

38

The Formation of New Netherland

The British seizure of New Netherland—the vast if thinly settled Dutch territory in North America—wrought a permanent change in the pattern of English colonization in the New World. The grant of this vast area to the proprietorship of the Duke of York, younger brother of Charles II, and its seizure by Col. Richard Nicolls in 1664, brought under English control a great land area that much later was to constitute the “middle colonies.”

How had New Netherland been formed? Seventeenth-century Dutch policies cannot be fully comprehended without recognizing the fierce and continuing political divisions within the Dutch republic over constitutional and foreign policies. Early in their long revolutionary struggle against Spain for religious toleration, freedom from taxation, and independence from central imperial rule, the seven northern Dutch-speaking Calvinist provinces of the Netherlands had established a loose confederation. Governing these United Provinces was a States-General representing the completely autonomous provincial legislatures or states. Not being burdened by the overweening state power of the other European countries, the Dutch maritime cities, especially those in the provinces of Holland and Zeeland, were able to forge the greatest economic progress in Europe. The Dutch freely engaged in trade throughout Europe, even after Spain's union with Portugal had cut off their supplies of spices, sugar, and salt from the East Indies, Brazil, and the West Indies. The war against Spain, however, continued even after Spanish troops had been driven from the northern provinces, after the ten Catholic southern provinces had gained recognition of their rights by Spain, and after France and then England had determined to make peace with Spain. The struggle for national

liberation thus became transformed into a war of Dutch aggression against the southern provinces. A regular standing army was developed, serving to expand the executive power in the central government, as well as central government power over the constitutionally independent provincial governments. Thus, the central executive, not to mention the officer class of the army, had a vested interest in continuing the war. This continuation of the war for the benefit of the executive-military authorities forced the syndicates of merchants who had successfully and rapidly developed private trade to the East Indies to seek a means of mutual defense from attacks by the Spanish or Portuguese fleets. Under the leadership of Amsterdam, these syndicates or chambers created the United East India Company in March 1602. This company, under the control of the local chambers, organized joint voyages to the East Indies for their mutual protection during wartime. After the war, however, the company became a monopoly for governing Dutch settlements in the Indies.

The fundamental cleavage in the politics of the United Provinces developed when the merchants of the cities of Holland and of other provinces, led by the foremost Dutch statesman, Johan van Oldenbarneveldt, successfully pursued peace negotiations with Spain despite the complete opposition of the Dutch military leaders. The Dutch merchants desired peace in order to end the threat of military dictatorship and the burden of taxes, and to gain access to world markets through free and peaceful trade. These merchants formed the basis of the Republican party, standing for liberal principles of peace, free trade, liberty, and, in particular, the maintenance of the original Dutch confederation of towns and provinces. In that confederation, each level of governmental power was strictly limited by the application of a virtual unanimity principle. The Republicans, furthermore, tended to be Arminians, following the liberal Dutch Protestant theologian Jacobus Arminius, who emphasized free will, natural law, and religious toleration as over against the Calvinist doctrines of predestination and state enforcement of religious conformity.

Opposition to the peace negotiations with Spain was centered in the Orange party, composed largely of gentry dependent upon their lucrative and powerful military positions and whose leader was the Prince of Orange, the military commander of the Netherlands. The Orange party sought greater powers for the central government, a strong standing army, and ultimately the substitution of an Orange monarchy for the republican confederation. Allied with the nobility and military in the Orange party was the great part of the Calvinist ministers; the Orange party, in fact, was often termed the "Calvinist party." The Calvinist ministers found the discipline of war more suitable to Calvinist practices than was the increased standard of living resulting from peaceful trade. Furthermore, a strong central government, resulting from war, was seen as the best means of enforcing religious conformity, especially against the Arminians, who were protected by the provincial independence of Holland.

Holland was the center of strength of the Republican party, containing as it did the least influence by nobles or the military and the greatest commercial and maritime strength. The Orange party, however, had strong support even in the cities of Holland from Calvinist emigrés from southern Netherlands, largely French-speaking Walloons who formed an important and wealthy part of the population. Like most emigrés throughout history, the bulk of the southerners were not content to live in the free atmosphere of their newfound home. Instead, unable to persuade the majority of their original countrymen of the justice of their cause, they tried to win by dragging their new fellow citizens into war and thus riding to power on the backs of foreign troops and guns. Emigrés always tend to constitute a menace to those who graciously welcome their migration. In the Dutch republic, the Orange party had strong support from the southern emigrés, whooping for a war of aggression against the Spanish Netherlands to "liberate" the reluctant Catholics in behalf of Calvinism.

The peace negotiated by the Dutch Republicans, the Twelve Year Truce of Antwerp (April 1609), gained the recognition by Spain of the virtual independence of the United Provinces and of the right of the Dutch to engage in Eastern trade similar to the right won by England in the treaty of 1604. Also in 1609 the Dutch East India Company hired the English explorer Henry Hudson to find a northeast arctic route to the Orient. Hudson was instructed not to seek a northwest passage through North America, as the Republican-run company was anxious to avoid any danger to peace with Spain by challenging Spain's imperial claims in the New World. Disobeying his instructions, Hudson, on failing to find a northeast route, sailed to North America and explored, among other areas, Delaware Bay and the Hudson River as far north as the fur trading region near Albany.

Since fur was a leading commodity in Dutch trade from Scandinavia and Russia, the new possibility of a cheaper American source spurred the remarkably enterprising Amsterdam merchants into action. During the next four years many Amsterdam merchants outfitted small ships and engaged in a very profitable fur trade with the Indians, in exchange for beads and cloth. These individual traders also founded a settlement on Manhattan Island, explored first by Adriaen Block in 1613. In 1614 thirteen of the Amsterdam merchants there engaged in the America trade, banded together, and managed to secure from the states of Holland and Friesland a monopoly of all trade in America for the space of six voyages. Soon afterward, these merchants strengthened their hold by forming the United New Netherland Company and obtaining from the States-General a three-year monopoly of all American trade in the area between New France in the north and the Delaware River.

One of the first acts of the New Netherland Company was to found a settlement vital to the fur trade, far up the Hudson River at Fort Nassau (later Fort Orange, now the site of Albany), near the junction of the Hudson

and Mohawk rivers. The fort was built on the site of an old ruined trading post, which had been erected about 1540 by French fur traders and soon abandoned. In 1618 the commandant of Fort Nassau came to a significant agreement with the chiefs of the mighty Iroquois Indians—the Five Nations. In this durable treaty, the Dutch and Iroquois agreed to trade peacefully in muskets and ammunition in exchange for fur.

The New Netherland Company tried to renew its monopoly in 1618, but heated opposition by excluded merchants blocked an extended grant, and the American fur trade was then thrown open again to the competition of individual merchants, albeit under license of the government. To its pleased surprise the New Netherland Company found that it prospered even more under the bracing air of competition, and the company now laid plans for further expansion.

At this point, however, Dutch affairs took a fateful turn. The Orange party, rallying the army officers (largely gentry dependent upon military posts), used the theological disagreements between Arminians and Calvinists to effect a coup and overthrow the republican constitution in 1619. Using its narrow 4-3 majority in the States-General, based on control of the rural Calvinist provinces, the Orange party had convoked a national synod of the Dutch Reformed Church. When the synod condemned and ordered the persecution of the Arminian theologians, the state of Holland refused to approve, using its well-founded constitutional independence to safeguard the principle of religious toleration. At that point, Prince Maurice of Orange and his army attacked Holland and arrested Oldenbarneveldt and other Republican leaders, including Hugo Grotius, the founder of international law. A reign of terror was instituted by the Orange party: the venerable Oldenbarneveldt was tried illegally, with no provision for defense, and executed for treason in May 1619. The Arminian leaders, moreover, were persecuted and exiled.

