereby empowered to draw his warrant for the amount of compensation upon the treasurer, which shall be paid from any moneys in the treasury.

a true copy

Wm. H. Haines

Secretary's Office
Harrisburg Aug. 14. 1849

His Excellency William Sharp
Governor of Delaware

Sir,

Enclosed you will find a copy of the 14th. section of an act of the Legislature of this State, approved the 10th day of April, A. D. 1849. by which the Governor is "empowered to appoint a commissioner to act in conjunction with commissioners, appointed, or to be appointed, by the States of Delaware and Maryland" for the special purpose therein mentioned. I am also directed to inform you, that the Governor, under the authority of the foregoing act, has nominated and appointed Joshua P. Eyre, of the borough of Chester, in the County of Delaware, a commissioner for the purpose aforesaid. Will you be good enough to communicate to this department, what steps have been taken by the constituted authorities of your State, and who, if any, is appointed on the part of the State of Delaware.

with high consideration
your obt. servt

Wm. W. Wainwright
Secy of the Commonth

From
Secretary of Commonwealth

Pennsylvania -

Aug 14. 1849.

Deputy St. M.

Commonwealth

1.
Dover, Delaware, January 22^d 1851.

To the Hon^{ble}. The Senate and House of Rep^s. of the State of Delaware, in General Assembly met, the subscribers respectfully represents:

That on the 17th day of September, AD. one thousand Eight Hundred and Forty-nine, he was appointed by his Excellency, the Governor of this state, a Commissioner to act in conjunction with like Commissioners appointed by the respective States of Pennsylvania and Maryland, with a view to carrying out the intention of the Resolutions passed by the Legislature of Delaware February 10th 1847.

At the first meeting of the Board of Commissioners, after a complete and laborious reconnaissance of the line dividing the sites of Delaware and Maryland, the Commissioner on the part of Pennsylvania was directed by his Governor to employ, in behalf of his State, a scientific Surveyor or Engineer. This proposition received no encouragement from the Board. The expenses it would likely entail upon the states, and the possibility of conflicting views among gentlemen employed by the several parties, induced the Commissioners to ask, through their respective Governors, for the assistance of an Engineer connected with the army, believing that by such a course they would secure an impartial and scientific man who would be most likely to give confidence and general satisfaction.

4
now known as Delaware, from Pennsylvania) it is to be
"considered that the line which was established under the
"warrant of William Penn, in 1701, as the boundary between
"the Counties of Newcastle and Chester, became the true boundary
"between this state and Pennsylvania." Differing in
opinion with his Excellency as to what has been regarded
our Northern boundary, I respectfully submit the facts
derived from a hasty investigation of the subject.

It cannot be supposed, in the absence of all
evidence, that the circular line was ever "run from
the Delaware River to the North Eastern Corner of
Maryland." The only knowledge of the circle having
been traced at all is derived from a paper in the
Franklin Institute at Philadelphia, to which I have
alluded in my previous Report. The surveyors
who traced the circle therein mentioned commenced
"at the end of horse dyke next to the town of
Newcastle, and by various courses rectified to
"a due North line extended the radius a distance
"of twelve miles to its terminus in the sea, or a
"marked White Oak in the sinuosity of the Brandy
"wine Creek." From this point they commenced
their deflects by regular angles and distances
until they reached the Delaware River on the
East, and marked Hickory standing near
the western bank of the Christina Creek, on the
west, embracing an arc of one hundred and
twenty degrees, or two third parts of a semicircle
of twelve miles radius. As the Christina
creek

20.
Accordingly, at the request of Gov^r Thomas, of Maryland, and
Gov^r Thump, of Delaware, Col. James D. Graham, of the U.S.
Topographical Engineer, was detailed by the Secretary
of War for the service - a gentleman who has been
selected by the Government at Washington to run
most if not all the important boundary lines
in our Country.

On entering upon his duties, as the Reports
submitted to you by the Governor will show, the
Board not only thought it their duty to inform the
Engineer what information they desired - leaving to
his superior skills and judgment to devise the plan
for obtaining it, but to examine into the agreements
under which the lines were originally traced. The
investigation made and facts disclosed by two of
the most distinguished citizens of our state, in the
preparation and discussion of "the Sea Patch Case",
throw no light upon the subject: nor did the
deed from the Duke of York to William Penn, dated
24th August 1682, by which the said Penn
became seized in Fee of land "lying within the
compass or circle of twelve miles about New
Castle", give the necessary information. It was
only to be obtained from the original agreements
between Lord Baltimore and the heirs of William
Penn, which, after diligent search at Newcastle
and Harrisburg, were found among the archives
of Maryland, at Annapolis. These agreements,
trans

strange as it may appear (being the settlement of a dispute which continued for a period of Eighteen years between the Proprietories of the two great Colonies, and which two of the most scientific men of the age were employed to execute) have been published or alluded to, as far as I can learn, by but one of the historians of our Country. They, however, only referred to the line between Delaware and Maryland, commonly known as "Mason & Dixon's line", yet furnished the information which the Commissioners sought. The circular boundary, saving that portion which was ascertained to exist between Delaware and Maryland, was not alluded to therein; and the Commissioners, not having it in contemplation to run or mark said boundary, do not, by their Reports or Maps, invite your action thereon. The sanctioning of the work of the Commissioners would only, in the opinion of the undersigned, relate to the lines originally run by Messrs Mason & Dixon.

In the Communication of the Governor transmitted to you on the 20 inst, his Excellency takes occasion to say: "As far as the Knowledge of our Northern boundary extends it has always been regarded as being a circular line running from the River Delaware to the North East Corner of Maryland, or the point where the North and South line, drawn from the Tangent stone intersects the East and West line, which forms the Northern boundary of Maryland, and that by the separation (alluding to the separation of the three lower Counties now

State Board of 1857
(insert page 75)

In copying for you I see I have made a mistake in writing
on the paper page of the sheet - but have numbered them
correctly.

