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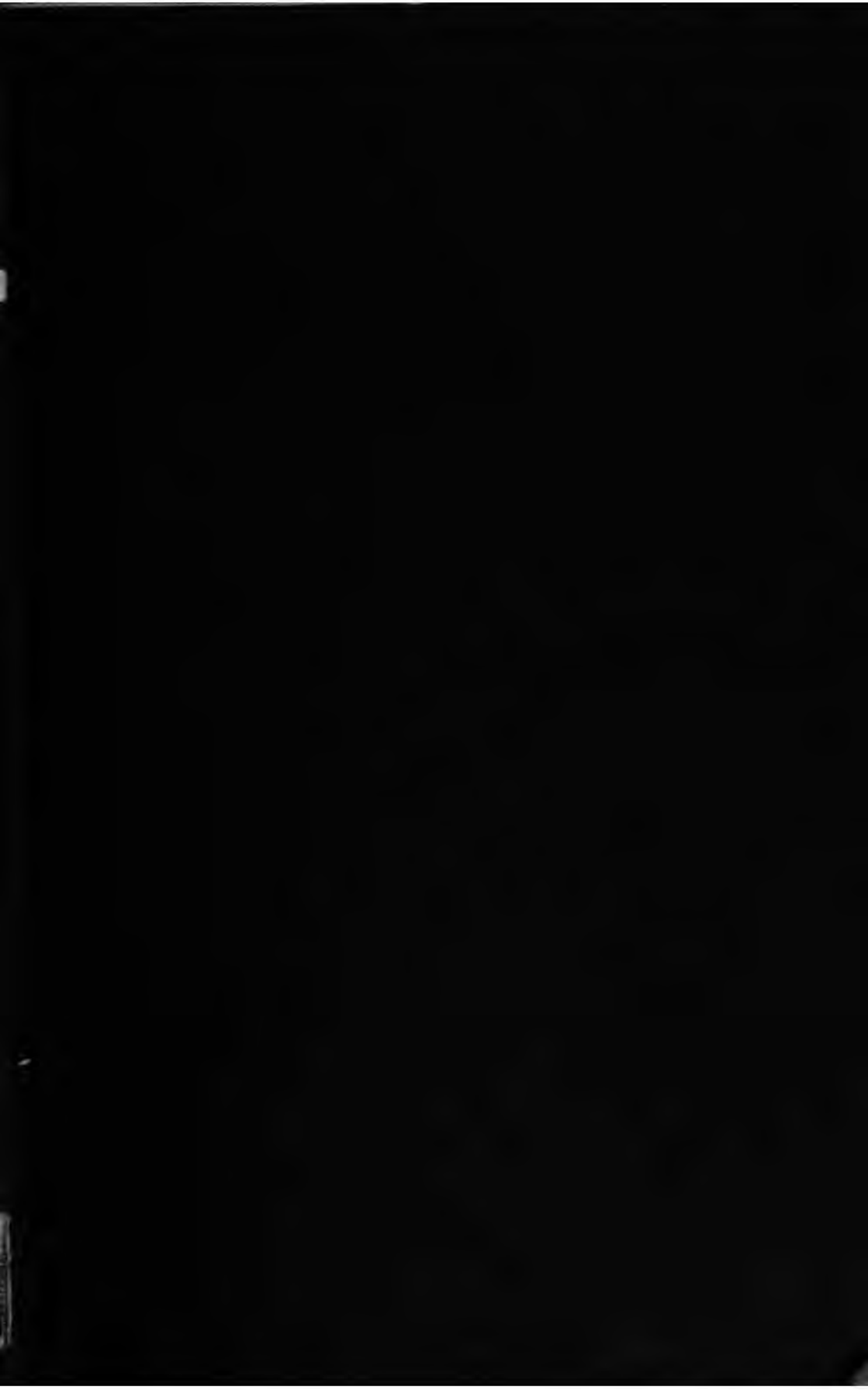
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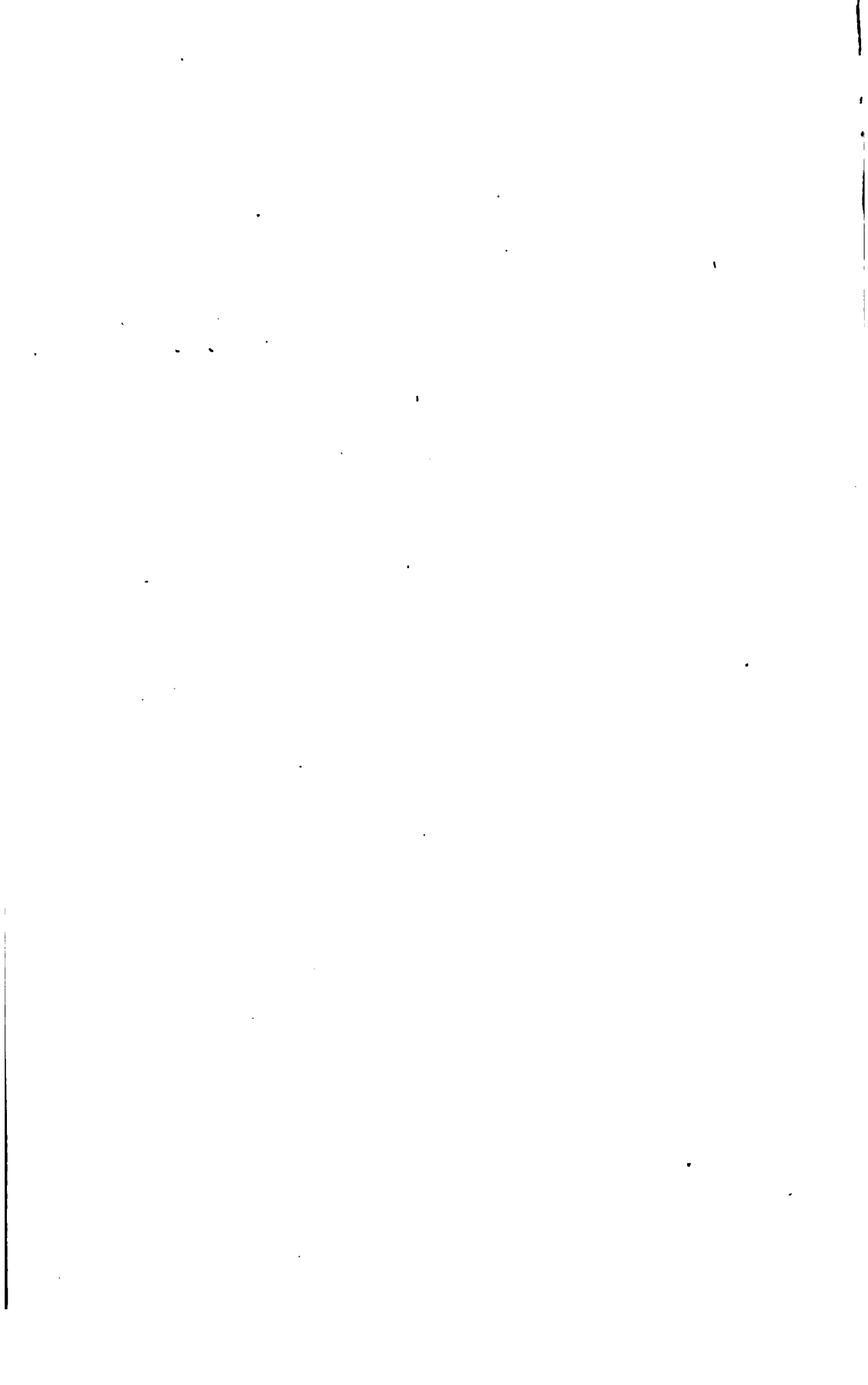


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**THE NEW YORK HISTORICAL  
SOCIETY**

**THE JOHN WATTS DEPEYSTER  
PUBLICATION FUND**



**XLV**



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FOR THE YEAR

1912.

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New York (Colony) General court of assizes

PROCEEDINGS OF THE

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# GENERAL COURT OF ASSIZES

HELD IN THE CITY OF NEW YORK  
OCTOBER 6, 1680, TO OCTOBER 6, 1682

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## INTRODUCTION

**T**HIS volume, the 45th of the Collections of the Society for 1912 contains:

I. Proceedings of the General Court of Assizes held in the City of New York, October 6, 1680 to October 6, 1682.

This court was established under the authority of "The Duke's Laws," 1665. It was composed of the Governor, Members of the Council, High Sheriff and such Justices of the Peace, as might attend. It sat in New York once a year, the regular term beginning on the last Thursday of September. Special terms, however, could be called at other times to hear causes requiring speedy dispatch. The court had original jurisdiction in all criminal matters, and civil cases of twenty pounds and upwards. It was abolished in 1683.

II. Minutes of the Supreme Court of Judicature, April 4, 1693 to April 1, 1701. The Court was originally established by an act of the Legislature, May 6, 1691. It consisted at first of five judges, two of whom, together with the chief justice constituted a quorum.