The now dominant Orange party proceeded to renew its aggression against the southern Netherlands upon expiration of the truce in 1621, and proposed to carry the war to the American possessions of Spain and Portugal. At this point there came to the fore an eminent Walloon emigré merchant, William Usselinx, who for thirty years had propagandized for the establishment of a Dutch West India Company to establish colonies in South America for reaping such valuable tropical products as sugar and tobacco. In June 1621 the States-General chartered the Dutch West India Company under Orange control with the aim of plundering and conquering the Spanish and Portuguese colonies and monopolizing the slave trade. Although modeled on the Dutch East India Company, the West India Company was a pure creation of the state to achieve military objectives; the state contributed half the capital and ships and forced the rest of the capital and ships from reluctant Dutch merchants. In place of the independent Dutch merchants (such as the New Netherland Company), who had gained an important smuggling trade to Brazil and the Caribbean

and a free trade to the Hudson River, a monopoly of Dutch trade with and between the Atlantic coasts of Africa and the Americas was now granted to the new company. The company was also granted a monopoly of all colonization in America. A government in the form of a commercial company, this overseas instrument of Orange aggression possessed governmental and feudal powers—to rule its arbitrarily granted territories, to legislate, to make treaties, to make war and peace, to maintain military forces and fleets of warships in order to plunder, conquer, and colonize. Only the company's appointed governor general had to be approved by the States-General. Dominant on the board of nineteen directors was the Amsterdam Chamber of the Company, which owned over forty percent of the capital and thus became the effective ruler of New Netherland.

Engaged in forming the huge Dutch West India Company, the States-General had no interest in granting the request made in 1620 by the English Pilgrims residing in Leyden, Holland, for founding a colony on Manhattan Island. Their proposal rejected, the Pilgrims soon ended their wanderings by landing at Plymouth, Massachusetts.

The Dutch West India Company mostly concentrated on the Atlantic colonies of Portugal in Brazil and Angola, for Brazil was the major source of European sugar and Africa supplied the slaves who produced that sugar. The company, in fact, temporarily captured Bahia in Brazil in 1624. When a company fleet captured the Spanish silver fleet in 1628, the money was used to finance the Dutch conquest of northeastern Brazil, beginning with Recife in 1630, and of the Portuguese ports of Luanda (near the lower Congo) and Benguela in Angola, Goree and Elmina in West Africa. The company established colonies on the Guiana coast and in the unoccupied islands in the Caribbean, St. Eustatius, and Tobago in 1632 and Curaçao in 1634. The governor at Curaçao for the next decade was Peter Stuyvesant, who had been in the military service of the company for many years. Thus, the Dutch West India Company had many valuable and important interests, of which the colony of New Netherland was one of the least valued.

39

Governors and Government

The Dutch West India Company began operations in 1623, and in the same year the first party of permanent Dutch settlers landed in the New World—apart from a settlement near Cape May on the Delaware Bay in 1614. The new colonists landed in Manhattan. Others in the party settled in Fort Orange. The settlers, significantly, were a party of Walloon emigrés. Appointed governor, or director general, of New Netherland was Capt. Cornelis May. Under May's aegis the Dutch quickly began to expand over the vast virgin territory. Fort Nassau was built on the east bank of the Delaware River (now Gloucester, New Jersey, opposite Philadelphia). Another Dutch party built Fort Good Hope on the Connecticut River, and we have seen the fate meted out to it by the English "planters" of Connecticut. Still other Dutchmen settled on what is now the coast of Brooklyn and on Staten Island.

Why didn't the English, who had laid claim to the whole coast, seriously molest the Dutch settlements? For the first decade the English were busy fighting with Spain and France. After that came the troubles and distractions of the Puritan Revolution. It was only the advent of the Restoration period that enabled England to turn serious attention to exerting its power over New Netherland—as well as over Massachusetts.

In the spring of 1626 Peter Minuit took over as director general, and it was he who, in a series of fateful decisions, laid the pattern of social structure for New Netherland. In the English colonies the chartered companies and proprietors tried to gain immediate profits by inducing rapid settlement. The need for these inducements led to the inevitable dissolution of original attempts to maintain feudal land tenure, as lands were divided up and sold, and halfhearted attempts to collect feudal quitrents from the settlers were

abandoned in the face of their stubborn evasion and resistance. Moreover, the need for inducing settlement also led the companies or proprietors to grant, from the beginning, substantial rights of democracy and self-government to the colonists. Happily, none of the English settlements *began* as royal colonies; either they were settled by individuals, for individual temporal or spiritual gain, or they were governed by profit-seeking companies or proprietors who were induced by hopes of profit to grant substantial or even controlling rights of property and self-government to the settlers. North Carolina, New Hampshire, Maine, Rhode Island, and Connecticut began as individual self-governing settlements; Virginia and Massachusetts as chartered companies; Maryland and South Carolina as proprietorships.

But the Dutch West India Company and Minuit decided quite differently. As profit seekers they first concentrated on their monopoly of the lucrative fur trade, and for this trade extensive settlements were not needed. Whether by design or not, the effect of Dutch policy was to discourage settlement greatly, and to hamper the development of the vast area over which the Dutch West India Company had been assigned its monopoly. For example, one of Minuit's first actions was to order the colonists back, to concentrate them around the fort in New Amsterdam on the tip of Manhattan, which had been purchased from the Indians. This arbitrary policy left only a few traders at Fort Orange and only one vessel on the Delaware, Fort Nassau being completely abandoned. This action stemmed from the company's high-handed decision to retain its exclusive monopoly of trade; to leave too many individuals in the interior would foster illegal, competitive trading. Second, the Dutch perpetuated a feudal type of land tenure by insisting on *leasing*, rather than *selling*, land to the settlers. It is no wonder that with no settler permitted to own his land and thus help to dissolve feudalism and land monopoly—and with no one permitted to trade on his own account—the pace of settlement was very slow.

Furthermore, the form of government was by far the most despotic in the colonies. There was no self-government or democracy, no limitation whatever on the arbitrary rule of the company and its director general. The director, along with a Council of Five appointed by the Amsterdam Chamber, ran the entire government; its legislative, executive, and judicial functions. They were joined by two other officials appointed by the company: the *Schout-Fiscal*, who made arrests and collected revenue, and the *Koopman*, the secretary of the colony. There were no legislatures or town meetings of any sort.

By 1629 it was evident that the colony was growing very slowly, only 300 persons, for example, lived in New Amsterdam. The company therefore decided to spur settlement, but instead of dissolving its land monopoly into a system of true private property for landed settlers, it decided to make the monopoly into a more elaborate feudal structure, sub-land monopolists placed over large particular areas in New Netherland. In the Charter of Privileges and Exemptions of 1629, the company decided to grant extensive tracts of

land to any of its members who should bring over and settle fifty or more families on the tract. The tracts were required to lie along the banks of the Hudson (or other navigable rivers) and were granted in huge lots of sixteen miles along one shore of the Hudson, or eight miles on both shores. The depth on either side of the Hudson was indefinite. The grantee was termed a "patroon," or lord of the manor. In imitation of the feudal lord, the patroon was to possess civil and criminal jurisdiction over his tenants, or "peasants." The tenants had the formal right of appeal from the patroon's manorial courts to the feudal overlord—the company's government—but in practice the tenants were forced to forgo this right. The property of any tenant dying intestate reverted to the patroon, and the tenant was forced to grind his grain at his patroon's mill. The tenants were exempted from colonial taxation for ten years, but in return they were compelled to stay on the original estate for the entire period. To leave was illegal—an approximation of medieval serfdom.