D. B. Tucker Esq

Dear Sir,

I herewith
send you a copy of my Special Report
made to the Legislature about the
24th of January. Should you not
have the Special Message of the
Gov^{rn}, which preceded it, write
to the Editors of the Gazette and
they will furnish you a copy.

As respects the paper £ referred
to by you in letter, I cannot say
what or where it is, but the paper
showing the money paid by Messrs
Key, Eyre & myself, was only for
the satisfaction of the Governor, and
not intended to be published.

If you would instruct Mr Kimsey
to get one of the printed copies of
the Reports (as printed by the State
of Maryland) he could see exactly the
arrangement, and what ought to be
published. Judge Harrington has one.
You should then insert my Report, i.e.
the one you already have, prior to the Report
of the 3 Commissioners, which begins on page 5,
omitting, of course, the Maryland matter.

Yours Respectfully
Geo Beadwick

Creek, or the point at which the Circle would strike it, is some distance from the intersection of the three states, as laid down by Cal Graham, the presumption is, the connection was never made, and the prolongation of the East and West line of Mason and Dixon until it intersects the circle has been considered the true boundary. In proof of this we know, that the territory south of such prolonged line, and west of the circle when run, has always been recognised as belonging to Delaware, and territory of which she cannot be dispossessed.

I have the honor to be, &c.,
 Geo. Read Riddle,
 Commissioner in the faith
 of Delaware

Libe of Mary Janvier }
 No. 106. }
 Gasper Smith & others }
 Eject. Pleas.

Plaintiff's Pretensions.

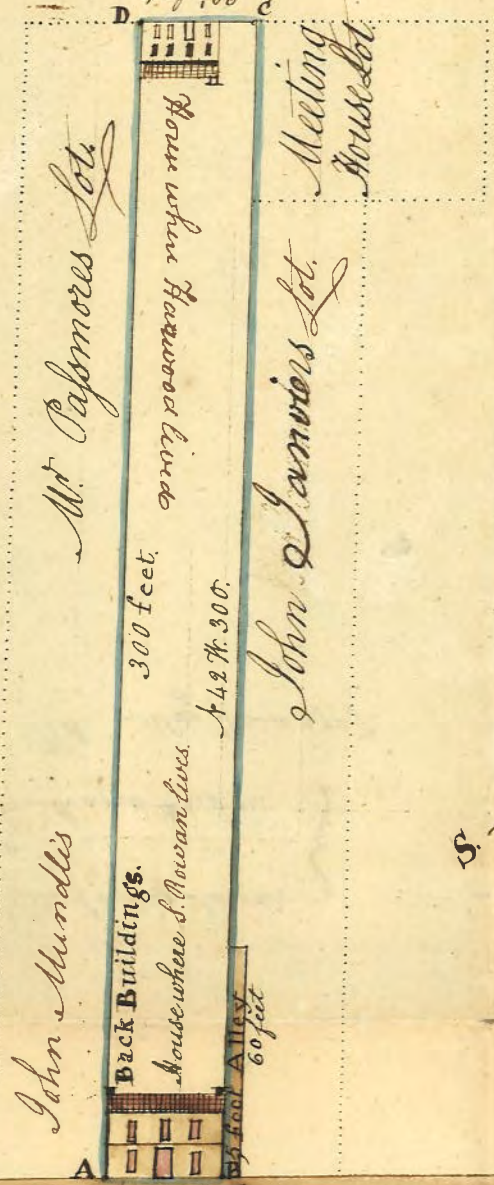
The Plff. lays down a Deed
 from Thomas Pusey to Mary
 Thomas, for a House and lot
 with the improvements thereon
 in the Town of Newcastle
 (bearing date June 3^d 1774)
 containing in width 30 feet
 on front street (exclusive
 of a 5 foot Alley extending
 60 feet back) and extending
 300 feet back to Market
 Square, a part of which
 the Plff. claims.
 See the Parallelogram ABCDA.
 shaded with blue.

Defendants' Pretensions

Defendant, lays down
 the very same Pretensions
 and lays claim to the
 whole in Right of his for-
 mer Wife.

John Stidham Shff

Market Square



Front Street
 N 45 E. 30 feet.

Newcastle }
 County }
 These are to certify that in obedience to a
 Warrant of Resurvey, from the Hble. the Court of
 common Pleas of the State of Delaware, We the
 subscribers have gone upon the Premises and in
 the presence of the Parties have executed said War-
 rant, and laid down their Pretensions as deline-
 ated in the above Plot. Witness our hands &
 Seals this 23^d day of May A.D. 1797.

Dan Blaney Sur. Exec.

Lease of Mary Janvier
or
Smith and Harwood }

Plot. May Term 1797.

HISTORIC SPOTS

IN

DELAWARE

By Sewell P. Moore

Delaware's First Settlement

IF the early Seventeenth Century had been a time when men were easily discouraged, Delaware would have been one of the last parts of the Atlantic seaboard to be settled, for the first colony to set up a permanent colony in the State met with a fate that was hardly encouraging to future immigrants.

Early in 1630, David De Vries, a wealthy resident of Edam in Holland, organized a company to establish a whaling station and town somewhere on the banks of Delaware Bay. Rumor in Europe at that time told of unlimited numbers of whales that were supposed to make their home in the Atlantic within a short sailing distance of Cape Henlopen.

In December of that year, the ship *Walvis*, or "Whale", set sail from Holland with a company of about 30 men, a quantity of cattle, a supply of food and elaborate whaling equipment. A part of the company was transferred to a smaller boat which sailed under the protection of the *Walvis'* eighteen guns.