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PROCEEDINGS OF THE  
GENERAL COURT OF ASSIZES

HELD IN THE CITY OF NEW YORK  
OCTOBER 6, 1680, to OCTOBER 6, 1682

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Att A General Court of Assizes holden  
in the City of New Yorke by his  
Majtis Authority begining the sixth  
Day of Octobr in the 32th yr of the  
Reigne of our Sovereign Lord Charles  
the Second by the Grace of God, of  
England, Scotland, France & Ireland  
King Defender of the Faith &c and in  
the yeare of our Lord 1680.

PRESENT

Gover<sup>or</sup> The Right Honoble Sr Edmund Andros, Knt.  
Capt Mathias Nicolls  
Capt William Dyre  
Mr Fred. Flipson  
Mr William Darvall  
Mr Steph. Courtland. } of the Councill

Mr Francis Rumbouts Mayor of the City of New  
Yorke

Mr William Beakeman  
Mr Thomas Lewis  
Mr Peter Jacobs  
Mr Gelyne Ver Planke  
Mr Samuel Willson } Aldermen of the same  
Citty

4 PROCEEDINGS OF THE GENERAL COURT OF ASSIZES

Capt Richard Betts high Shreiffe of Yorkesheire on Long Island

Mr John Tapping	}	Justices of ye Peace for the East Rydeing of Yorkesheire on Long Island.
Mr Isaac Arnold		
Mr John Woddall		
Mr Jonas Wood		

Major Thomas Willett	}	one of the Justices of the peace for ye North Ryd.
----------------------	---	--

Capt James Hubbart	}	Justices of the Peace for ye West Ryeding
Capt Elbert Elbertson		
Capt John Palmer		

Mr Andrews Teller	}	Commissaryes of Albany
Mr Cornelius van Dyke		

Capt Thomas Delavall	}	Justice of the Peace for Esopus
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Mr William Lawrence	}
Mr John Ogden	
Mr Isaack Whitehead	
Mr Thomas Johnson	
Mr John Ward	
Mr Samuel Moore	
Mr John Martin	
Capt John Bowne	
Mr Nicholas Bayard	

Capt Thomas Snaswell	}	Justices of the Peace for New Jersey
Mr Nicholas Browne		
Mr Joseph Parker		

Capt John Gardner	}	Cheife Justice of Nantuckett
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Capt Coasar Knapton	}	Justices of the Peace for Pemiquid and parts Eastward
Mr John West		

The Court being Oppened and Called over with Constables who Attended on the Court and Sylence being Com-manded they Proceeded To try the Causes following.

---

John Steavens Appeal  
John Richardson Defendt

An appeale from a verdict and Judgmt given att the Court of the Whorkill in February 1679-80 for the Deft for Title of Land Called Willingbrook first surveyed for seated and Improved by the Deft upon full hearing of Proceedings of said Court and what could be alleadged by both partyes their Evidences and Proofs The Court Confirms the said Judgmt and that the Defendt have and enjoye all the Land he hath Sealed and Improv'd with the buildings thereon the Appeal to pay Costs.

---

Coll. Lewis Morris Appeal  
Gabrill Minveile Attorney  
to Lewis De Bois, Deft

An appeale from the Judgmt of the Court of Mayor and Aldermen Given the 13th of January 1679 about the negros taken by the Dutch and sold in vandue att the Esopus to the Defendt and runaway from him to the appealt who Detained them; which the Appealt was Ordered to Deliver with Damage. The proceedings of said Court being Read and partyes fully heard the Court Reversed the Judgmt in the Mayors Court, And give Judgmt for the Appealt that he keep the said two Negros. The Deft to pay Costs of suite.

---

Paulus Richards, Appeal  
Peter Peterson, Deft

An Appeale from a verdict and Judgmt Given for ye Deft att a Court of Sessions held att Gravesend in June last on a Debt of forty five pounds Due by bill from the sd Deft to one Peter Belieu and Assigned the Appealt Payable att three payments in wheate, Rye or Tobacco with six Per Cent Interest per Annum as by the bill pro-



duced and read in Court. The proceedings of the Court of Sessions read and Partyes fully heard. The Court Reverse the said Judgmt and Adjudge the Deft to Sattisfie and pay to the Appeal the said Debt with Interest according to bill in six months time and ye Cost of this Court.

---

Charles Morgan Appeal  
John Bridgen Deft

An Appeale from a verdict and Judgmt given for the Deft att a Court of Sessions held att Jamacia for twenty-six pound Due by bill which was for a Servant which the Defendt by threats and Surprize had forced to engage by Indenture to Serve him Tenn yeares and sold him for the said Terme to the Appeal but pressently run away the Proceeding of said Court read and partyes fully heard the said Indenture and Disposall of ye said Servant appearing to bee obtained and Done Contrary to Law the Court reversed ye said Judgmt of the Court of Sessions and acquitt the Appeal from the said bill. The Costs of the Court of Sessions and this Court to bee paid equally between them.

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The Inhabitants of Flattbush Appeals  
The Inhabitants of Flattlands Defts

An Appeale from the Judgmt of the Court of Sessions att Gravesend where the Appeals on Pretence of not performing an Award made between them were fined Tenn pounds with Award being produced and owned by both partyes who Declared were willing to stand to and abide by the same and the onely Difference appearing to be about staking out the meadow Accordingly. The Proceedings of said Court read and partyes fully heard. The Court remitt the said fine and give Judgment That Mr Nicolas Demeyer and Capt Richaard Stilwell two of the Arbitrators Mr Nicholas Bayard and Mr James Hubbard persons nominated by the partyes doe stak out the meadow in Controversie according to said Award, but if either of ye said persons shall by sickness or other Accident be hindred from attending the same then that ye partyes Doe Choose another in his stead the Defts to pay Costs.

Richard Hall Appealt  
Mr Wm Darvall, Deft

An Appeale from a Judgmt given for the Deft in ye Court of Mayor and Aldermen ye 20th July last past in an accon brought by the Appealt for £200 the penalty of an Obligation forfeited by the breach of a Charter Partye made betweene the Appealt and Deft and one Wm Williams deceased proceedings of said Court read and Partyes fully heard their Deposition and proofs. The Judgmt in the said Mayors Court is reversed and the Court gives Judgmt for the Appealt £100 Damage and Costs of Suite. The Deft Craved an Appeale to the King and Councell which is Granted giving Secutity according to Law.

---

Thomas Delavall Appealt  
John van Twist Attorney to  
Daniell Hendecoutre, Deft

An appeale from a Judgmt given against ye appealt by Default in the Court of Mayor and Aldermen ye Day of for Eight Thousand Two hundd thirty one pound weight and three Quarter of tobacco one Thousand Eight hundd forty eight Gilders tenn Stivers Sewant Seven thousand foure hundd thirty nine Gildrs in Beavers. Al- leadged to bee Due to ye said Hendecoutre of which great part being paid the Appealt prayed releife proceedings of said Court read and partyes fully heard the Deft produced an account Signed by the Appealt and the said Hondecoutre Dated the tenth of August 1673 which was owned by the Appealt and menconing the Particulars of what paid and desired only the Ballance, In the species Exprest, whereupon the Court gave Judgmt for the Deft that ye Appealt make payment and Satisfacton of the neate Ballance of said account in the Species therein mentoned with Costs ofsui te. The Appealt Craves an appeal to the King and Councell which is granted giving Securty According to Law.

---

Thomas Moore by Capt John  
Young his Attorney: Appealt  
Willm Brinley by Isaack Arnold his Attorney, Deft

This Case being brought as an Appeale from the Court of sessions held att Southold in June Last past where no

Definitive Judgmt or Determinacon appears to bee Given the Court remitt the same to the said Court of Sessions to give their Determination therein and when passed either partye may further proceed according to Law.

---

Capt Thomas Dellavall Informing the Court that Jan van Twist is an alien and hath traded here Contrary to act of parliamt undertaking to prove the same Ordred that the said Capt Thomas Dellavall doe make prosecution thereon according to Law without delay and that the Sherriffe of this Citty taking a Constable with him doe forth with secure the goods and Estate belonging to the said John Van Twist.

Pr John West, Cl Assize

WHEREAS Complaints have been made from Severall parts of the Governmt That sundry persons have and Doe Dayly Comitt Tresspasse and make waste on the Lands and proprietyes of Townships, and particuler Persons within this Governmt by Cutting and falling of Trees, Timber, firewood and Barkeing of trees to their Greate Damage for the Prevencon Whereof, It is ordered by this Court and the Authority thereof that for the future None Doe presume to Cutt or fall any Trees, Timber, firewood or Barke Trees on any Land within this Governmt without Leave and Lycence first had and Obtained from the Owners and Proprietors of such Land, any former usage or Custome to the Contrary in any wise Notwithstanding.

---

Att A Speciall Court of Assizes holden In the Citty of New Yorke by his Majtis Authority Beginning the 29th Day of June and Ending the 2d of July in the 33th yeare of the Reign of sd Sovereigne Lord Charles the 2d by the Grace of God of England, Scotland, France & Ireland King Defender of the faith &c Anno Domini 1681

PRESENT:

Capt Anthony Brockholls, Commander in Cheife.