Aside from being a temporary serf and having no hope of owning the land he tilled, the tenant was also prohibited from weaving any kind of woolen, linen, or cotton cloth. Even the patroons were prohibited from weaving, in order to keep the monopoly of the trade in the hands of the company government and to maintain a monopoly of the colonial market for Dutch textiles. This provision, however, was continually evaded and led to numerous conflicts. Neither tenant nor patroon could engage in the fur trade, which was still reserved to the company and its agents. Apart from these commodities, the patroons were at liberty to trade, but were required to pay a five percent duty to the government at New Amsterdam for exporting their goods. The use of slaves in domestic service or in tilling the soil was also sanctioned. The patroons were required, however, to purchase the granted land from the local Indians. It should be noted that Manhattan Island was exempted from the granting of patroonships: the land of that valuable island was to be reserved for the direct monopoly of the company government of the province.

While the incentive to become a tenant remained minimal, the incentive to become a patroon was now considerable. It should not be surprising that the receivers of these handsome grants of special privilege were leaders or favorites of the company itself. Thus, the first patroonship was granted by the company to two members of its own board of directors, Samuel Godyn, president of the Amsterdam Chamber of the Company, and Samuel Blommaert, who granted themselves a large chunk of what is now the state of Delaware, as well as sixteen square miles on Cape May across the Delaware Bay. Godyn and Blommaert took five other company directors into partnership to expand the capital of the patroonship, and one of the partners, Capt. David De Vries, was sent with a group of settlers to found the patroonship of Swanendael (now Lewes), near Cape Henlopen in Delaware.

The Swanendael manor was settled in 1631, but the settlement soon ran into difficulties. For one thing, it was chiefly designed as a whaling station,

but De Vries soon found that whales were scarce along the Delaware coast. Furthermore, the Swanendael settlers managed to provoke the Indians into attacking and massacring them. The settlers had emptied a pillow, leaving the remains as waste, which happened to contain a piece of tin embossed with the emblem of the States-General of New Netherland. An Indian chief found the abandoned tin and used it for his tobacco pipe, whereupon the settlers, in an act unexcelled for stupidity even in the sordid history of white treatment of Indians, executed the hapless chief for "treason" to the Netherlands. It is hardly puzzling that the Indians proceeded to attack and wipe out the settlement. In addition to these calamities, the patroons then quarreled and dissolved their partnership. They sold the land back to the company government in 1634 for a handsome 15,000 guilders. The first patroonship in New Netherland had proved to be a failure.

The second patroonship was also a failure. Michael Pauw, another of the grasping company directors, managed to obtain a grant for himself of the area that now includes Hoboken, Jersey City, and the whole of Staten Island. Pauw called his colony Pavonia, which he organized on the site of Jersey City for a few years. The Indians, however, proved troublesome and the patroonship was losing money, and so in 1637 Pauw sold the land back to the obliging company for 26,000 guilders (land, of course, that the company had originally granted Pauw as a gift).

The first successful patroonship—and the only one that continued past the demise of New Netherland and through the eighteenth century—was the grant to yet another Amsterdam Chamber director, the wealthy jeweler Kiliaen van Rensselaer. Van Rensselaer's domain, Rensselaerswyck, prospered because of superior management and because its area was strategically located for fur trade with the Iroquois. It included virtually the entire area around Albany (now Albany and Rensselaer counties) except Fort Orange itself, which remained the property of the company government.

Immediately there began conflicts between the Hudson River patroons and the government. For the patroons began to ignore the Dutch West India company's legal monopoly of the highly lucrative fur trade, and the company began to tighten its regulations to enforce its monopoly. The patroons' illegal fur trade not only endangered the company monopoly; it also led them to concentrate on furs rather than encourage a large agricultural population, which the company government was now trying to foster. As a consequence, Peter Minuit was fired as director general by the company in 1632, on charges of being too soft on the patroons.

Successing Minuit was Wouter Van Twiller, a clerk in the company's Amsterdam warehouse, chosen because he had married into the powerful Van Rensselaer family. Conflicts with the patroons over fur trading continued in the Van Twiller regime. Externally, New England began the process of overrunning Fort Good Hope on the Connecticut River. However, the English occupation of the abandoned Fort Nassau, on the east bank of the

Delaware, was ended as Van Twiller reoccupied the fort and drove out the settlers. Further Dutch expansion took place during the Van Twiller administration: Arendt Corssen erected Beaver Road Fort on what is now the Pennsylvania side of the Delaware.

A good part of the expansion of land was accomplished for the benefit of Governor Van Twiller himself. He and his friends were given land grants and purchased large speculative tracts of land from the Indians. The tracts were concentrated on western Long Island, notably in the present Flatlands of Brooklyn. Van Twiller himself purchased Governors Island. None of these purchases was approved, as was legally required, by the Amsterdam Chamber of the Company. What is more, the director saw to it that his own farms received the best services from the government.

In addition to the conflicts over land irregularities and fur trading, the *Schout-Fiscal* opposed the director's methods. When Van Twiller fired the *Schout-Fiscal*, Lubbertus Van Dincklagen, the latter complained to the States-General. Furthermore, although some tobacco was now growing on Manhattan Island, the emphasis on the fur trade was helping to discourage agriculture and permanent settlement. The States-General, perturbed that emphasis on fur was discouraging permanent settlement in New Netherland, ordered the dismissal of Wouter Van Twiller in 1637.

But if the Dutch colonists had been chastised with whips, they were now to be chastised with scorpions. Arriving in 1638, the new director, Amsterdam merchant Willem Kiefft, proceeded to impose an absolute despotism upon the colony. First, he reduced his council of advisers from five to one, and on this rump council of his adviser and himself, he had two votes. To appeal his decisions to the Netherlands was now made a high crime. Assured of absolute power to issue his decrees, Kiefft outlawed virtually everything in sight. *All* trade, of any commodity whatsoever, was outlawed, except by special license issued by Kiefft. Any trader doing business without a license had his goods confiscated, and was subject to further punishment. To guard against possible trade, all sailors were prohibited from being on shore at night, under penalty of forfeit of wages and of instant dismissal on second offense. All sales of guns or ammunition to the Indians were prohibited on pain of death. All sorts of "immoralities" were prohibited. Heavy restrictions were placed on the sale of liquor; any tavern keeper selling liquor to tipsy customers was subject to a heavy fine and to confiscation of his stock. A tax was placed on tobacco. It is no wonder that De Vries, who had strongly opposed the tyranny of Van Twiller, had far more to resent now.