After the usual hardships which accompanied all immigrant voyages of the time, both ships sailed past the cape and dropped anchor in what is now Lewes Creek. Their report of the landing described it as a "fine, navigable stream, filled with islands, abounding in good oysters."

Like all early settlers, they immediately named everything that could possibly serve as a connection with their homeland. The stream was called "Hoorkill" from the Dutch town of Hoor and the native name for stream. This name, through a misunderstanding of Dutch pronunciation, was later corrupted to Whorekill and Horekill.

To their settlement, which was the first town in Delaware, they gave the impressive name of "Zwaanendael", which meant "Dale of Swans". The fort which was only a single house sur-

rounded by a palisade was called Fort "Opplandt". Some early historians mention this as being built of brick, but no mention was ever found of brick among the crowded cargo, and it is highly improbable that they would sacrifice valuable cargo space for this heavy building material when they knew that millions of trees stood ready for their axes.

Under the command of Peter Heyes, a cousin of De Vries, the colony immediately set about laying out a town and making friends with the Indians. Although the land was rightfully theirs by grant, they repurchased it from the natives for a quantity of gaudy trinkets and supplies. This transaction, on May 5th, 1631, was the first real estate transfer in the history of the State. Heyes then crossed over to Cape May and bought an additional tract of forest, twelve miles square, from the Indians, who claimed that band.

Although they found the land rich and fertile, they had come principally for whales, and their fishing cruises had been very unsuccessful. Heyes, with a small crew, set back for Holland to confer with De Vries on the situation, and the colonists who remained were never seen alive again.

Information regarding their fate is very scattering, but it has been gradually pieced together from Indian stories. It seems that the white men were held in great awe by the red inhabitants, who supposed them to be something just less than gods. According to the Dutch custom, a tin plaque with the coat of arms of the United Provinces was fixed to a post at the edge of the settlement. It caught the eye of one of the lesser chiefs, and not realizing its importance, he stole up one dark night and carried it away to make pipes for himself and his friends.

When the more powerful chiefs learned of this and saw that the set-

tlement was in a great uproar, they realized the significance of the act, and attempted to make amends in the typical, direct Indian manner. The offending chief was killed and parts of his body taken to Zwaanendael as a peace offering. This seems to have convinced the settlers that it was useless to carry the trouble any further and the pipe of peace went its ceremonial rounds from mouth to mouth.

But the friends of the chief who had started all the trouble seemed to have been in bad graces with the rest of the tribe and were not invited to the negotiations. Supposing that their chief had been killed at the request of the whites, they took revenge in their own hands, and fell upon the settlers the next day as they worked in their fields. One man who had been left in the fort on account of illness attempted to escape, but a tomahawk was buried in his head.

So great was the rage of the Indians that not a single house was left standing. When new settlers landed some months afterwards they found only ashes and bones. Even a large mastiff which had been tied inside the fort suffered the red man's revenge. Twenty-five arrows were found in his dried skeleton.

Visit

HISTORIC
New Castle
DELAWARE

The Colonial Capital of the First State



SEE DELAWARE'S PREEMINENT HISTORICAL LANDMARK, THE ORIGINAL COLONIAL CAPITOL AND AMERICA'S OLDEST STATE HOUSE.

ON DIRECT ALTERNATE ROUTE TO DELAWARE MEMORIAL BRIDGE AND THE OCEAN HIGHWAY

HOTELS • RESTAURANTS • MOTELS

Clemente, Inc.—Restaurant	duPont Highway
Delaware Auto Court	duPont Highway
El Rancho Motel	duPont Highway
Howard Johnson Restaurants (2)	duPont Highway; Bridge approach
Kent Manor Inn—Restaurant & Motel	duPont Highway
Lord De La Warr Hotel	duPont Highway
Lynnhaven Inn	duPont Highway
M & M Restaurant	duPont Highway and Hares Corner
Peter Pan Diner	duPont Highway and Basin Road
Pompeii Restaurant	7th & Delaware Streets
Tourinn, Inc.—Restaurant & Motel	duPont Highway and Basin Road
Penn Apts., Inc.	3rd & Delaware Streets
Tremont Motor Court	duPont Highway
Park Plaza Motel	duPont Highway
Dutch Village Motor Court	duPont Highway
Hollywood Motel	duPont Highway
Windsor Tourists	duPont Highway
Francis Drake Motel	duPont Highway
Del-Mar Motor Court	duPont Highway
General Wayne Motel	duPont Highway
DeVille Motel	duPont Highway
New Castle Motel	duPont Highway
Penn House—Over-night	204 Delaware St.
Terry House—Over-night	2nd & Delaware Sts.
Mrs. Lewis Booker—Over-night	3rd & Delaware Sts.
Mitchell's Tourists—Over-night	612 Delaware St.
Mrs. Harrington's—Over-night	611 Delaware St.
Arsenal-on-the-Green Tea Room & Restaurant	The Green
Colonial Dining Room	202 Delaware St.

DOCTORS

Dr. Harry A. Carl	116 Delaware St.	EAsT 8-3459
Dr. Paul C. Koether	2 East 2nd St.	EAsT 8-7183
Dr. Margaret Richey	37 West 5th St.	EAsT 8-4233
Dr. Jason L. Campbell	Megginson Ave.	OL 8-4638
Dr. H. Thomas McGuire	212 Delaware St.	OL 8-6158
Dr. Sidney Silverman (Dentist)	37 West 5th St.	EAsT 8-2212
Dr. H. I. Moss (Optometrist)	35 East 6th St.	EAsT 8-3103
Dr. Harold Friedman (Chiroprapist)	7 East 5th St.	EAsT 8-6654
Dr. Charles P. Campbell (Dentist)	79 West 5th St.	EAsT 8-5913
Dr. Robert T. Beattie	212 Delaware St.	OL 8-6158
Dr. Lewis Harris (Dentist)	109 DuPont Hwy.	EAsT 8-2324

REAL ESTATE AGENCIES

John C. Roman	C. J. Harris, Inc.
Margaret Tobin	Thomas Holcomb II
Charles Foraker	

MARKETS

Penn Super Market	210 Delaware St.
New Castle Farmers Market	Hares Corner
George T. Tobin & Sons	420 Delaware St.
Ioannoni's Market	127 West 9th St.
John Clayton	Fourth St.