Mr Frederick Phillips Mr Wm Darvall Mr Stephanus Courtland	} of the Councill
Mr Johannes V. Brugh Mr Thomas Lewis Mr Peter Jacobs Mr Samuel Willson Mr James Graham Capt John Young	} Aldermen of the City of New Yorke High Sherriffe of Yorkeshire on Long Island
Mr Isaack Arnold Mr John Tapping Mr John Woodhull Mr Jonas Wood	} Justices of the Peace for the East Rydeing.
Mr John Pell Mr Richd Cornwell Major Tho: Willett Capt Tho: Hicks	} Justices of the Peace for the North Rydeing.
Mr James Hubbert Mr Richd Betts Capt Elbert Elbertsen Capt Richd Stillwell	} Justices of the Peace for the West Rydeing
Capt Thos: De Lavall Mr John West	Justice of the Peace for Esopus Justice of the Peace for Pemaquid and Parts Eastward

The Names of the Grand Jury.

Mr Robert Vicars	Mr Thomas Smith
Mr Cornelis Stenwycke	Mr Thomas Okley
Mr John Lawrence, Sen	Mr Samuell Smith
Mr Nicho Blake	Mr Nathaniell Denten
Mr John Smith, Sen	Mr John Coe
Mr Tho Rushmore	Mr Jonathan Hazard
Mr John Smith, Junr	Mr Gersham Moore
Mr John Jackson	Mr Samuell Moore
Mr Elias Doughty	Mr Jonathan Write
Mr John Hinchman	Mr Wm Goulding
Mr Thomas Williams	Mr Joseph Goulding
Mr Henry Taylor	Mr John Powland

## Wednesday Morning

The Court Being Satt Proclamacon for Attendance made and the Grand Jury Sworne. They had their Charge Given them.

Then the wittnesses were Sworne to the Number of twenty one and the Grand Jury withdrew and Thursday in the afternoone they Returned and found the Bill or accusacon agt Capt Wm Dyre which was the only occasion of this Court Billa Vera.

Upon which the High Sherriffe was ordered to take Capt Dyre into his Custody and bring him before the Court. Where he was acquainted that the Grand Jury had found the Bill and that he was the Kings Prisoner. The Seale of the Citty and his Commission for Mayor was Demanded by the President which he Refused to Deliver saying he Received them from the Governour.

After which the Court Adjourned to fryday the first of July att two in the Afternoone Being the time appointed for his Tryall.

On which Day the Court Being Mett Capt Dyre was sent for and brought to the Barr by the High Sherriffe and Sylence being proclaimed his Charge or accusacon was read a Cobby Whereof is hereunto Annexed. To which he pleaded not Guilty.

Then the Pannell of the Jury was Called over and Proclamation in usuall forme made for Informacon. The said Capt Dyre makeing noe Challenge The Jury were Sworne.

And the Charge or accusacon againe read by the Clerke and Severall Wittnesses to the Number of twenty Sworne and Examined. Butt the said Capt Dyer being to make his Defence Desired to know by what Law they proceed against him and the Authority and Commission by which the Court Satt, saying if they Proceeded by his Majtis Letters Pattents to his Royll Highs he had the Same Authority and one Parte Could not trye the other.

On which the Court withdrew.

And after some Debate it was ordered Nemine Contradicente.

That Capt Dyre haveing Questioned the Power and Authority of this Court Alledging he was Commissionated from his Royll Highs as they were:

Sent home in the Pinke, Hope, George Heathcott Mas.

now Bound for London to the Secretary of State to be proceeded against as his Majtys and Councell shall Direct:  
 And Samuell Winder his Accuser pursuant to his Recognizance of five thousand pounds taken Before the Councell is to Prosecute him in England Accordingly.  
 On which the Tryall Ceased:

---

The Bill or Accusacon against Capt William Dyre found by the Grand Jury.

William Dyre standeth Charged and accused by the name of Wm Dyre Late of the City of New Yorke Gentlm for that he the said Wm Dyre Severall times since the first of May Anno: one thousand Six hundred and Eighty att the City aforesaid as a false Traytor to sd Sovereigne Lord the King hath Tratorously Maliciously and Advisedly used and Exercised Regall Power and Authority over the Kings Subjects; for the Better Support and upholding whereof he the said Wm Dyre hath Traiterously Maliciously and advisedly Plotted, and Contrived Innovacons in Governmt, and the Subversion and Change of the Known antient and fundamentall Laws of the Realme of England by Virtue of which Arbitrary and Unlawfull Power he the said Wm Dyre (Together with other some false Traitors Unknowne) hath many times Since the first of November Last Past Establish't and Imposed Unlawfull Customes and Imposicons on the Goods and Merchandizes, of his Majtys Leige People trading in this Place by force Compelling them to Pay the same, and hath Employed and made use of Souldiers to maintaine and Defend him in these his Unjust and Unlawfull Practises Contrary to the Greate Charter of Liberties, Contrary to the Peticon of Right and Contrary to other Statutes in those Cases made and Provided, and Contrary to the Honor and Peace of ye most Sovereigne Lord the King that now is his Crowne and Dignity.

Billa Vera  
 Robert Vicars.

Samuel Winder

---

The Court Ordered and Appointed Mr Steph: V: Courtland, Capt Thomas Delavall, Mr James Graham, Mr John Pell and Mr Isaack Arnold as A Committee to Draw up the

12 PROCEEDINGS OF THE GENERAL COURT OF ASSIZES

Proceedings agt Capt Dyre and to putt them In a Method to be sent home with a Letter to the Secretary of State which was Read In open Court and Approved of and was as followeth;

A Letter to be sent with Capt. William Dyre to the Secretary of State Sir Loyonell Jenkins.

Rt Hono<sup>ble</sup>

His Maties Court of Assizes for this Province of New Yorke haveing by Special Warrant and order from the Commander and Councell Mett together the twenty ninth Day of June Past for the Heareing and tryall of Capt Wm Dyre one of the Councell Coll: of his Royll Highs Revenue and Mayor of this City of New Yorke who was Charged & accused by one Samuell Winder In the Mayor's Court of this City the thirty first of May Last past for High Treason which was by the Aldermen and Court Intimated to the Commander and Councell who thought fitt to Commit him thereupon to bee Tryed att the Generall Court of Assizes and on his Peticon for a Speedy Tryall was ordered to bee tryed att this Speciall Court wch was called for that Purpose. A Grand Jury Being Likewise Impannelled and sworne with twenty one wittnesses. They Received ye Charge and withdrew to Consider on the Bill which the next Day they Returned Billa Vera, And the said Capt Wm Dyre being made Acquainted therewith fryday the first Instant about two In the afternoone was Appointed for his Tryall where the Petty Jury was Likewise Sworne and severall Wittnesses. Butt the said Capt Wm Dyre Questioning the Power and Authority of this Court to trye him who was Commissionated from his Royll Highs as they were and the Crime Charged against him being aggravated to be High Treason and the present Confusion and Disorder in the Governmt here made us Presume to send the said Capt Wm Dyre to you wth all the proceedings here against him that he may be further proceeded against as his Majties shall thinke fitt. To which Refer you for further Information and Remaine

Rt Hono<sup>ble</sup>

Yo<sup>r</sup> Hono<sup>rs</sup> most Affectionate and  
humble Servants,  
In Behalfe of the said Court of Assizes

A Bill was Likewise Presented in Court against Francis Rumbouts by John Tudor Committed to the Grand Jury and by them Returned Billa Vera and was as followeth Vizt:

Francis Rumbouts Standeth Charged and Accused by the name of Francis Rumbouts Late Mayor of this Citty, for that he the said Francis Rumbouts upon the Second Day of December one thousand Six hundred Seaventy and Nine Did with Wm Beakman, Johannes Van Broughen, Gulyne VerPlanke, Peter Jacobs with other his Associates as a false Traytor to ye Soverigne Lord the King, Trayterously, Maliciously and Advisedly Plott Contrive and Practice Innovacons In Governmt the Subversion and Change of the Knowne ancient and fundamentall Laws of the Realme of England, who the said Francis Rumbouts with Wm Beakman, Johannes Vanbrough, Guylyne Verplanke, Peter Jacobs and other his aforesd Associates Did on the aforesaid Second Day of December, as a false Traytor to the Crowne and Dignity of ye Soverigne Lord the King att the Citty Hall of this Citty Traterously, Maliciously and Advisedly Deny John Tudor of this Citty one of his Maties Naturall Borne Subjects a Lawfull Tryall by A Jury in his the said Tuders Cause Depending then In Court Between John Archer and himselfe Contrary to Magna Charta the Peticon of Right and his aforesaid most Sreen Majties Crown Dignity and Honor. And for that he the said Francis Rumbouts did with Wm Beekeman, Johannes Van Broughen, Gulyne Verplanke, Peter Jacobs and other his aforesaid Associates at the Same time and place Aforesaid Traiterously, Maliciously and Advisedly give Judgment, and Grant out Execucon after, without his the said Tuders Lawfull Tryall according to the Law of the Land. Although the said Tudor Did then and there Demand A Jury for his Lawfull Conviccon. All wch aforesaid Plotts, Contrivances and Practices are absolutely Contrary to the Greate Charter of Priviledges the Peticon of Right and Contrary to the Crowne Dignity and Honor of o<sup>r</sup> Soverigne Lord the King that now is.