At the very time that Kiefft was imposing his despotism on New Netherland, however, overall company policy for the colony was changing drastically for the better. It was becoming increasingly evident to all that *something* needed to be done to obtain permanent settlers for this very thinly peopled territory. Characteristically, the patroons suggested a stronger dose of the medicine on which they were prospering: feudalism. The patroons, in their

proposed "New Project," suggested that the Netherlands take the path by which England was insuring the profitability of Virginia's large plantations: furnishing them with white indentured servants—paupers, convicts, and vagabonds. Instead, the West India Company made the vital decision in the fall of 1638 to liquidate and abolish all of its monopolies in the New World, including fur, manufacturing, and the right to own land. Even foreigners were to have the same liberties as Dutchmen. The only monopoly retained by the company was that of transporting the migrating settlers to America. Furthermore, the new freedom to own land was made effective by granting every new farmer the right to a farm he could cultivate, although the company did insist that the farmer pay it rent for a half-dozen years, as well as the more reasonable provision that the farmer repay it the capital it had borrowed. And in 1640 the company liberalized the patroon system further, in a new Charter of Privileges and Exemptions. The size of patroon grants was greatly reduced—two hundred acres being awarded to anyone bringing over five settlers—and freedom of commerce was strengthened.

This liberalization led to an immediate and pronounced influx of settlers into New Netherland. In one year the number of farms on Manhattan Island more than quadrupled. De Vries arrived with organized parties of settlers who went to Staten Island. Jonas Bronck made a settlement on the Bronx River. Englishmen, taking advantage of the full rights for foreigners, also poured in to settle on the vast land available: some came from Virginia and raised tobacco, others fled from Massachusetts Bay. The only requirement was that they take an oath of allegiance to the Dutch Netherlands.

But while relations between *individual* settlers of the two countries were harmonious and naturally so, the relations between the two governments, each rapaciously claiming sovereignty, were equally naturally, quite troublesome. An individual settler of whatever nationality can clearly and evidently demarcate for himself a tract of land by transforming it by his labor, but there is no such clear-cut criterion for imposing governmental sovereignty. Therefore, while individuals of different nationalities can peacefully coexist within any given geographic area, governmental territorial conflicts are perpetual.

Thus, Director Kiefft, alarmed at the growth of Connecticut, seized the English town of Greenwich and forced the citizens to acknowledge Dutch jurisdiction. Angered also by New Haven and Connecticut settlements on eastern Long Island, Kiefft laid claim to all of what now are Kings and Queens counties, in another convenient purchase from the Indians. When in 1639 a group of settlers from Lynn, Massachusetts, landed in Cow Bay, Queens, they tore down the arms of the Dutch States-General from a tree and carved on it a fool's head. But Kiefft drove the New England settlers away, and they went east to found the town of Southampton.

Long Island was particularly important as a source of wampum, beads from sea shells which had long served the Indians as their monetary medium

of exchange. Wampum was particularly important to the white man as the best commodity to trade with the Indians for furs.

Until the advent of the Kiefft administration, relations with the Indians had been cordial. But now they began to deteriorate. For one thing, oft-times the cattle of the many new agricultural settlers strayed onto Indian property and ruined Indian corn fields. When the Indians very properly protected their corn by killing the white man's invading cattle, the white settlers, instead of curbing their cows, exacted reprisals upon the Indians.

Moreover, the Indians of the lower Hudson, Connecticut, and what is now New Jersey were all members of the Algonquin Confederacy. The Algonquins' traditional enemies were the powerful and aggressive Iroquois, of upstate New York. Now the new Kiefft ruling that no arms may be sold to any Indians on pain of death was vigorously enforced in the neighborhood of Manhattan, but not against the valuable fur-supplying Iroquois to the north. The Algonquins were naturally embittered to find the Dutch eagerly supplying their worst enemies with arms while they were rudely cut off. To meet the Algonquins' problems, Director Kiefft did not take the sensible course of repealing the prohibition against selling them arms. Instead, he had what seemed to him a brilliant idea: Fort Amsterdam was really a protection for the Algonquins as much as for the Dutch; therefore, *they* should also be taxed to pay for its upkeep. Therewith, Kiefft's despotism reached out to the Indians as well, except that they were not so helpless to resist as were his hapless Dutch subjects.

For sheer gall, Kiefft's demand upon the Indians for taxes in corn, furs, and wampum was hard to surpass. The Tappan tribe of Algonquins was properly sarcastic, and denied that the fort was any protection to it. The Tappans had never asked the Dutch to build their fort, and they were therefore not obliged to help maintain it.

At this point of growing tension, some employees of the West India company, retraveling to the Delaware River in 1641, landed on Staten Island and stole some pigs belonging to David De Vries. As often happened in the colonies, the hapless Indians were blamed *a priori* for the theft. In this case, Kiefft, without bothering to investigate, decided that the Raritan Algonquins were to blame. He promptly sent out an armed troop that murdered several Raritans and burned their crops. The Raritans, having no recourse in Dutch courts, had only one means of redress: violence. In reprisal, they destroyed De Vries' plantation and massacred his settlers. Kiefft, always ready to escalate a conflict, proclaimed a bounty of ten fathoms of wampum for anyone who brought in the head of a Raritan Indian.

At this juncture, an Indian from Yonkers who as a little boy had seen his uncle murdered in Manhattan by a gang of white servants of Peter Minuit, now murdered a Dutch tradesman in revenge. When Kiefft demanded the murderer, the Indian sachem refused to surrender him, reasoning that the balances of justice were now even.

Kiefft was now building up to an Indian war on two fronts, but the people

were refusing to bear arms or to pay for a looming, dangerous, and costly conflict. To raise funds and support for a war, Kiefft in 1641 called together the first representative group of any kind in New Netherland: an assembly of heads of families, who chose a board of twelve men, headed by De Vries, to speak for them.

Although De Vries had more personal reasons to be anti-Indian than the director, he advised caution: the surrender of the murderer must be insisted upon, but the colony was not ready for a war. Moreover, De Vries adopted the great English tradition of redress of grievances before supply: when a despotic king was finally forced to call an assembly in order to raise expenses for a foreign war, the assembly would drive a hard bargain and insist first on liberalization of the tyranny. This is what the Twelve Men did before consenting to war in 1642. They demanded that Kiefft restore the council to five members, of whom four would be chosen by popular vote. They also demanded popular representation in the courts, no taxes to be levied without their consent, and greater freedom of trade. One of their demands, however, was the reverse of liberal: that importation of English cattle be excluded—clearly a desire for further privilege by the patroons. Kiefft finally responded in characteristic fashion, by dissolving the Twelve Men and proclaiming that no further public meetings might be held in New Amsterdam without his express permission.

Although the Dutch had failed to obtain the murderer from the Westchester Indians, a year's truce had been arranged by Jonas Bronck. Then, in 1643 an Indian was made drunk and robbed by some Dutch at the Hackensack settlement. In revenge, the Indian killed a Hackensack settler. The chiefs of the Indian's tribe hastily told De Vries, the patroon of Hackensack, that they would pay two hundred fathoms of wampum to the victim's widow, which they felt was reasonable compensation. De Vries advised acceptance of the offer, but Kiefft insisted on surrender of the murderer. The murderer, however, had fled up river to the Haverstraw Indians. Kiefft immediately demanded that the Haverstraws surrender him.

At this point a new factor intervened; a force of aggressive Mohawks of the Iroquois confederacy, each armed with Dutch muskets, descended upon the Hudson River tribes to terrorize and exact tribute. Although the Dutch would not break their treaty with the Iroquois by fighting them, De Vries did agree to give shelter to the Algonquin refugees at his main patroonship of Vriesendael at Tappan, and other refugees took shelter at Pavonia and on Manhattan Island.