Historic New Castle

New Castle was founded in 1651 by the Dutch, under Peter Stuyvesant, upon the site of a former Indian Village—"Tomakonck" meaning place of the Beaver. It was the first town in Delaware to be laid out, the meeting place of all Colonial assemblies, and the first State capital. It remained a county seat until after the war for the preservation of the Union.

New Castle's early prominence was due to being the seat of government for the South (Delaware) River as distinguished from the North (Hudson) River. It was a communication center—the hub of North-South and East-West travel, and a point from which vessels cleared for foreign ports.

The original name was Fort Casimir. This was later changed to "Trafalghheets" or "Trinity" following its capture by the Swedes on Trinity Sunday, 1654. After recapture by the Dutch and when ownership was transferred from the West India Company to the Burgomasters of Amsterdam in 1656, it became known as New Amstel.

Under the leadership of Sir Robert Carr, the British routed the Dutch in 1664, and the name was changed to New Castle. In 1673 the Hollanders again seized the town, but the following year it was returned to Great Britain under the treaty of Westminster.

In 1682 it was conveyed to William Penn by James, Duke of York, and was Penn's landing place when he first set foot on American soil the same year. Lord Baltimore contested this transfer, and the boundary disputes were not resolved until the survey, conducted by Charles Mason and Jeremiah Dixon, Englishmen, who surveyed it in 1763-1767, and now famed as the Mason-Dixon Line.

The spire atop the State (Court) House, Delaware's Colonial capitol and first state house, was used as the radius of the 12 mile circle which formed the northern boundary of Delaware, and part of the Mason and Dixon Line. This later became the dividing mark between Delaware and her sister slave states, and the free states to the North.

The Delaware River within this radius, to the low water mark on the opposite shore, is part of the State. Thus, the Memorial Bridge was built as an inter-state span by Delaware.

In 1704, Delaware achieved a separate assembly from Penn's Pennsylvania colony, and on June 15th, 1776, three weeks before the adoption of the Declaration of Independence in Philadelphia—the Delaware Assembly in session here at the Old State (Court) House passed a similar measure. They disavowed all ties with, and allegiance to Great Britain. In the same building was drafted and adopted, the first constitution—that of the Delaware state,



*Detail from aerial view of New Castle, ca. early 1960s.
(Courtesy of the Historical Society of Delaware.)*

350 Years of
**New Castle,
Delaware**

Chapters in a Town's History

CONSTANCE J. COOPER, EDITOR

Published in Honor of the 350th Anniversary
of the Founding of New Castle, Delaware



New Castle Historical Society
New Castle, Delaware
Cedar Tree Books
Wilmington, Delaware
2001

1708. Robert French received two tracts, John Donaldson purchased three tracts before his death in 1702, Richard Halliwell owned large tracts in the area surrounding New Castle, and William Howston purchased two parcels of land in 1701. That same year, James Claypoole asked for a resurvey of 200 acres he was planning to buy in New Castle Hundred. Claypoole, a merchant as well as Donaldson's co-county registrar of wills and deeds, in 1703 rejected his Quaker faith to experience a deathbed baptism by George Keith, the Quaker-turned-Anglican missionary.⁸

Why were these men interested in the relatively worthless marshland surrounding New Castle? To be sure, the marshlands provided resources such as firewood and small game. Of greater importance, the marshes determined the physical size and shape of New Castle. Since the 1650s residents had erected dikes to enlarge the area into which the lowland town could spread. Control of the dikes determined the extent of the physical growth of New Castle and their upkeep helped constrain the environment of the town, which had a swamp-infested reputation. Under the Duke of York, town government had overseen the upkeep of the dikes, but with proprietary rule the county and provincial governments had somewhat neglected them. There is some evidence that several of the leading Anglicans in town were attempting to gain authority over the marshes to control flooding. In 1701 John Donaldson, Richard Halliwell, and Robert French contracted to buy a marsh in which was situated the broad dike that confined the wetland on the northeast side of town. As a civic duty these three men took over responsibility for the maintenance of that dike.⁹

There is another piece of evidence that New Castle's newcomers attempted to take control of the town's physical assets. In 1703 Halliwell led a group of New Castle residents to apply for control of the town commons. While under the Duke of York town leaders regulated the commons, after 1682—with the demise of town government—county officials had ignored such town matters. Halliwell and

his associates were willing to oversee the management of the town commons and nearby dikes in order to retain control of nearby resources.¹⁰

There are several indications that New Castle served as a significant seaport until 1710. While a minister on his first trip to town in 1708 described it as "formerly a place of great Trade," he also noticed several ships in port and a large percentage of the town's population in pursuit of mercantile interests. In 1701, William Penn accused Jaspar Yeates of being a major trafficker in the illegal trade with Curacao. Early in the decade, the Coutts family, using New Castle as a base, took advantage of hostilities with France to capture enemy merchantmen. The records of a New Castle carpenter show that during the first decade of the century, he constructed ships for several of the merchants, including Coutts and French. Traders with Scotch connections competed with Philadelphia merchants for trade with the West Indies. James Coutts was most likely a factor for his family interests in the New World; as such he owned ships that regularly crossed the Atlantic. Even Penn acknowledged to his lieutenant governor that these new immigrants "have made New Castle so Considerable" an economic power.¹¹