John Tudor

Bella Vera  
Robert Vicars.

Whereupon the said Francis Rumbouts was Committed into the Custody of the Sheriffe.



And on Satterday the Second of July being Brought to the Barr for his Tryall he presented a Peticon therein Desiring that his Tryall might be Referred to the next Generall Court of Assizes being now wholly Unprovided to make his defenec and surprized att the Charge which the Court thought fitt to graunt and ordered his tryall to be suspended till ye next Generall Court of Assizes.

When the Grand Jury made their Returne on the Bill against Capt Dyre they presented a paper signed by them all which they Desired might be read.

And was Accordingly Read as followeth:

Wee his Maties most Loyall Subjects and Grand Jury for this Collony of New Yorke in America att A Speciall Court of Assizes Appointed to be held and held In New Yorke on the twenty ninth Day of June, one thousand Six hundred Eighty one, Doe under a true Sence, and most serious Consideracon of the Greate Manifold and Insupportable Greevences under the which this Collony hath a Long time and still Doth Groan Praying to bee Delivered; to Peticularize the same, the number there of Being soe many, it would be tedious, Wherefore In most humble manner and In the Behalfe of the said Collony, wee Doe with all Submission [& as wee Conceive In Duty Bound] make these o<sup>r</sup> most humble Requests that those Branches and markes of Displeasure that Lyes upon this Collony in poynt of Governmt may be Removed by sitting us upon Equall Ground with o<sup>r</sup> fellow Brethren and subjects of the Realme of England In o<sup>r</sup> Neighboring Plantacons, Viz: that wee may bee made Equall sharers of that Imparraled Governmt of the Realme of England Under o<sup>r</sup> most Dread Sovereigne Lord and King, (whom God Preserve) by haveing the Governmt of this Collony (Settled in the hands of a Governor and Assembly for time to come) Duly Elected by the Freholders of this Collony by whom through the Blessing of Almighty God, under the Governmt of o<sup>r</sup> Dread Sovereigne wee may Enjoy the benefitt of the Good and wholsome Laws of the Realme of England that thereby wee may Bud Blossom and bring forth the fruites of a Prosperous and flourishing Governmt for want of which wee have Been (and yett are) in a most wythering and Decaying Condicon, Under the Sence Whereof, wee humbly Crave the Conjunction of this Honoble Court in the making A most Submissive Request in order to the Redressing o<sup>r</sup> Great (and otherwise)

in Supportable Greivences, by Prostrating o<sup>r</sup> Selves at the feete of o<sup>r</sup> most Dread Sovereigne whose most gracious and tender Care over his Subjects hath been wonderfull Greate, in that wee humbly Conceave in his Grant of this Collony, hee hath Reserved all appeals (of what nature soever) to his Sacred person and his Successors, Subscribing o<sup>r</sup> selves his Majtys Constant Loyall and obedient Subjects.

---

Upon Mocon made for a Concurrance with the writeing Delivered Into Court by the Grand Jury Relating to an Assembly which was Read.

RESOLVED and ordered that a Peticon be Drawne up and Sent from this Court to his Royll Highs to Desire an Assembly to be Chosen by the freholders and Inhabitants of this Collony Like other his Majties Plantacons. RESOLVED that Capt John Young High Sheriffe Doe Draw up the said Peticon for an Assembly and Deliver the same to the Clerke of the Assizes.

The Peticon Drawne up and Delivered by the High Sheriffe was Signed by the Clerke of ye Assizes for and in Behalfe of the Court and sent to his Royll Highs accordingly as followeth.

To his Royll Highs James Duke of Yorke and Albany, Earle of Ulster &c. The Humble Peticon of the Councell of this yor Royll Highs Collony of New Yorke, the Aldermen of the City of New Yorke and Justices of the Peace assembled att A Speciall Court of Assize holden in the said City on the twenty ninth Day of June 1681.

SHEWETH.

That wee yor Royll Highs most humble and obedient Servants Assembled together by Virtue of yor Royll Highs Authority Establish in this yor Collony had In open Court Presented to o<sup>r</sup> Consideracon A Request from the Grand Inquest humbly Craveing the Conjunction and Assistance of this Court to make a submissive addresse to yor Royll Highs therein Representing the Greate Pressures and Lamentable Condicon of his Majties Subjects in this yor Royll Highs Collony and alsoe Prescribeng for the only Remedy and Ease of those Burdens that an assembly of the

People may be Establisht by a free Choice of the freholders and Inhabitants of this yor Royll Highs Colony the which Request wee haveing maturely and Deliberately weighed and considered and haveing full Assurance of yor Royll Highs good Gracious and Reall Intentions to Encourage and Advance the Ease Benefitt and Advantage of Trade and the Merchants and Inhabitants of this yor said Collony and the removeall of all things that might obstruct or hinder the same to us particularly signified by yor Gracious Commission Given to John Lewin Gentlm yor Royll Highs Agent & Servant here Beareing Date the 24th of May, 1680 which with Greate Joy and Generall Sattisfaccon was Received and Published Expecting and Longing for the happy Event of such yor Royll Highs Grace and favour the Enjoymt of which wee have not as yett Attained too finde o<sup>r</sup> selves Encouraged and obliged to Concur wth the said Grand Inquest and In all submissive Manner to prostrate att yor Royll Highs feette the miserable and Deplorable Condicon of the Inhabitants of this yor Highs Collony who for this many years past have Grond Under unexpressible Burdens by haveing an Arbitrary and Absolute power Used and Exercised over us by which a yearely Revenue is Exacted from us against o<sup>r</sup> Wills o<sup>r</sup> trade Greviously Burdened with undue and Unusuall Customes Imposed on o<sup>r</sup> merchandize without o<sup>r</sup> Consents o<sup>r</sup> Libertyes and freedoms Intharled and the Inhabitants wholly shutt out and Deprived of any share Vote or Interest in the Government to thier Greate Discouragement and Contrary to the Laws, Rights, Liberties and Priviledge of the Subject soe that wee are Esteemed as and Become A Reproach to o<sup>r</sup> Neighbors in other his Majties Collonyes who flourish under the fruition and Protection of his Majties Unparralleld forme and method of Governmt in his Realme of England the Undoubted Birth right of all his Subjects which necessitates us In Behalfe of the Inhabitants of this yor Royll Highs Collony to become humble suplicants and suiters to yor Royll Highs Praying and wee Doe hereby humbly and Submissively with all obedience pray and beseech yor Royll Highs that for the Redressing and Removeall of the said Grevences the Governmt of this yor said Collony may for the future be settled and Established Ruled and Governed by a Governor Councill and Assembly which Assembly to be Duly Elected and Chosen by the freeholders of this yor Royll Highs

Collony as is Usuell and praticable with the Realme of England and other his Majties Plantations which will give Gen: Ease and sattisfaccon to all his Majties Subjects In this yor Highs Collony who Desire noe Greater Happineese then the Continuance of yor Royll Highs grace and favour and to be and Remaine his Majties Loyll and free Subjects.

Pr

John West, Cl Assize

Att A General Court of Assizes Holden in the City of New Yorke the 5th & 6th Dayes of October By his Majties Authority in the thirty third year of the Reigne of our Sovereigne Lord Charles the Second by the Grace of God of England & Scotland, France and Ireland King Defender of the faith &c and in the yeare of or Lord 1681. Anno.

PRESENT

Capt Anthony Brockholls, Commander in Chiefe

Mr Frederick Phillips	}	of the Councill
Mr Stephanus Van Courtlandt		

Mr Wm Beakeman, Deputy Mayor of the City of New Yorke

Mr Johannes Van Brugh	}	Aldermen of the said City
Mr Thomas Lewis		
Mr Peter Jacobs		
Mr Samuel Willson		
Mr James Graham		

Capt John Young High Sheriffe of Yorkeshire on Long Island

Mr Isaack Arnold	}	Justices of the Peace for the East Rydeing
Mr John Topping		
Mr Richard Woodhull		
Mr Jonas Wood		

Mr John Pell	}	Justices of the peace for the North Rydeing
Mr Richard Cornwall		
Major Thomas Willett		
Mr Thomas Hicks		

18 PROCEEDINGS OF THE GENERAL COURT OF ASSIZES

Mr James Hubbard Mr Richard Betts Mr Elbert Elbertsen Mr Richard Stilwell	}	Justices of the Peace for the West Rydeing
Mr. Cornelis Van Dyke Mr Johannes Provost	}	Commissaryes of Albany
Capt Thomas DeLavall Mr John Joost Mr Lewis Deboies	}	Justices of the Peace for Esopus
Mr John West	}	Justice of the Peace for pemiquid and Partes Eastward

The Court Being Opened and Called over with Constables who attended on the Court and Sylence Being Commanded they Proceeded To try the Causes following.