Counsel was now divided among the Dutch. De Vries, backed by councilman Dr. La Montague and Rev. Everardus Bogardus, advised peaceful mediation in the Indian conflict. But Kiefft, over their passionate protests, saw only a Heaven-sent chance to pursue his grand design of liquidating the Indians. In this he was supported by Van Tenhoven, the secretary of the colony, and especially by Maryn Adriaensen, a member of the Twelve Men and a former freebooter in the West Indies. In an extraordinarily

vicious sneak attack, Dutch soldiers, at midnight of February 25, 1643, rushed into the camps of sleeping refugees at Pavonia and Corlears Hook on Manhattan Island and slaughtered them all. In all, well over a hundred Indians were massacred, including the hacking to pieces of Indian babies. Led by Adriaensen, the soldiers exultantly marched back to Fort Amsterdam in the morning, bringing back many Indian heads. Director Kiefft rather aptly called it a truly Roman achievement. Taking their cue from this treacherous official massacre of peaceful and friendly Indians, some settlers at Flatlands fell suddenly on a group of completely friendly Marechkawieck Indians, murdered several, and stole a large amount of their corn.

The Algonquins could give but one answer to this outrage—all-out war on the Dutch. The entire Algonquin peoples, led by the Haverstraws, rose up against their tormentors. It was during this total conflict that poor Anne Hutchinson was killed by Indian raiders. The English settlements of Westchester were all wiped out. Even Vriesendael was attacked but, notably, while the destruction of Vriesendael was under way, an Indian spoke in praise of De Vries and the Indians departed after expressing regrets for their action. The Long Island settlements were also destroyed, as well as those on the west bank of the Hudson. The only Long Island settlement spared was Gravesend, a colony organized by Lady Deborah Moody, a Baptist refugee from Massachusetts. Only a half-dozen farms on Manhattan Island remained intact. By 1644, almost all the Dutch settlers were forced to abandon their homes and fields to destruction and to retreat behind the wall of Fort Amsterdam (now Wall Street), at the southern tip of Manhattan Island, around which fort the village of New Amsterdam had grown. Fort Orange and Rensselaerswyck, in friendly Iroquois country around Albany, remained unmolested. One of Kiefft's contributions to the struggle was to be the first white man to offer a bounty for Indian scalps.

The disastrous consequences of Willem Kiefft were now becoming fully evident. A needless and terribly destructive war had been inflicted upon the Dutch as the sole result of Kiefft's tough, hard-line policy toward the Algonquins. Popular indignation against Kiefft now rose insistently, and demands grew for his expulsion. De Vries, embarking for Holland, bitterly warned Kiefft that "the murders in which you have shed so much innocent blood will yet be avenged on your own head." Typically, Kiefft tried to disclaim all responsibility by throwing all the blame on his adviser in slaughter, Maryn Adriaensen. Adriaensen, whose farm had just been destroyed, naturally grew somewhat bitter at this treachery, and with a few comrades rushed into Kiefft's room to try to shoot the director. The assassination attempt failed; the man who fired the shot was instantly killed and his head publicly displayed.

With the Dutch community facing disaster, the despotic Kiefft, his treasury empty, was again forced to consult the leading colonists in order to raise money to fight a war of his own creation. In late 1643 he chose a board of Eight Men for this purpose. No funds could be obtained from the West India

Company because it was in the process of going bankrupt. And money raised by piratic attacks on Spanish shipping could only be highly irregular. Regular funds were also needed to maintain a company of soldiers, recently sent by the company and peremptorily quartered upon the town. Faced with this problem, Kiefft turned to one of his favorite devices: the imposition of a crushing tax. Kiefft proclaimed an exise tax on the brewing of beer, on wines and spirits, and on beaver skins. The Eight Men strongly objected, arguing rather lamely that taxes could be levied only by the home company itself, and, more cogently, that it was the business of the company and not of the settlers to hire and maintain soldiers. Furthermore, they protested that the settlers were ruined and could not pay taxes. (The suggestion of the Eight Men to tax speculators and traders was not, however, very constructive.) Kiefft replied in his usual brusque fashion, "In this country, I am my own master and may do as I please."

The people of New Amsterdam now had to confront not only Indians on the warpath, but further tyranny and exactions at home. Naturally, their grumbling opposition to Kiefft redoubled, and it was hardly allayed when Kiefft made an appointment with some of the Eight and then failed to keep it. The brewers refused to pay the tax. The matter was taken into court, but in essence Kiefft *was* the court and speedy judgment was rendered against the brewers, whose product was confiscated and given to the soldiers. Hostility to Kiefft now filled the colony and he was generally reviled as a villain, a liar, and a tyrant.

Finally, the long-suffering colonists could bear Kiefft no longer. Speaking for the colonists, the Eight Men in October 1644 directly petitioned the States-General in the Netherlands to remove Kiefft forthwith. The Eight Men wrote eloquently of their plight under Kiefft:

Our fields lie fallow and waste; our dwellings and other buildings are burned; not a handful can be either planted or sown . . . we have no means to provide necessities for wives or children. . . . The whole of these now lie in ashes through a foolish hankering after war. For all right-thinking men here know that these Indians have lived as lambs among us until a few years ago. . . . These hath the Director, by various uncalled-for proceedings, so embittered against the Netherlands nation, that we do not believe that anything will bring them and peace back. . . .

This is what we have, in the sorrow of our hearts, to complain of; that one man . . . should dispose here of our lives and property according to his will and pleasure, in a manner so arbitrary that a king would not be suffered legally to do . . . We pray . . . that one of these two things may happen—either that a governor may be speedily sent with a beloved peace to us, or that [the company] will . . . permit us to return with wives and children to our dear Fatherland. For it is impossible ever to settle this country until a different system be introduced here, and a new governor be sent out. . . .

The petitioners also asked for greater freedom and more representative institutions to check the executive power.

This *cride coeur* of the oppressed people of New Netherland was heeded by the West India Company and Kiefft was removed in May 1645. It was perhaps not coincidental that the Algonquins and the Dutch were able to conclude a peace treaty soon afterward, in August, under pressure, to be sure, of the pro-Dutch Mohawk tribe. The parties sensibly agreed that whenever a white man or an Indian should injure the other, the victim would apply for redress to the juridical agencies of the accused. An ironical part of this peace treaty was the Algonquin agreement to return the kidnapped granddaughter of Anne Hutchinson, who now liked Algonquin life and who was returned against her will. Even a peace treaty could not be carried out, it seems, without someone being coerced.

Unfortunately, the company was delayed two years in sending the new governor, and Kiefft continued to oppress the citizenry in the meanwhile. Even the coming of peace did not completely lift the burdens of the people. The people had happily rejoiced when they heard the glad tidings of Kiefft's ouster. Kiefft immediately threatened all of his critics with fines and imprisonment for their "sedition." He continued to prohibit any appeals of his arbitrary decisions to Holland. The director was thereupon denounced by the influential Rev. Mr. Bogardus, in his sermons: "What are the great men of this country but vessels of wrath and fountains of woe and trouble? They think of nothing but to plunder the property of others, to dismiss, to banish, to transport to Holland!" To counter this courageous attack, Kiefft decided to use the minions of the state to drown out Bogardus' sermons—by soldiers' drum rolls, and even by roar of the fort's cannon. But Bogardus would not be silenced. Kiefft then turned to the method of violence to stop his critic—to the legal proceedings of his own state. Kiefft's charges against Bogardus in Kiefft's court included "scattering abuse," drinking alcohol, and defending criminals (such as Adriaensen in his attempt to assassinate the director). When these charges were served on Bogardus, he defiantly refused to appear, challenging Kiefft's legal right to issue the summons; with the people solidly on the minister's side, Kiefft was forced to yield.