Finally, the New Castle gentry were in the forefront of their community's attempt to establish—and in one case, reestablish—houses of worship in town. According to Immanuel Church tradition, Anglicans had started meeting together in town by 1689. Throughout the next decade there was little attempt to do more than gather in people's homes for worship and wait for traveling clergy to minister to their needs. Some familiar persons provided leadership for the new church as the activities of the Anglican congregation increased early in the eighteenth century. Halliwell, Wood, and Yeates were overseers of the building process, collecting funds for a church edifice from 1703 on. The congregation had applied to the Society for the Propagation of the Gospel (SPG) for a pastor by that same year and might also have elected church wardens. The brick

20-4011

Capt. Mansell
 In y^e last y^e wrote me you told me it was not
 your fault that you sent last the packet for
 the first of August it will now not be forgotten as
 the first and if you find it returns to me it
 may become the property of the little of you, or
 may other of you being returned in my packets
 into what else as for the last order containing
 for Duboult and I fear you is too ill to be able
 to be any the provider of it but as I fear all
 of you have think it done contrary to law and
 reason of fear being a defect in your
 already under the Governor's hand and seal and
 done in y^e office with your libel think ought
 to be challengeable like the law of the country
 and persons who have signed a defect for fear
 with an appeal we may run further and
 reach y^e law by a further resolution of
 thought good to say again you will see and have
 not further trouble of fear, or with the libel of god
 bless me shortly after that Capt. Mansell's
 my humble respects to y^e good Lady and
 prayers for y^e recovery with my love and
 affection to friends to all friends and may in
 the y^e humble and
 faithful servant
 John Mansell

Mansell's libel of
 July 1673.

I had not that regard of his city as you do for
 all the working here and in the same company I am
 being Capt. Mansell for is the gift of J. Mansell therefore
 yours

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*

Edited by
 CHARLES T. GEHRING

Published under the Direction of
 The Holland Society of New York



conteyning by Estimacion ten acres or there-
about bounded upon the South and East by the
Kill, by the land of Swan Gunnersen on the West
and the land of Andrees Dalbo upon the North
with Commonage etc.

Taken out of his bill of sale from Peter Andersen, who
had Patent for this and other land from Coll: R. Nicolls
Jan: 1st. Anno 1667.

[Endorsed:] James Sandylands and Laurence Hulst fined for
misbehavior at Peter Rambo's In Delaware.
May. 17. 1675.

1. Written in the hand of Matthias Nicolls. Partly
transcribed in NYCD 12:527.
2. i.e., Edmund Andros.
3. i.e., Matthias Nicolls.
4. i.e., Kinsessing.

20:66 [PETITION OF THE LUTHERANS AT SWANWYCK AND
CRANEHOOK]¹

To His Noble, Right Honorable, Major Edmond Andros, Governor-
General of all his Royal Highness', James Duke of York and
Albany etc., Territories in America.

The undersigned petitioners, the community of the un-
altered Augsburg Confession, called the Lutheran by people
living on the South River, do declare and make known, with all
due reverence, that the petitioners made an humble request to
his Right Honorable Lord on the 13th of May anno 1675 together
with a document drawn up in the Council at New Castle on the
10th of December anno 1672, in which they divided the river
into two parishes, so that all that is above the Verdritige
Hoeck shall be and remain in the pastorate of Magister Jakobus
Fabricius, which the petitioners' pastor suggested and with
all due humility requested and petitioned that his Noble,
Right Honorable Lord would please to confirm such a document
and division for the glory of God and good order. Whereupon
the petitioners anticipated a favorable reply and recommen-
dation and had also hoped that they would obtain the same
through Capt. E. Kantwel, but since the hasty journey and many
troubles of his Noble, Right Honorable Lord have hindered it,
so that they, the petitioners, do not know to what they shall
have to conform, the petitioners come once again to his Right
Honorable Lord with the humble request, if it pleases, to
confirm the document and division together with their pastor
and to endow the petitioners with a

Honorable Lord's subjects and intercessors with God.

Done at New Castle
the first of June
anno 1675

The Community of the unaltered
Confession of Augsburg on the
South River belonging to the
Churches of Zwaenewyck and
Kraenhoek

[Signed:] Henrich Janssen
Hendrick *H*Jansen van Breemen
Harman Jansen
Piter Volker
Peter *P*C Classen
Peter *A* Witten's mark
Corn. Janssen
Pieter *F* Maaslandt
Jan *B* Barends
Sibrand *S* Jansen
Hinrich *H* Fransen
Willem Jansen
Jan Jansen
John Nohmers
Clos *A* Andressen
and all the others

[Endorsed:] No. 7 N. Castle in Delaware 1st. of June 1675
Petition of Luterians Church

1. Other translation in NYCD 12:529.

20:67 [ORDER TO CONSTRUCT DIKES AT NEW CASTLE]¹

Whereas it has been ordered by Gov. Edm. Andross,
Lieutenant General of all the Duke of York's dominions in
America, that the marshland situated on the northside of New
Castle on the Delaware River, belonging to Capt. John Carr,
should be appraised by four impartial persons appointed by the
Magistrates;² they have therefore unanimously selected Mr.
Pieter Aldericks, Mr. Johannes de Haes, Mr. Pieter Cock and
Mr. Lars Andriessen, who after inspection judged the marshland
to be of no value.