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Peter DeLanoy, Appealant  
Edmund Gibbons, Defendant

An appeale from a Verdict and Judgment Obtained by the Defendt against the appeal in the Mayor Court of this City the 12 of November last past for the sume of twenty five pounds and Costs on an accon by him Commenced against the Appeal for Refuseing to Deliver him one Caske of Rumme Conteineing Eighty five Gallons which the Appealt alleadged he being Deputy Collector Did Deteine for Customes of a Greater parcell Imported by the Defendt to this City Proceedings of said Court Being Read and Partyes with their Evidences fully Heard. It appearing that the Rumm Imported by the Defendt was not Designed or Intended for this Porte Butt to be Transported for Virginia whether the Defendt was Bound. The Court Give their Judgment that noe Custome was Due or Payable for the same Therefore Confirme the said Judgmt Given in the Mayors Court the Appealt to pay the twenty five pound therein menconed and Costs.

John Archer, Appealt  
Robert Orchard, Deft

An Appeale from a Verdict and Judgment Obtained by the Defendt against the appealt in the Mayors Court of this Citty the Eighth of March Last past for twenty six pounds fiveteene Shillings & Costs on an Accon of Trover and Conversion By him Commenced against the Appealt for takeing away a Parcell of Hatts which he Charged to that Value the Appealt Alleadging that he being Sherriffe of the said Citty Did Levy the said Hatts by Virtue of an Execucon Directed to him from Mr Francis Rumbouts then Mayor of the said Citty Dat 29th September 1680 which he Produced in Court Proceedings of said Court Read and Partyes fully Heard. The Court Doe adjudge the same a sufficient Warrant and Reverse the said Judgment given in the Mayor Court. The Deft to pay all Costs.

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Cornelis Coursen, Appealt  
Robert Orchard, Defdt

In Appeale from a Verdict and Judgment obtained by the Defendt agt the Appealt in the Mayors Court of this Citty the Eighth Day of March Last Past for twenty Pound Damage and Costs on an accon of assault and Battery by him Commenced against the Appealt. Proceedings of said Court Being Read and Partyes with their Evidences and Proofes fully heard. The Court Doe Confirme the said Judgment Obtained in the Mayors Court and Adjudge the Appealt to pay the twenty pound therein Menconed and all Costs. Butt noe other persons Concerned in the said Assault or quarrell to be further Troubled or Molested this Being a finall End of all Differences on that account.

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Catherine More Late Wife of Daniell Lane of Seatacott and James Graham Attorney to Richard Smith and Thomas Doxey two principall Creditors to the said Daniell Lane. Samuell Edsall	}	Appeals     Defendt
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An Appeale from a Verdict and Judgment obtained by the Defendt att the Court of Sessions held att Southampton

the Second, third and fourth dayes of March Last Past on an accon of Trespasse and Ejectment Commenced by the Appeals against the Defendt for Recovery of the Dwelling Houses and other Buildings Lands Meadows Garden Orchard and Plantacon att Seatalcott aforesaid Late Belonging to the said Daniell Lane and now in the Possession of the Defendt by Virtue of Letters of Administracon Granted to him on said Estate Proceedings of said Court with Severall Ordrs of the Governour and Councell and Court of Assizes and the said Letters of Admicon Being Read Partyes fully heard and Matters Debated. The Court Doe Adjudge the said Letters of Administracon to be Illegall and that the Defendt hath noe Right to the Possession of the said Estate But in Regard Some Improvements may have been made thereupon by the Defendt since he hath been in Possession and Debts Payed, This Court Doe Order and Appoint Mr James Smith, Mr Ebinetus Platt, Mr Thomas Holmes and Mr Wm Satterly Being first sworne by a Justice of the Peace to View Inspect and Value all such Improvements and what Just Debts he hath Lawfully Sattisfied. And to make Returne thereof to the Office of Records att New Yorke in Six Weekes time and what they shall soe finde and value to be allowed and payed by the Appeals to the Defendt which being Done and Sattisfied the Appeals are to have Immediate Possession of the said Houses Land and Estate in Question and the Defendt to pay the Costs of this Court only.

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Francis Martinoe, Appeal  
Abram Latten, Defendt

The Appeal not haveing given Security for the Prosecution of his Appeale according to Law the Court Orders him to be Nonsuited and pay Costs of Court.

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Wm Osborne, Appeal  
John Tudor, Defendt

The Appeal not haveing Entered his Reasons of Appeal now Prosecuting the same According to Law, The Defendt Craved a Nonsuite whereupon the Court Doe adjudge there is noe Cause of Accon and that the Appeal Pay Costs

John Palmer, Appeal  
John Baker, Defendt

The Defendt Being Hindred from Appeareing att this Court the Matter is by Consent of the Appeal Ordered to be Referred to the Next Generall Court of Assizes and that the Security Doe Stand for his Appearance:

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Cornelis Verhoofe, Appeal  
Johannes Kipp and Reyneir Wms, Deft

The Appeal not appeareing to Prosecute his Appeal according to Law the Court Orders him to be Nonsuited and Pay Costs.

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Cornelis Van Dyke who hath Inter- marryed with Elizabeth the Relict and Administratrix of Capt Silvester Salis- bury Deceased	} Appeal
Peter Jacobs and Jacob De Key in behalf of the Children of said Capt Salsbury	

The matter in Controversie Comeing to this Court by Consent of the Partyes and Being Concerning a Parcell of Land att Kattskill Purchased by the said Capt Salisbury Before his Decease in his owne Name by Virtue of a Warrant from Sr Edmund Andross Governour to him Granted for that purpose and Being Possessed thereof made his Last Will and Testament in Writing and Departed this Life therein Appointeing the said Elizabeth to be his sole Executrix and Giveing to her ye full halfe of all his Estate in Lands, Houses, Tennements, Moveables and Immoveables by Virtue of which will the said Elizabeth Became Interressed in the Halfe of the said Land which After the Decease of the said Capt Salisbury was by Pattent from the said Sr Edmund Andross Governour &c Settled on the Children only therefore Judgment was Demanded whether the Plt in Right of his Wife as Aforesaid aught not to have and Enjoye halfe the said Land Pursuant to the said Will Notwithstanding the said Pattent. The said Will Pattent and Other papers Being Read and Partyes fully heard. The



Court give their Judgment That the Plt aught to have the halfe of the said Land att Kattskill Pursuant to the Will of the said Capt Salsbury Nottwithstanding the said Pattent:

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Peter Groendyke, Appeal  
John Vines, Defendt

An Appeale from a Virdict and Judgment obtained by the Defendt against the Appeal att a Court held att Deale for the Towne and County of Deale the 14 and 15 Dayes of June Last past on an Accon Commenced by the Appeal agt the Defendt as Sheriffe for Refusall to Give him sattisfaccon for an execucon by him Levyed on the Estate of John Avery According to an order of the Governour and Councell and Neglecting to performe his office and Duty therein Which the Defendt Pleaded he had Done according to Law Proceedings of said Court with Severall Deposicons Read and partyes fully heard and Matter Debated. The Court Give their Judgment that the Defendt as Sherriffe hath fully Performed his Office and Duty therein. Therefore Confirme the said Judgment Given att Deale Court the Appeal to pay all Costs:

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Mr Francis Rumbouts Being Called to Answer to an Indictment Exhibited by John Tudor against him to the Laste Grand Jury and by them found. Pleaded to the Insufficiency thereof Being Grounded on an Act or Judgmt Given in the Mayors Court against the said John Tudor of which he was butt one Member And Produced his Commission; the same with his Plea and the Records of the proceedings against the said John Tudor in the said Mayors Court Being Read the Court Doe adjudge that what was Done in the said Mayors Court against the said John Tudor in Restoreing the Money he Gott att play of Abraham Smith on which the Indictment Seems to be Grounded is not treason or any Cryme but Justice Done to the Party Concerned therein. And therefore Doe acquitt him the said Francis Rumbouts from the said Indictment or any further trouble or Proceedings thereupon:

Mr John Moll Justice of the Peace and President of the Court att New Castle Being Called to Answer to an Indictmt Exhibited against him by one Abram Mann for severall Words and Expressions by him said to be Uttered and Spoken in Court and att other times. To which the said John Moll pleaded not guilty and a Jury Being Impannelled and Sworne with Severall Evidences they brought in their verdict and found him Guilty of Speakeing the Words menconed in the first and second articles and of Denyeing Execucon When Demanded menconed in the fourth Article and for the Rest not Guilty. The which the Court takeing into Consideracon Doe adjudge the said Indictment to be Illegall and Vexatious and that the said John Moll by what found against him is not Guilty of any Cryme or Breach of any knowne Law. Therefore Doe acquitt the said John Moll from the same and Order the said Abram Mann to pay the Costs of Court:

The said Mann, moved for an Appeale for England which is Granted he Giveing Sufficient Security to the Value of one thousand pounds to prosecute the same and pay Damage to the party if Cast:

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Upon the Peticon of Francis Goderis Concerning a quantity of about two hundred Gallons of Rumme Seized by Wm Mountagne att the Esopus and taken Away on pretence for Customes and Dutyes Due thereupon of which Complaint was made to the Court att Esopus and by them Referred to this Court. The Proceedings of said Court Being Read. Ordered that the said Rumme be forthwith Restored to the Peticonor againe.