Finally, at long last, Kiefft's replacement, Peter Stuyvesant, arrived in May 1647. So great was the jubilation of the people in getting rid of this incubus, that almost all of the fort's powder was used up in the military salute celebrating the arrival of the new director. When Kiefft handed over the office, the conventional vote of thanks to the old director was proposed, but two of the leading Eight Men, Cornelis Melyn, the patroon of Staten Island, and the German Joachim Kuyter, refused to agree, saying that they certainly had no reason to thank Kiefft. Moreover, they presented a petition for a judicial inquiry into Kiefft's behavior in office. But apart from being no liberal himself, Stuyvesant saw immediately the grave threat that a precedent for inquiry into a director's conduct would hold for any of his own despotic actions. The late nineteenth-century historian John Fiske aptly compared Stuyvesant's position to that of Emperor Joseph II of Austria-Hungary during the American Revolution over a century later: "Stuyvesant felt as in later days the

Emperor Joseph II felt when he warned his sister Marie Antoinette that the French government was burning its fingers in helping the American rebels. I, too, like your Americans well enough, said he, but I do not forget that my trade is that of king—*c'est mon metier d'etre roi!* So it was Stuyvesant's trade to be a colonial governor. . . .”*

Stuyvesant loftily declared that government officials should never have to disclose government secrets on the demand of two mere private citizens. And furthermore, to petition against one's rulers is *ipso facto* treason, no matter how great the provocation. Under this pressure, the petition of Melyn and Kuyter was rejected in the council, even though the company, in a mild gesture of liberality, had agreed to vest the government of New Netherland in a three-man supreme council (instead of Kiefft's one-man rule): a director general, a vice director, and the *Schout-Fiscal*. All, however, were company appointees.

The Dutch soon found that their jubilation at the change of directors should have been tempered. From his speech upon arrival, "I shall govern you as a father his children" Stuyvesant indicated no disposition to brook any limits to his rule. Even on the ship coming over, he had angrily pushed the new *Schout-Fiscal* out of the room because the latter had not been summoned. When Stuyvesant assumed command, he sat with his hat on while others waited bareheaded before he deigned to notice them, a breach of etiquette; he was, as one Dutch observer exclaimed, "quite like the Czar of Muscovy." Furthermore, Stuyvesant was not willing to let the Melyn-Kuyter matter rest with the rejection of their petition. He now summoned *them* to trial; and Kiefft eagerly accused these two "malignants" of being the real authors of the "libelous" Eight Men petition. Kiefft suggested that the two defendants be forced to produce all their correspondence with the company, and to show cause why they should not be summarily banished as "pestilent and seditious persons." Stuyvesant agreed, but Melyn and Kuyter showed so much damning evidence against Kiefft that *these* charges were quickly dropped. But if one charge fell through, another must immediately be found. Melyn and Kuyter were now indicted on the trumped-up charge of treachery with the Indians, and of attempting to stir up rebellion. Without bothering about evidence this time, Stuyvesant rushed through the prearranged verdict of guilty.

Stuyvesant was eager to sentence Melyn, as the leader of the two, to death, and he seriously pondered the death sentence for Kuyter also. For Kuyter had also committed two grave crimes: he had dared to criticize Kiefft, and he had shaken his finger at the ex-director. And Stuyvesant remembered the philosophizing of the Dutch jurist Josse de Damhouder: he who so much as *frowns* at a magistrate is guilty of insulting him. He also recalled the admonition of Bernardinus de Muscatellus: "He

*John Fiske, *The Dutch and Quaker Colonies in America* (Boston: Houghton Mifflin Co., 1899), 1:202.

who slanders God, the magistrate, or his parents, must be stoned to death." Stuyvesant was persuaded by his more cautious advisers, however, not to execute Melyn and Kuyter; instead, both were heavily fined and banished. Banishment, however, raised the danger that they would spill their tales of woe to the authorities in Holland. So Stuyvesant warned Melyn: "If I thought there were any danger of your trying an appeal, I would hang you this minute from the tallest tree on the island." This was in line with Stuyvesant's general view of the right to appeal: "If any man tries to appeal from me to the States-General, I will make him a foot shorter, pack the pieces off to Holland and let him appeal in that fashion."

The ironic climax of the Kiefft saga occurred when Kiefft finally left for Holland in August 1647 with a large fortune of 400,000 guilders, largely amassed from his term in office, and with Melyn and Kuyter in tow as his prisoners. The ship was wrecked and Kiefft drowned, in seeming confirmation of De Vries' prophecy. Before his death, he purportedly confessed his wrongdoing to Melyn and Kuyter, who were rescued and who were able to gain their freedom in Holland.

42

The Fall and Breakup of New Netherland

New Amsterdam functioned as the major center of an illegal but free trade for the English colonies in America, for the purchase of European manufactures and for the sale of enumerated commodities, especially tobacco. Following the Restoration of Charles II, and the elaboration of the Navigation Act structure, England began to find New Netherland to be a major irritant, a major loophole in its attempt to mold and restrict colonial trade.

The English Council of Trade, established in the autumn of 1660, complained regularly to the government that New Netherland was the center of free trade in America in violation of the acts of trade. Furthermore, English ire was drawn toward New Netherland because the latter vigorously competed with the English colonies for settlement by Englishmen. The colonial concern of the English government was reflected in its continuation of the Protectorate project for settlement and development of the island of Jamaica. The colonial government there would be completely dominated by the English government and was to be the standard form imposed on the colonies. Since an elected assembly such as Virginia's would be attractive to settlers, this form of government was pressed on Jamaica. And the fear that Dutch toleration would attract English settlers to Long Island instead of to Jamaica caused the English government to exempt the English colonies from the principal religious act of the Restoration—the Act of Uniformity of May 1662. In February 1662 the Dutch West India Company had invited all those "of tender conscience in England or elsewhere oppressed" to settle on Long Island, where the major English settlements in New Netherland were located.

Since this threatened to attract Dissenters from England, where repression of the Puritans was increasing, and especially Dissenters from New England, the 1662 Act of Uniformity did not apply to the colonies, which had been included in the 1559 Act. Thus, Dutch colonial competition provided the New England colonies with religious benefits as well as economic and political ones.

The Dutch West India Company, furthermore, was a point of special animosity to the English imperialists, as it was a major competitor of the principal instrument of English speculation and expansion, the Company of Royal Adventurers into Africa, which had raided the Dutch slave ports in West Africa. When the Spanish government sold the slave-trade contract, or *Asiento de negros*, to a Genoese company, which subcontracted the *Asiento* to the Dutch West India Company and the Company of Royal Adventurers into Africa, the English company was granted a new charter (January 1663) and the monopoly of trade in slaves from West Africa to the English colonies, as well as the exclusive right to occupy ports in West Africa.