Whereupon the aforesaid Magistrates met today and having
decided that the Governor's order to construct a highway can
not be carried out unless an outer-dike with sluices is first
built along the water, they therefore order herewith that each
and every male, who belongs to the district of New Castle,
shall begin work next Monday on the aforesaid outer-dike and
continue to work until the aforesaid outer-dike has been com-
pleted. They who work more than their share shall be paid for
their extra work by those who neither work nor hire laborers.
The inhabitants of New Castle shall work on it pro rata head

proportionally. Furthermore, it is so ordered that Martin Gerritsen, Pieter de Wit and Hendrick Sybrants shall be, by turns, officers and commanders of this project and construct the aforesaid dike ten feet wide at the bottom, five feet high and three feet wide at the top, providing it with well-made and strong sluices. The country people shall thereafter not be obligated to work on the aforesaid outer-dike or sluices (without being paid for it), but on the other hand, the inhabitants of New Castle shall from time to time be obligated to keep this outer-dike and sluice in repair under the condition that they shall also derive the profits from the aforesaid marshland and have it as their own. The aforesaid Magistrates have also decided it to be in the public interest that the outer-dike, which runs along Mr Hans Block's marshland, should be repaired and strengthened. We therefore order herewith that the aforesaid dike, as the other, shall this time only be repaired and built up by each and every male who lives in the district and under the jurisdiction of New Castle, but that thereafter the aforesaid dike and sluice shall be maintained and from time to time kept in repair by the aforesaid Mr. Hans Block or his heirs.

The laborers shall be divided into three parties by the aforesaid three officers and each party shall be under the command of its officer and work for two days at the dike. Whosoever should refuse to come to work in his turn, or to send a laborer in his place, shall be obligated to pay immediately to the aforesaid officer the sum of ten guilders in sewant for each day missed.

All of the aforesaid work must be completed and finished to specifications within six weeks under penalty of defaulting three doubled payments which shall have to be advanced for it according to law. Thus done and publicized in New Castle this 4th of June anno 1675

[Signed:] Ed. Cantwell
H. Block
John Moll
Dirck Albertsen
[]³

[Endorsed:] No: 5 [] N. Castle the Courts order
in relation to meadow and hy ways⁴

1. This document has suffered extensive damage in several places. Material in the damaged portions has been recovered from 20:71 which is a contemporary copy of this document. Other translation in NYCD 12:530.
2. See 20:64 for a copy of this order.
3. A portion of the document is torn away below the signatures. There is an indication that several signatures have been lost, although 20:71 lists only the four names given above.
4. 20:71 carries the endorsement: No. 10 Order of the Court to make a dike etc. for a Hye Way. Both endorsements are written in English in the hand of Matthias Nicolls.

20:68 [DECLARATION OF THE MAGISTRATES OF NEW CASTLE
CONCERNING A RIOT OVER THE CONSTRUCTION OF THE
DIKES]¹

Declaration of the undersigned concerning what happened June 4th last in the rioting of the town's people due to the construction and repair of two outer-dikes.

As soon as we had read and made public the order² concerning it, John Ogle belligerently stepped forward (in church) and said: "We neither intend to build Hans Block's dike nor the other dike." Capt. Cantwell answered: "You John Ogle are an Englishman and it does not become you to make such commotion among so many people," and he (Cantwell) took him by the arm and shoved him out of the church. Whereupon a certain Mathys Smith angrily said: "The man speaks the truth and what he says we all say," along with more foul words. Capt. Cantwell called for the Constable to put him in the stocks, but since the constable was not at hand and Mathys Smith continued with his foul language, Capt. Cantwell was forced to strike him with his cane. Then Magister Jacobus Fabritius shouted out contemptuously: "The man is right, he speaks the truth, if he has to go into the stocks then I want to go too," adding more foul words unbecoming of a priest. Since the constable was not present, we decided to prevent further trouble by having the aforesaid John Ogle and Magister Fabritius put aboard the yacht. On the way to the yacht, when Capt. Cantwell tried to grasp the unwilling priest by the arm, he swore and cursed: "The devil take you if you lay hands on me," adding more blasphemous words. In the boat he continued to use his foul mouth so that some people who had gathered near the boat shouted: "Seize it, seize it,"³ while some milled around with swords and clubs. Since it appeared as if a great disorder was about to erupt, we resolved, at the request of several people, to have the aforesaid John Ogle and Magister Fabritius brought back ashore.

A few days after we had had the confirmation of our order put up on the church, I, Hans Block, met John Ogle on the street and spoke with about the recent mutiny, perpetrated by him and others. He said: "If the Finns had been drunk not much good would have come of it." I replied: "There is now a confirmation of our order posted on the church." Whereupon he retorted: "I think as much of your order as this dirt on the street," kicking the dirt with his foot.

[Signed:] H: Block
John Moll
Derck Albertsen

[Endorsed:] No. 12 A declaracon of the Magistrates of New
Castle about the Dykes. June 4, 1675

1. Other translation in NYCD 12:531.
2. See 20:67 for this order.
3. i.e., the boat, which was to depart for New York. c.f., 20:74.

20:69 [PETITION OF THE INHABITANTS OF NEW CASTLE ABOUT
THE CONSTRUCTION OF DIKES]¹

To the Right honorable major Edmund Andross Capt. Generall off
all his royall highnesses Territories in American and governor
of New Yorke.

The humble petition of the In-
habitants under the government of
Newcastle, humble shewith,

Thatt whereas your petittioners att a publiqe meeting in
the towne of new Castle bearing date the 4th day of June 1675
by order of the shirriff and majestates of this towne, to dis-
pose of a percele of morash or flye formerly belonging to Capt.
Carr and through the said flye to make two dickes or highways,
one for the Concernes of the King and publiqe, the other for
Conveniency of the towne, all which your petittioners Condisend
to, butt nott any way willing to repaire the Dick which belongs
to the flye of Hans Block without the privelige thereof, itt
being the said Hans his owne, and therefore belonging to him
to make good the dick; the whole Company of the inhabitants
or the most part, making the parties named John Ogle, and
Domine Fabricius theire speakers, thatt they were willing to
repaire the Kings high waye the Flye; as also to make and
secure the Dick for a foott passage over by the river side with
a soficient sluice to draine the water outt of the flye, butt
nott to be slaves to Hans Blocks perticular Intrest, for which
cause not onely one butt all in whose behalfe these whose
names are under written Complaine, that theire speakers were
sorely beaten, without cause, as we all hope your honor will
take Cognesens off, for not Condisending to make up the flye
of Hans Block which is nott a publiqe butt privett Concerne,
Comitting them likewise withoutt any Just Cause of offence,
onely speaking for the rights and intrests belonging to us,
which with our moneye according to your honors grant wear
willing to purchas, and god sending us helth to maintaine the
said Dikes, The Flye being by your honors apprizers accounted
of no vallew, yett According to your honors order in Newcastle
we humble acsept your honors pleasure therein, and are willing
to maintaine both ways, so that we may have the privelige of
the Comonage,