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Upon the Peticon of Francis Martinoe setting forth that for want of Security Being taken by the Clerke which was Tendred he was Nonsuited in his Appeals to this Court against Abram Lattin much to his Damage and praying that the same may be heard the Next Generall Court of Assizes he Giveing Sufficient Security to pay all Damage and Costs as shall be adjudged if he be Cast thereupon. The same is Granted and Ordered to be heard Accordingly he Giveing Such Sufficient Security to the Clerke of the Assizes as aforesaid:

Ordered That Edward Griffin Doe Continue Constable of Flushing till the Next time of Election and Another be sworne in his place of which all persons to take Notice and Give him the Respect Due to his Office Accordingly:

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Ordered That all Persons That shall Refuse to Give in an Account of their Estates shall be Asseised by the Constable and Overseers According to Law:

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WHEREAS Severall persons have of Late Presumed Contrary to the Knowne Laws and practice of the Realme of England to Exhibite and Preffer Divers Causelesse and Vexatious Accusacons and Indictments into the Courts within this Government against Severall Magistrates and others Concerned in the Publique affaires of the Government which causeth Greate trouble and Disturbance and tends to the Greviance and Disparigment of Seaverall of his Maties Loveing Subjects and the Hindrance of the said Magistrates in Executeing their Offices and places as they aught Severall persons Likewise Questioning and Endeavouring the Alteracon and Disquiett of the Government as settled to the end that the same may be for the future Prevented and that the peace and quiett of his Maties Subjects may be preserved and Offenders in the Like Nature have their Due Reward, It is Ordered by this Court and by the authority thereof That noe person or persons Whatsoever Doe from hence forth presume to Bring Exhibite or preffer any Accusacon or Indictment against any person or persons Whatsoever into any Court within this Governmt Butt the Matter Cause and Ground of Such Accusacon or Indictment to be first heard and Examined Before two Justices of the peace who are to proceed therein by Binding over the partyes or otherwise as the Merritt of the Case shall Require making Record of their Proceedings and Examinacons taken therein as is Directed and Practiced by the Laws of England. And that if any person or persons shall from Hence forth presume to Question or Endeavour Innovacon or Alteracon or make any other Disturbance in the Government as Settled and Established they shall be proceeded against

according to Law. This Court Being Resolved to Supporte and Maintaine the same as settled and all Inferior officers in the Due Execucon of their Offices and trusts untill further orders from his Matie. This to be Published in the City of New Yorke the Severall Rydeings on Long Island and other parts of the Government:

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The severall Constables on Long Island Being Called over were Examined about their Rates and Ordered to Give in their Estimacons without Delay:

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There Being a Peticon Presented to this Court Signed By severall persons in Behalfe of the several English Townes on Long Island who had Illegally and Unwarrantably assembled themselves Together att Huntington and Mr Josiah Hubbert Mr Wm Osborne, Mr Elias Doughty, Mr Thomas Townesend and Mr John Symons Appeareing to Speake to the same in Behalfe of the Rest were Called and Produced their power from their Severall Townes which the Court Did not approve off Butt wholly Rejected their Peticon and Checked them for their Actings and Proceedings therein Ordering them to Returne home and Remaine in Quiett as settled till further Order from his Matie.

Per  
John West, Cl Assizes.

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Att a General Court of Assizes holden in the City of New Yorke the 4th 5th & 6th Dayes of October by his Maties Authority in the 34th yeare of the Reigne of our most Gracious Soverigne Lord Charles the Second by the Grace of God of England Scotland, France and Ireland King Defender of the faith &c Anno Domini 1682:

PRESENT:

Capt Anthony Brockholls,	Commander in Chief.
Mr Fredrick Phillips	of the Councill
Mr Wm Beekeman	} Aldermen of the Citty of New Yorke
Mr Peter Jacobs	
Mr Samll Willson	} Justices of the Peace for the East Rydeing
Mr James Graham	
Mr Isaac Arnold	} Justices of the Peace for the North Rydeing
Mr John Topping	
Mr Jonas Wood	} Justices of the Peace for the West Rydeing
Mr Richd Cornwell	
Major Thomas Willett	} Justices of the Peace for the West Rydeing
Capt Tho: Hicks	
Mr James Hubbert	} Commissaryes of Albany
Mr Richd Betts	
Mr Elbert Elbertsen	} Justice of the Peace for Esopus
Mr Richd Stilwell	
Mr Peter Winning	} Justice of the Peace for Pemnaquid and Partes Eastward.
Mr Johanes Provost	
Mr John Joosten	
Mr John West	

The Court Being Opened and Called Over with Constables who attended on the Court And Sylence Being Commanded they Proceeded to Try the Causes Following:

John Palmer, Appealt  
John Baker, Defendt

An Appeale to the Last Generall Court of Assizes from A Verdict and Judgmt Given in the Mayors Court the 26th Day of July 1681 against the Appeal on an Accon by him Commenced agt the Deft for the sume of twenty two Pounds Seventeen Shillings ten Pence Alledged to be Due on Account to John Winder Late of this Citty Mercht Deceased whose widdow and Administratrix the Appealt hath Intermarried with Ano 1665 and Being by Order of the Last Court to be heard this Assizes The Defendt Confessed that he was soe Indebted Butt Alledged he had Long Since Satisfied

and Paid the Said Sume by Capt Thomas De Lavall to Capt John Breeden on Accott of the Said John Winder Deceased and Produced an accott from said Capt Thomas De Lavall wherein he Stands Charged for 31 Bevers Valued att Seven hundred and forty fouer Gilds Paid to said Capt John Breeden which he Proved by the Oath of Edward Dyer taken in Court was Payed on Account of what the Defendt was Indebted to the said Winder The Proceedings in the Mayors Court wth Severall Lettrs and Accounts Being Read and Examined Partyes fully heard and Matter Debated The Court Doe Adjudge and allow the said 744 as payd on Accott of the Appealts Demands and Give Judgment for the Remainder Being fouer Pounds five shill. and ten Pence with Costs.

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Samuell Willson, Appeal  
John Harwood, Defendt

An Appeale From A Verdict and Judgment obtained by the Deft against the Appeal in the Mayors Court of this City the 17th of January And on Review in the Same Court the 14th February Following on an Accon Commenced by the Appeal and an Attachment Layed on the Defts Estate in the hands of John Robinson for the Sume of two hundred thirty one Pounds nineteen Shillings and Six Pence Alleadged to be Due for his Sallery in Mannaging the Defts Concernes as Per account Produced and thereupon Likewise Prayes Reliefe in Equity The Deft by John Tuder his Attorney Denied to be any wayes Indebted to the Appeal The Proceedings in the Mayors Court with the Appealts accounts Severall Letters from the Deft and John Robinsons Deposition Being Read and Examined Partyes Fully heard and matter Debated This Court Cannot Find the Deft any wise Indebted to the Appeal on the Account of Sallery &c as Demanded Therefore Confirme the Judgments Given in the Mayors Court and Adjudge the Appeal to Pay all Costs.

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Samuel Willson, Appeal  
Isaack Melyne, Defendt

An Appeale from A Verdict and Judgment Obtained by the Deft Against the Appeal in the Mayors Court of this

Citty the 11th Day of Aprill Last Past on an Accon Com-  
 menced by the Appealt for that the Defendt Did Deteine  
 from him A Parcell of Chaine Plates boults and Iron worke  
 which he Sold to him And Instead thereof in his Absence  
 Did Send in a Parcell of Refuge Loose Cordage & Old Roapes  
 and Blocks which he Never Bought to his Damage fifty  
 Pounds for which Prayed Releife in Equity The Deft  
 alleadges to have Delivered what Sold and Denyes the  
 Deteiner The Proceedings in the Mayors Court Deposicons  
 and Letters Being Read wittnesses Sworne and Examined  
 Partyes Fully heard and Matter Debated The Said Judg-  
 ment given in the Mayors Court is confirmed and the  
 Appealt Adjudged to Pay all Costs:

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Francis Martinoe Appealt  
 Abram Lattin, Defendt

An Appeale to the Last Generall Court of Assizes from  
 A Verdict and Judgment Given att Gravesend Sessions in  
 June 1681 Against the Appealt on an Accon Commenced  
 by the Defendt in behalfe of himselfe and his Sisters for  
 their Proportion and Rights to the Estate of Walraven  
 Lattin their Father Deceased which he Estimates att three  
 hundred Pounds att which Court two Inventoryes And  
 Apprizements Being Produced of the said Estate the one  
 Amounting to two Thousand five hundred Ninety two  
 Guilders and the Other of seven thousand two hundred fifty  
 Guilders. The Latter was by the Jury found to be the true  
 Inventory and that the goods therein Specified were in the  
 Possession of the Administratrix who is the Appealts Wife  
 and the Court Gave Judgment Accordingly, from which  
 Judgment the Appealt appealed for Releife And the Same  
 Being by Order of the Last Court to be heard this Assizes  
 by his Bill Preferred into this Court the Appealt Alleadged  
 That the Said Walraven Lattin Left noe Greater Estate  
 then what was Menconed and Contained in the said first  
 Inventory amounting to two thousand five hundred Ninety  
 two Guilders and that the same was taken and Apprized by  
 the then Constable and Overseers Presented to the Court  
 of Sessions and by them Allowed off and Transmitted to the  
 Office of Records where the Same is Entered And admicon

was Granted thereupon to his now Wife the widdow of the said Lattin according to which Inventory he was and is Ready to Sattisfie the Defts Porcons. The Second Inventory Being Likewise Produced Contained Severall Peticulers Omitted in the Former The Proceedings of the Court of Sessions Being Read Partyes Fully heard and matter Debated The Court Doe adjudge the first Inventory to Stand Good butt what is more Menconed And Specified in the Second Inventory to be added and the Deft and Sisters to have their Shares and Proporcons of their Said Fathers Estate as the Law Directs in Specie According to the First Valuacon. The Appeal to Pay all Costs:

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Samuell Willson Appeal  
Thomas Norman Defendt

An Appeale from A Verdict and Judgment Obtained by the Defendt Against the Appeal in the Mayors Court of this City the 25th Day of Sept Last Past for the Sume of One hundred fifty Six Pounds six Shillings and ninepence And Costs on an Accon by him Commenced against the Appeal for the Sume of One hundred Eighty two Pounds Six Shillings mony Alleadged to be Due upon Account for Goods and merchandize Sold and Delivered to the Appeal att Several times between the yeares 1677 and in or about the yeare 1681 from which Judgmt the Appeal Prayes Releife And in his Bill or Declaracon Exhibited into this Court Likewise Prayed that the Accounts Depending Between the Partyes (being to Large and Tedious for the Court to Examine) may be Referred to Some Understanding and knowing Persons to Examine and State which the Court Judging Verry Fitt and Reasonable And the Deft Consenting to the Same Mr John Lawrence, Mr Wm Pinhorne, Mr Gulyne VerPlanke And Mr Gabriell Minveile were Authorized and Appointed To Examine State Adjust and Ballance the Accounts Betweene the Partyes And to Make Reporte to this Court with all Speed who takeing upon them the Burthen and Trouble thereof Did Accordingly Make their Reporte Under their Hands as Followeth Vizt Upon a Full Examinacon of all Accotts wee Doe find the Appeal Justly and Truly Indebted to the Deft in Full



Ballance of Accounts the Sume of One hundred thirty Nine Pounds five shills and Nine Pence which Report Being Read in Court was approved and allowed off And the Court Gave Judgment for the Defendt That the Appeal Pay to him the Said Sume of One hundred thirty nine Pounds five Shillings and nine Pence wth all Costs.

The Appeal moved For an Appeale to the King and Coun-cell which is Granted he Giveing Suffieient Security to Prosecute &c.

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Robert Wright & } Appeals  
Francis Pew }  
Richd Cornwall Defendt

An Appeale From A Verdict and Judgmt Obtained by the Deft against the Appeals att the Court of Sessions held att Gravesend for the West Rydeing of Yorkeshire on Long Island in December Last Past on an Accon by him Com-menced against the appeal for Recovery of a Certaine Tract of Land on Staten Island which the Appeals have Seated And to Prove the Defendts Title to the Same he Produced A Pattent from Governour Andross Beareing Date the first of November 1675 To which it was Alleadged by the Appeals That the Deft had not Seated and Im-proved the Same in three yeares time as the Law of the Governmt Directed And that therefore the same was Become forfeited And that being Againe Pattented to them by the Said Governor Andross the 28th of December 1680 and Seated and Improved According to Law they Aught to hold and Enjoye the Same And thereupon Pray to be Relieved from said Judgmt The Proceedings att the Court of Sessions with the severall Pattents and Order of the Said Governor Dated the 27th May 1679 For the Appeals to Settle on the Land in Question being Produced and Read Partyes fully heard and Matter Debated.

The Court Gave their Judgmt that the First Pattent is Good and Therefore Confirme the Said Judgmt Given att the Court of Sessions The Appeal to Pay all Costs.

The Appeal moved for an Appeale to the King and Coun-cell which is Granted they Giveing Suffieient Security to the Value of two hundred Pounds to Prosecute &c:

Peter Jacobs Attorney to	}	Appealt
Elizabeth Sailsbury als		
Vandyke		
Adria Sharpe		

An Appeale from A Verdict and Judgmt Obtained by the Defendt against the Appeal in the Mayors Court of this Citty the 28th Day of March Last Past on an Accon by the Appeal Commenced against the Deft for the Sume of twenty two Pounds One Shilling and ten pence Due on A Judgmt Obtained att Gravesend Sessions by Capt Silvester Sailsbury Deceased the 18th June 1679 And Execucon thereupon against John Sharpe the Defendts Husband Likewise Deceased The said Judgmt and Execucon with the Proceedings in the Mayors Court being Produced and Read & Partyes Fully heard it Appeareing that the Said Judgment in the Court of Sessions was obtained on an Attachment Layed on the Effects of A Parcell of Horses which did Belong to John Garland Deceased butt were before Disposed of and Ordered for Payment of A Debt Due to the said Defendts Husband By the widdow and Administratrix of the Said Garland The Said Judgment given in the Mayors Court is Confirmed & the Appeal adjudged to Pay all Costs:

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Ralph Cardwell Appeal  
Wm Golding and Joseph Golding Defendts

An Appeale from A Verdict and Judgmt Obtained by the Defendts against the Appeal att the Court of Sessions held att Gravesend for the West Rydeing of Yorkeshire on Long Island the 24th June Last Past for the Sume of three hundred and Tenn Pounds on an Accon by them Commenced against the Appeal upon an Award made by John Tuder and Edward Anthill Arbitrators Chozen by the Partyes Beareing Date the 17th June 1681 and Signed to and Approved of by the Appeal butt now Disowning the Same Prayes Releife Thereupon The said Award with the Proceedings of the Said Court of Sessions being Read and Examined Partyes Fully heard and Matter Debated The Court Doe Confirme the Said Judgmt of the Court of Sessions And Adjudge the Appeal to Pay to the Defendts the Sume of three hundred

and tenn Pounds therein Menconed According as by the Said Award is Appointed with all Costs: The Appealt moved For an Appeale to the King and Councell which is Granted he Giveing Sufficent Security to the value of Six hundred Pounds to Prosecute &c.

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John Smeedis, Appealt  
John Okson, Defendt

An Appeale From A Verdict and Judgment Obtained by the Defendt against the Appealt in the Mayors Court of this Citty the 11th Day of July Last Past for the Sume of thirty Pounds and Costs on an Accon by him Commenced Against the Appealt upon an Obligacon under his hand and Seale for Payment of the Said Sume which Obligacon the Appealt Alleadges was given in Consideracon of a negro which he Bought of the Defendt and the Deft warranted to be Sound and well Butt Proveing otherwise was Returned to the Deft and Dyed and therefore Prayes Releife. The Proceedings in the Mayors Court Being Read and Severall Witnesses being Sworne and Examined who Proved the Defts warranty of the Negro And that the Said Obligacon was Given in Consideracon thereof and the Redelivery; Partyes Fully heard and matter Debated The Court Gave Judgment for the Appealt and Reversed the Said Judgmt Given in the Mayors Court The Deft to Pay all Costs.

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Tackapowsha Sachem of  
Marshapeag for himselfe and  
Associates           Appealts  
The Inhabitants of  
Hempstead           Defendts

The Court Ordered Authorized and Appointed Mr John West Clerke of the Court of Assizes to manage and Plead this Cause in the Behalfe of the Indians the Appealts.

An Appeale From a Verdict and Judgmt Obtained by the Defts Against the Appealts att the Court of Sessions held att Jemeca for the north Rydeing of Yorkeshire on Long Island the 14th Day of June Last past on an Accon by

them Commenced against the Appeals for the Recovery of A Certain Neck of Land Lyeing on the Northside of Long Island Called Cow Neck which they Alleadge for A Valuable Consideracon they Bought of the Appeals Long Since Butt the Appeals Deny the Sale or that the Defts have any Right thereto and thereupon Pray to be Relieved against the said Judgment. And in their Bill or Declaracon in this Court Further Sett forth that they the Appeals were the Rightfull and Sole Owners of the whole Neck in Controversie Untill they Gave halfe thereof Vizt.

The West Side to Sr Edmund Andross the Governor and that the Other halfe Being the East side They are now in Actuell Possession off. The Proceedings of the Court of Sessions with the Pattent Granted by Coll. Richard Nicolls Late Governor &c to the Towne of Hempstead Beareing Date the 6th March 1667 Being Read and Examined Partyes fully heard and Matter Debated. The Court Cannot find Matter of Fact to Agree with the Judgment of the Said Court of Sessions or that the Deft have any Right or title to the said Neck of Land Called Cow Neck Therefore Revoake the Same and Give Judgment for the Appeals The Defts to Pay all Costs.