In 1650 New Netherland and the New England Confederation had come to an agreement by which the English towns of eastern Long Island came under Connecticut or New Haven government, and the western quarter of the island remained Dutch. Connecticut, emboldened by its new royal charter, now also pressed its presumptuous claims to Dutch territory, specifically to Westchester County and to the towns of western Long Island, where Englishmen had continued to settle. Peter Stuyvesant realized that in any conflict, New Netherland would be hopelessly beaten by the English colonies alone. Its population of 5,000 contrasted with one of 8,000 in Connecticut, over 20,000 in Massachusetts, and 27,000 in Virginia. As early as 1655, Stuyvesant had displayed his caution in relations with the English when the New Englander, Thomas Pell, purchased and settled the Westchester land of Pelham Manor, formerly Anne's Hoeck, where Anne Hutchinson had been murdered. Stuyvesant ordered Pell to leave, bag and baggage, but did nothing when Pell failed to comply. And now, in late 1663, the English towns of Long Island rebelled and proclaimed King Charles as their sovereign. They formed themselves into a league (consisting of Hempstead, Gravesend, Flushing, Oyster Bay, Middleburg, and Jamaica) and chose the veteran adventurer John Scott of Hempstead as their president. The rebels thereupon called upon England for action to crush the colony of New Netherland. Stuyvesant again pursued the course of prudence, and agreed to Connecticut demands to give up Westchester and the Long Island towns. When interethnic riots ensued on Long Island, however, Stuyvesant sent an armed force to protect the Dutch Long Island towns of Breukelen and Flatbush.

Amid this growing crisis, a landtag met in New Amsterdam in April 1664, but could only bow reluctantly to *force majeure* and agree to yield to Connecticut's terms. But in the meanwhile, a special committee of the

Privy Council found a solution (in January 1664) to the problem of the English settlers in New Netherland and the threat of free trade to England that New Netherland's existence posed: it would end New Netherland's existence by conquest. Consequently, in February a grant and on March 12 a patent were issued to the Duke of York, giving him the territories along the Hudson and Delaware rivers where the Dutch had settled, plus a governmental appropriation of money to cover the expenses of seizing them as well as the Dutch ports of West Africa. The seizure was to be accomplished by the English navy, of which the Duke of York was commander. Of the three-man special committee that had submitted this recommendation to the Privy Council, it should be noted that all were officials of the Admiralty under the Duke of York, and two of them, Lord Berkeley and Sir George Carteret, were promptly rewarded (June 1664) by the grateful Duke with a subgrant of the territory between the Hudson and the Delaware rivers.

In April 1664 the Duke of York appointed Colonel Richard Nicolls to head a commission of four to direct the conquest of New Netherland and to establish English government there. The commissioners, as we have seen, were instructed to arrange for the aid of New England in the conquest of New Netherland, to gain the enforcement of the Navigation Acts, and to settle the disputes in New England. Colonel Nicolls promptly launched an armed expedition to seize New Netherland.

To meet the English force of 1,000 men that arrived at the end of August, Stuyvesant had only 150 soldiers and 250 citizens capable of bearing arms. Not only were the Dutch outnumbered, but disaffection had been strong for years and the burgomasters were strongly inclined to submission. This inclination was greatly intensified by Nicolls' generous terms to the Dutch, offering liberty of conscience, the retention of property rights, and freedom of trade and immigration. Furthermore, the Dutch citizens were promised freedom from conscription and guaranteed against any billeting of soldiers in their homes.

It was not lost on the realistic Dutch people that they would be enjoying far more liberty under English rule than they ever had under the despotic company government. The burgomasters and even the magistrates now clamored for submission. In a tantrum at surrendering his power, Stuyvesant tore the English message to bits, but the people demanded to hear it and Nicholas Bayard, one of the leaders of the Dutch community, pieced it together and read it to the crowd, which now called exuberantly for submission. The people were intelligent enough to regard their lives and liberties more highly than they did a remote and artificial patriotism. As the historian John Fiske pointed out: "There were many in the town who did not regard a surrender to England as the worst of misfortunes. They were weary of [Stuyvesant's] arbitrary ways . . . and in this mood they lent a willing ear to the offer of English liberties. Was it not better to surrender on favorable terms than to lose their lives in behalf of—what? Their homes and families? No indeed, but in behalf of a remote government which had done little or

nothing for them! If they were lost to Holland, it was Holland's loss, not theirs."*

Yet, Stuyvesant, a hard-liner to the last, desperately tried to rouse the rapidly defecting Dutch to resistance to the death. Even his closest supporters turned against him. His councillor, Micasmus de Sille, warned that "resistance is not soldiership, it is sheer madness." The rigorous Calvinist minister Reverend Mr. Megapolensis urged that "it is wrong to shed blood to no purpose." Even Stuyvesant's own son, Balthazar, affixed his name to a remonstrance, signed by nearly a hundred leading citizens, that pled for surrender. Finally, left alone in his colony, Peter Stuyvesant gave in, and on September 7 surrendered to the English. Colonel George Cartwright, a fellow royal commissioner of Nicolls', obtained the peaceful surrender of Fort Orange on September 20. The English promptly assumed and continued the understanding the Dutch had with the Iroquois. New Netherland had disappeared.

The English had one last military task: the conquest of the separate colony of New Amstel. Nicolls sent another royal commissioner, Sir Robert Carr, to the Delaware. Once again the sensible Dutch burghers of New Amstel were eager to surrender. But the autocratic governor d'Hinoyossa insisted on hopeless resistance. The English finally stormed and captured Fort Casimir on October 10, and English troops took revenge by plundering and killing some of the citizenry. The Atlantic coast from Maine to South Carolina was now in the hands of the English.

It is an ironic footnote on Peter Stuyvesant's frenzy at the idea of surrender that he passed his last days, in the late 1660s and early 1670s, in peaceful contentment on his farm in Manhattan, not only unmolested but in friendship with Governor Nicolls. Shorn of power, Peter Stuyvesant was a happier and perhaps a wiser man.

The first step of the new governor, Colonel Nicolls, was to change important names from Dutch to English: and so New Amsterdam became the city of New York, New Netherland became New York Province, and Fort Orange was renamed Albany, after one of the Duke of York's titles. West of the Delaware, New Amstel was changed to New Castle, and Altena to Wilmington.

Trouble in Delaware began immediately, as Sir Robert Carr plundered the Dutch settlements unmercifully, confiscating property for the use of his family and friends, plundering houses, and selling Dutch soldiers into servitude in Virginia. Nicolls rushed down to Delaware, removed Carr, and placed his son, Capt. John Carr, in command of the district and at the head of a council of seven.

Boundary and jurisdiction offered a longer-range problem in the Delaware district. For Lord Baltimore claimed all of the west bank of the Delaware on behalf of Maryland, under Maryland's charter from Charles I. But the Duke

*John Fiske, *The Dutch and Quaker Colonies in America*, 1:289.

of York refused to remove his troops, and the Delaware region remained as part of New York Province. Another boundary dispute requiring settlement was the conflict with Connecticut. According to the Duke of York's charter, New York could have claimed all of Connecticut up to the Connecticut River, thus almost obliterating the colony, but Nicolls amicably settled for Westchester County, and Connecticut obtained the land to the east. This territory included the town of Stamford, which had tried to proclaim itself an independent republic. On the other hand, New York, according to the clear-cut terms of the charter, obtained jurisdiction over all of Long Island. In imitation of Yorkshire in England, Nicolls promptly organized Long Island, Staten Island, and Westchester, with their preponderant English population, into one district called Yorkshire. The new district contained three subdistricts or "ridings": the East (now Suffolk County and most of Nassau County); the West, including what is now Kings County and Staten Island; and the North, including what is now Westchester, Bronx, and Queens counties.

As a result of the king's grant to the Duke of York, New York now included Delaware, the County of Cornwall (all of Maine east of the Kennebec), and such islands off Massachusetts as Nantucket and Martha's Vineyard. But one breakup of the old New Netherland territory was a bitter blow to Nicolls' hopes of power. In June 1664, before New Netherland had even been won, the Duke of York had granted the territory between the Hudson and Delaware rivers, bounded at 41° on the north, to the proprietorship of two of his court favorites, John Lord Berkeley and Sir George Carteret. This new province of New Jersey now lay outside New York jurisdiction.