And your petittioners shall for
your Honor Ever pray as in duty
bound

[Signed:] his
Liftenant Tho: T Jacobson
marke

his
Jacob T Johnson Ensigne
marke

both for the whole Company
of Cristena Creek,

[Entitled:] The petition of the Inhabitants under the
Government of Newcastle.

[Endorsed:] No. 8 The subscribers to be questioned at the
next generall Court att Delawarr. June 1675.²

his
Capt. Evertt H Hendrikson Eck
marke

for the hole Company of
Crane hooke

1. Other transcription in NYCD 12:532.
2. Endorsement and order written in the hand of Matthias
Nicolls.

20:70 [MAGISTRATES' JUSTIFICATION FOR CONSTRUCTING DIKES]¹

Reasons which induced us to order all the inhabitants of
the district of New Castle to help construct both of the
outer-dikes.

- First: In order to obey the Hon. Lord General's order to make
roads from village to village where no wagon or cart
road can be made unless all the aforesaid outer-dikes
and sluices be made in order to stop the water.²
- 2nd: There are few here who have the knowledge for such work,
especially among those living in New Castle, and they
had to pay the laborers a daily salary of 30 or 40
guilders for their work so that those who wanted to
work gained much by it, and no one lost more than 5 or
6 hours' time on the city's dike and 3 or 4 hours'
time on Mr. Hans Block's dike.
- 3rd: All inhabitants, country-people and strangers would
have to go 5 or 6 English miles through the woods in
order to go as far as Zwaenwyck which is now not more
than one English mile away since Mr. Hans Block's dike
has been built. Even if the dike had not been built
he still could have made his hay as is done in other
marshes which have no dikes around them; nevertheless
Mr. Block assumed the expences of 16 parts for the
construction of his dike, excluding 1/4 part of the
same dike which had already been built, and he also
assumed the expences of building the sluices and all
the appurtenances thereto, so that the mutineers had
not the slightest reason or cause to question it or
excuse for their absurd and foul behavior.
- 4th: There were severall private persons who offered Mr.
Block to work a day or more on the dike which runs in
front of his marsh because they did not want to go
through the mire where various people have now and then
experienced peril and danger; so that the community in
general is not at fault as much as the ringleaders of
the mutiny.
- 5th: In case of war with the Indians or other enemies,
especially in the winter when one is unable to travel

by water, it would be very dangerous to go 5 or 6 English miles through the woods to assist our nearest neighbors, or they us; besides, we daily require one another's assistance in various necessary matters.

We request the Hon. Lord General earnestly to consider the aforementioned, referring ourselves to his Honor's sound judgment, and to decide whether we have given the community the least lawful cause to resist our order and to mutiny.

[Signed:] H. Block
John Moll
Derck Albertsen

[Endorsed:] No. 11 The magistrates of Delawares reasons about the repairing or mending the Dyke in Dutch. 1675

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1. Other translation in NYCD 12:533.
 2. See 20:64 for a copy of this order.
 3. i.e., Swanwyck.

20:71 [CONTEMPORARY COPY OF 20:67]

20:72 [SIGNED COPY OF 20:73]

20:73 [PROTEST OF THE INHABITANTS OF NEWCASTLE AGAINST THE BUILDING OF HANS BLOCK'S DIKE]¹

Honorable Gentlemen of the Council of New Castle:

Pursuant to the permission given to us by your Honors to submit our complaints and desires in writing, we protest, with all due reverence, against being obliged to help build Mr. Hans Block's dike and have resolved not to do it, having no reason

for it, unless we should be expressly ordered to do so by the Honorable General. We therefore all desire and humbly request also to have a copy of it so that we may act accordingly.

Concerning the marshland formerly belonging to Capt. Carr, we are ready to help build the dike together with the inhabitants of New Castle on the condition that we shall have a hereditary right to use a portion of the marshland and we will keep our part in repair. We request of your Honor to grant us a delay to do the aforesaid work until the grain is in the ground. Requesting herewith a favorable recommendation, we remain, etc.

New Castle 5 June 1675

[Signed:] Jacop van der Veer
Evert Eck ~~+~~ his mark²
Tomas Jacobsen T his mark
Matihias Matihason Defo[]³
Jacob Janssen ~~+~~ his mark
Martin X Gertsen his mark
John Ogle
John ~~+~~ Breadborne his mark
Pieter Jegou

[Notation:] The petitioners are commanded to obey our previous order immediately and in case of refusal the High Sheriff shall have the construction done at their doubled expense according to the Lord General's definitive order.

by the Court ordered⁴
[Signed:] Will. Tom

[Verso:] Domine Fabricius and Ogle to bee sent for here and the other here subscribed to bee questioned and sentenced at the generall Court at Delaware.⁵

[Endorsed:] No. 9 N. Castle in Delowor 5th of June 1675
Petition to the Court in opposition to order.