As proprietors of New Jersey, Berkeley and Carteret were anxious to promote rapid colonization. Hence, in February 1665 they promulgated the liberal Concessions and Agreements, which granted religious freedom to the inhabitants and which offered one hundred fifty acres of land for each indentured servant brought over—subject to quitrents of one-half pence per acre to the proprietors. Each servant, upon completing his term, was to receive seventy-five acres of land. Furthermore, the concessions granted the right of freeholders to form their own representative assembly. The governor and council were to be appointed by the proprietor, but no taxes could be levied without the approval of the assembly. (These particular provisions were virtually identical with the abortive Concessions and Agreements promulgated by the Carolina proprietor six weeks earlier.) Appointed as first governor of New Jersey was Philip Carteret, a distant relative of the proprietor. Carteret set up his capital at the new settlement of Elizabethtown. Attracted by the guarantee of religious liberty and by the open land, New Englanders soon poured into New Jersey, adding such settlements as Piscataway, Woodbridge, Middletown, and Shrewsbury to the older Dutch town of Bergen, which included Pavonia and Hoboken. In particular, many citizens of New Haven, disgruntled at the seizure by Connecticut, came to New Jersey. The Reverend Abraham Pierson, the arch-Calvinist minister of Branford, led his

flock, as we have seen, to found New Ark. Attempting to duplicate the theocracy of New Haven, they provided in the town constitution that only Puritan church members could vote.

Meanwhile, after temporarily leaving the Dutch officials in office, Governor Nicolls of New York drew up, for the largely English-speaking district of Yorkshire, a set of fundamental laws known as the "Duke's Laws." The Duke's Laws did not grant anything like the degree of representative government achieved in the other English colonies. There was no elected assembly. Instead, the legislative power was exercised by a Court of Assizes, a body of judges appointed by and subject to the veto of the governor. On the other hand, trial by jury was introduced into a colony that did not have the safeguard before. The Anglican church was now established, with the church supported in each town, but freedom of conscience was granted to all of the sects. Neither were there any town meetings of the old New England model, but the towns were allowed to elect a ruling constable and a board of eight overseers, who were, however, accountable to the governor. The patroons were confirmed in their domains, now called "manors," and the militia was to be under the control of the provincial government.

In general, we may say that the Duke's Laws were more liberal than the old despotic Dutch rule, but far inferior to New England's. For the Long Island towns, used to a considerable amount of self-government, the Duke's Laws were a decidedly backward step. In March 1665 a convention of thirty-four delegates from seventeen Yorkshire towns of Westchester and Long Island (thirteen English and four Dutch) was called to approve the Duke's Laws. The Long Islanders, who had been promised by Nicolls their original New England town autonomy and a popular, self-governing assembly, were understandably bitter at this about-face. However, to their great regret, the convention finally gave its approval to the laws. But the Long Island townsmen continued to balk, and to object bitterly to what they believed to be a betrayal by their own deputies. John Underhill attacked the new laws as "arbitrary power." They also objected vehemently to Nicolls' decree forcing all settlers and landowners in the province to pay a fee to the government to have their land titles reconfirmed. The object of the government was not only to obtain the fine, but to force the lands to enter the rolls to become subject to payment of quitrents. So strong were the protests that the new Court of Assizes decreed that anyone criticizing the Hempstead deputies would be punished for "slander." Three protesters from Flushing and Jamaica were duly fined and placed into the stocks. The townsmen even practiced a form of nonviolent resistance, refusing to accept the governor's appointments as town constables. The governor finally imposed a fine of five pounds to force the appointees to accept their posts.

Flushing was in such a rebellious state in 1667 that Nicolls finally disbanded its militia and disarmed all of its citizens. And so bitter were the Long Island towns about reconfirming their land titles for a fee, and for sub-

jection to quitrents, that they did not confirm the titles for the entire first decade of English rule. These New Englanders had always been able to own their land in full without having to pay feudal quitrents.

Another deep economic grievance of the Long Islanders was Nicolls' attempt to enforce the payment of customs taxes on direct trade with Long Island—a threat that was countered by extensive smuggling. Nicolls' attempt included the hated appointment of a deputy collector of customs for Long Island to supplement the collector at New York City.

In New York City a similar but even less democratic system was imposed; all the municipal officials were appointed annually by the governor. The English offices of mayor, alderman, and sheriff replaced such Dutch posts as the *Koopman* and the *Schout-Fiscal*. The Dutch population of the city protested this arbitrary rule at length and asked at least for the right of the judicial and legislative New York City Council to present two lists, from which the governor would have to choose the next council. This concession was finally granted in 1669. In 1668 the Duke's Laws were extended to Delaware and to the remainder of New York, excluding such predominantly Dutch areas as Kingston, Albany, and the new western settlement of Schenectady, where the Dutch laws and institutions were allowed to remain.

During the second Anglo-Dutch War of 1664–67, in which the French took the side of the Dutch, Nicolls, as the king's spokesman in America, called repeatedly for joint New York–New England action against Dutch and French America. But New England and especially Massachusetts pursued a wise course of peace and neutrality. In February 1666 England, joined by Nicolls, instructed the New England colonies to organize an expedition for the purpose of seizing Canada from the French. But the New Englanders stalled and the project came to nothing, much to the annoyance of Governor Nicolls, who had to be content with depriving the Dutch citizens, the great majority of the population of the province, of all their arms.

The Dutch citizens suffered considerable grievances from the English troops, especially during the war. Nicolls imposed heavier taxes upon them to maintain these troops, and billeted the troops in the homes of the unwilling Dutch burghers. Tax delinquency rose sharply during the war period, and when Nicolls requested aid in fortifying New York City, the Dutch balked so long as their own arms were not returned to them—certainly a telling point. Even Governor Nicolls recognized that the English soldiers tended to treat the Dutch citizens very badly. One important incident occurred at the Dutch town of Esopus (now Kingston) in 1667. Here the English Captain Brodhead ruled the citizenry in high-handed and dictatorial fashion. One time, Brodhead denounced a man for celebrating Christmas in the Dutch rather than in the Anglican manner. Finally, Brodhead refused to obey the wish of the civil authorities of the town to set a certain prisoner free. When the Kingstonians protested, Captain Brodhead threatened to burn down the town. The threat was enough to cause a riot, and finally an

attack on Brodhead; a Dutchman was killed in the melee by one of Brodhead's troop. The governor then stepped in to suspend Brodhead and also punish the leading Dutch resisters.

The Dutch citizens of New York City also had an important economic grievance, and good reason to deem themselves economically betrayed by the new regime. In the surrender treaty of New Netherland, the English had made various promises that trade with Holland and in Dutch ships would continue freely. But this was in direct conflict with the English Navigation Acts. What was to be done? Nicolls at first allowed a few selected New York merchants to trade with Holland. After the war was over, agitation for permission to trade with Holland was renewed. To avoid a decline in the Indian fur trade (the Indians preferred Dutch goods), and wholesale emigration by the Dutch citizens, Nicolls persuaded the Duke of York in 1667 to permit Dutch trade with New York. And yet, in late 1668, this right was abruptly canceled, despite strong protests from the Dutch officials of the city government, as contradictory to basic English imperial policy.