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1. Damaged portions of this document have been recovered from the signed copy (20:72), which lacks the court order, the order on the cover-fold, and the endorsement; the signatures of Jacob Janssen and Martin Gertsen also do not appear on this copy. Other translation and transcription in NYCD 12:534.
 2. This is Capt. Evert Hendriksen Eck. c.f., 20:69.
 3. NYCD 12:534 has Deforest as Matthias Matthiassen's surname. The final letters of the name have been lost due to a tear in the document. The name Matthias Matthiassen de Vos appears throughout NCCR and it is probable that de Vos was a variant form of Deforest in Delaware.
 4. The preceding notation is translated from Dutch. This phrase is written in English in the hand of Wm. Tom.

5. This order which appears on the cover-fold is written in the hand of Matthias Nicolls, as is the following endorsement.

20:74 [WILLIAM TOM TO GOV. ANDROS CONCERNING THE
OPPOSITION OF THE INHABITANTS TO THE CONSTRUCTION
OF THE DIKES]¹

Right Honorable, these are to informe your honor that according to order wee nominated fower good men to value the valley belonging to Capt. Carr by name Mr. Peter Aldricke Mr. Johannes de Haiz² for the Towne and Mr. Peter Cock and Mr. Laus Andreeson to that purpose who viewing the said valley³ returned that itt was not worth any thing by the reason of the greate reparacions and the yearely charge for maintenance of the same thereto belonging Whereupon the Court did order⁴ having regard to your honors instruccions in making High waies betweene Towne and Towne which could not possibly be done untill the foote way by the water side was repaired that all the Inhabitants which in the Jurisdiction of this Towne [] the repaying of the same the Towne paying double to [] Outlivers and after such reparacion done the Towne to [] itt for the future upon there owne charge And likewise upon [] request of Mr. Hans Block for assistance in repairing his Ditch itt being the Common and neerest foot way from this Towne to Swanwick Crane Hooke and parts adjacent he likewise obleging himselfe and his heires for the future to maintayne itt upon his owne charge which said foote way is so necessary and convenient as well for this Towne as the Outlivers themselves that itt cannot well be left unrepaired for that they and the Towne people must goe five myle about or by water if either of them have occasion but to buy or sell one pound of butter or any other such small necessaryes or else wade up to the middle in water and mudd somme having fallen into the perill of there lives and losse of what they had about them all which wee beeing gathered together and duely considering the greate occasion and necessity of repairing the said way likewise itt not being above two dayes worke for [] third of the people who were ordered to worke in three companyes [] three severall Overseers And the people of Swanwick and others there by living having as much occasion for the way as wee and be[] in number almost a full third of the three being willing to ass[] alone that Ditch but the other also for there necessary re[] likewise considering that the [] of the [] bee of noe effect onely for the securing the Ca[] an order that all the Inhabitants as above [] meete [] Towne the fowerth of June instant there to heare read our determinacion⁵ which was accordingly done in the Church but after the reading and [being opposed the]⁶ wee returning from the Church by somme of this Towne and a number of the Inhabitants from without in such a mutinous and tumultuous manner being led on by Fabricius the preister Jacob Vander Veere John Ogle Peter de Witt⁷ Barnard Egburt Thomas Jacobsen Iuryan Boatesman Math[] Smyth Evert Henrickson and severall others somme having swords some pistolls others clubs

with them such dispitfull language saying they [] make neither the one nor the other that they could not longer be forborne insomuch that Capt. Cantwell by our consente calling for the Constable layd hold of the preister and Ogle and sent them on board the Sloope with intencion for Newyorke to your honor but the tumult thereupon arising upon there going on board comming and somme crying fatt them on fatt them on⁸ being most drunke and wee not Knowing to what height itt might comme they being in such a humor still crying one and all wee were inforced to send for them from on board and discharge them which said mutinous way of proceedings wee hope your honor will not allow of and impossible for us to gett [] Justice according to the best of our Knowledge when all our accions shalbe disputed by a plebeian faccion which will not onely force us to leave the bench but will expose the Country to greate charges when upon every occasion there frenzicall braynes pleases what wee determine there according to your honors order and instruccions must be sent to yorke contrary to the same instructions and order the Sweeds and Fynnes being such a sort of people that must be Kept under else they will rebell and of that nation these here are the worse sort as by instance the Long Fynne for which wee referr your honor to Capt. Niccolls then president⁹ if this be not remedied and a free Court of law according to instruccions noe man Knowes his owne and trade must dye when noe man is sure of his owne estate witnes former examples as Mazinello¹⁰ John of Leyden Jack Cade and Wat Tyler the de Witts and in these parts since our comming the insurreccion att New yorke¹¹ in the time of Generall Niccolls for remedy of which wee wholly rely upon your honors order in this materiall affaire Mr. de Haies¹² will wayte upon your honor about eight or tenne dayes hence by whome wee desire your honors order and answer who was then present the next morning the mutineers brought in there request¹³ to us which wee send to your honor to consider of which our answer under the foote there of further wee believe if Capt Cantwell had not seized upon the bodyes of the principall and beaten one of the principals itt would have preceeded to bloudshed if your honor thinkes itt fitt that two fyls of Soldiers may be sent hither to ly in this river to keepe the people in awe and us in security This our narration and remonstrance wee present to your honor expecting an answer by Johannes or sooner if occasion offers for if itt be not done before the Harvest itt cannot be done then we remayne Right Honoble your honors humble Servants

by order of the Court
[Signed:] Will. Tom

Newcastle upon Delaware
this 8th day of June 1675

[Addressed:] For the Right Honorable Major Edmund Andros
Generall of all the forces of his Royall Highnes
in America and Governor of Newyorke these pre-
sent in

[Endorsed:] No. 6 N. Castle Delowor 8th June 1675 from justices
or Court of the place

[Notation:] The Domine and Ogle sent for by speciall warrant¹⁴
to Nyorck the others [] be bound over to
Answer att the next generall Court att Delaworr
[]¹⁵