---

Isaack Melyne, Appeal  
Wm Darvall, Defendt

An appeale from A Verdict and Judgmt Obtained by the Deft Against the Appeal in the Mayors Court of this Citty the 21th Day of September Last Past for the Sume of forty three Pounds Seventeene Shillings and Six Pence and Costs on an Accon of Defamacon by him Commenced Against the Appeal for Scandalous words Spoken which he Alleadged to his Damage two thousand Pounds. The Appealt Insisting much upon the Vractionableness of the words and that he had Given Sattisfaccon by Acknowledging his Error in the Mayors Court where the words were Spoken and that they were Only the Effect of Passion not Designed to Prejudice the Defendt and therefore Prayed to be Relieved from Said Judgmt. The Proceedings in the Mayors Being Read Partyes fully heard And Matter Debated The Court thinke fitt to abate out of the Damage Given Against

the Appeal in the Mayors Court the Sume of ten Pounds And Give Judgmt for the Defendt That the Appeal Pay to him the Sume of thirty three Pounds Seventeene Shillings and Six Pence and all Charges to be Devided Equally Between the Partyes Each to Pay the halfe.

---

Robert Seary A Negro Man Being Indicted and Arranged for Breaking Prison and Stealing A Boate which he with Others Runn Away with out of the Mould or Harbour of this Citty on his tryall Pleaded not Guilty Butt Being Found Guilty by the Jury was Sentenced To be Tyed to A Carps Arse and to Receive tenn Lashes or Strips on the Bare back att Each Corner Round the Citty And to be Branded in the forehead with the Letter R.

---

Mingoe A Negroe Man Being Indicted and Arranged for the Like Crymes and Found Guilty by the Jury Received the Same Sentence.

---

Upon Information Given by John Colier Sheriffe of the Citty of New Yorke That the Said Two Negroes by name Robert Seary and Mingoe Are Runn awayes from Virginia And Maryland And have been A Long time in his Custody and Putt him to Greate Charges for their Mantainance and in Apprehending them Againe when Broake Prison And Escaped and though Notice Given to their Mas. or Owners Noe Care is Taken for their Releasement and Payment of the Charges. It is Ordered That upon Notice Given to their Mas. or Owners If in the Space of two monthes noe Care be taken for their Releasement And Payment of the Charges of their Imprisonment And Proseucon That then the Said Negroes be Exposed to Sale att A Publique Outcry by the Said Sherriffe to Sattisfie the Same and the Over Plus if any to be Returned to their Mas. or Owners.

Cane A Negro Man Being Indicted and Arranged for Breaking Prison and Stealing A Boate which he with Others Runn away with out of the Mould or Harbour of this City on his Tryall Pleaded not Guilty Butt Being found Guilty by the Jury for Runing Away in the Boate Is Sentenced to be tyed to A Carts Arse and to Receive tenn Lashes or Stripes on the Bare Back att Each Corner Round the City.

---

Abram Pylott and  
Peter Moll

Negroe Men Being Severally Indicted and Found Guilty of the Like Offence Received the Same Sentence.

---

Mary Wood Being Bound over by the Court of Sessions att Jemeca for haveing two Husbands and not Appeareing her Recognizance is Declared to be Forfeited for which Enquiry to be made of the Constable of Jemeca in whose Custody she was Committed by the Court till Security Given.

---

Ralph Cardall Being Bound Over to his Good Behaviour Nothing being Alleadged Against him And his Neighbours Giveing A Good Account of his Quiett Life and Conversacon is Acquitted by Proclamacon.

---

Matthias Harvey Likewise Bound to the Peace nothing being Alleadged against him nor Any Prosecucon is Acquitted by Proclamacon.

---

Abram Mann Being Bound Over to Appeare att this Court by the Court att Dellaware Appeareing and Nothing Alleadged or objected Against him was Acquitted by Proclamacon. The Bond Given for his Appearance to be Cancelled.

The Peticon of Capt John Manning Concerning what Due to him from the Country Being Read in Court, Noe Order Could be made therein.

---

Isaack Melyne Peticoning the Court and Chargeing that their was A Mistake in the takeing the Votes in the Accon Between him And Wm Darvall the Same was Examined Againe by Each Particular Member and Found to be Right taken and the same A False Imputacon on the Court and Clerke which Deserved A severe Censure. Butt the said Isaack Melyne Being made Sencible thereof and in Open Court Acknowledging his Error therein and Begging Favour and Excuse of the Court his Submission and Acknowledgmt was Accepted without any Further Punishment And he Cautioned not to Offend in the Like Nature:

---

A Letter From His Royll Highs To Capt Brockholls Beareing Date the 28th of March Last Past was Produced & Read in Court wherein was the Promise of an Assembly and such Priviledges And Libertyes as Other Plantacons Enjoy only A fond is Expected to be Provided for the Necessary Support of the Governmt Maintainance of the Garrisson and Payment of Arrears for which Gracious Promisses the Court Returne their harty thanks to his Royll Highnesse.

---

Upon Reading the Peticon of Jonathan Horton Stephen Bayly John Salmon and Edward Petty therein Setting Forth the Manner of their Being Baile for John Throp in Severall Accons which were Tryed and Determined att A Speciall Court of Sessions held att Southhold the 20th July 1681 and that the Peticoners Bond thereby Became Void and Null but was Refused to be Delivered up And they threatned Still to be Sued thereupon. The which Being taken into Consideracon The Court Doe Adjudge the Said Bond to be Performed therefore Null and Void And Order the Same to be Delivered up And Cancelled and the Peticoners to be Noe Further Troubled or Molested thereupon.

Ordered That the Justices of the Severall Rydeings on Long Island Doe on their Returne from the Assizes Call the high Sheriffe of said Island to an Account for the Country Rates And Other Publique Concerns in the time of his Sherrivalty [Shrievalty] And the Severall Clerkes of the Sessions for the Accounts of Jury Mens fees and Publique Charge Due to the Country in Each Accon tryed att Sessions who Are forthwith Required to Give and Render Due and Just Accounts thereof to them Accordingly And the Said Justices Are hereby Likewise Impowered and Authorized to Examine State Allow Approved And Adjust the Said Accounts both of the high Sherriffs and Clerks and Order Payments to be Made where Due on the Countrys Account According to Law:

---

An Order Concerning Negroes and  
Indian Slaves.

---

Att A General Court of Assizes holden in the City of New Yorke the 4th, 5th & 6th Dayes of October in the thirty Fourth yeare of the Reigne of our Soverigne Lord Charles the Second by the Grace of God of England Scotland, France and Ireland. King Defender of the Faith &c Anno Domini 1682.

---

WHEREAS many Greate Evills and Inconvenincys have been Represented to this Court to be Occasioned Committed and Done by Negroes and Indian Slaves their Frequent Meetings and Gathering themselves together in Greate Numbers on the Lords Day and att Other Unseasonable times using and Exerciseing Severall Rude and Unlawfull Sports and Pastetimes to the Dishonour of God Profanacon of his holy Day breach And Disturbance of the Peace and Quiett of his Maties Subjects many whereof Are Likewise Drawed asside and mislead to be Spectators of Such their Evill Practices and thereby Diverted From the more suitable And Pious Duty and Service of the Day For Prevencon whereof For the Future and that Good Order and Civill Discipline



may be From hence Forth kept and Maintained in all Parts of this Governmt It is Resolved and Ordered by this Court and the Authority thereof that From and After the Publication of this Order noe Negro or Indian Slaves within this Government Doe Presume to Goe or absent themselves From their Mas. houses or Plantacons on the Lords Day or Any Other Unseasonable time or times without their Said Mas. Lycence or Consent First had & Obtained And Signified by A writing or Tickett under their Hands by the Date thereof menconing the time when Such Lycence was Given and if any Negro or Indian Slaves shall Presume to Absent themselves or Departe From their Said Mas. houses or Plantacons without Such writing or Tickett as Aforesaid It Shall and may be Lawfull For the Sherriffe Constable or other Officers In any Citty Corporacon Towne Liberty or Precinct within this Governmt who are Likewise Authorized And Required to Apprehend Seize and Secure any Such Negro or Indian Slaves and them to Carry and Bring before the next Magistrate or Justice of the Peace who are to Order all Such Negro or Indian Slaves to be Forthwith Severely whipped and Sent to their Said Mas. their Said Mas. Paying such Fees and Charges to the Officer for his Paines and Trouble therein as Shall be Judged Reasonable by the Said Magistrate or Justice of the Peace And if Any Person or Persons whatsoever Shall Persume to Entertaine Harbour or Conceale Any Negro or Indian Slave or buy Sell or Trade with them For any Liquids or other Goods whatsoever without the knowledge Lycence And Approbacon of their Said Mas. upon Prooffe made thereof before Any Magistrate or Justice of the Peace they Shall Incurr the Penalty and Forfeiture of five Pounds For Each offence To be Disposed of the one halfe For the Publique Use of such Citty Corporacon Towne Liberty or Precinct where the Offence shall be Committed and the Other halfe to Such Officer or Other Person or Persons as Shall Informe or Discover the Same to Any Magistrate or Justice of the Peace as Aforesaid:

---

Pr John West, Cl Assise.

ct

New York (Colony)

MINUTES OF THE  
SUPREME COURT OF JUDICATURE

APRIL 4, 1693, TO APRIL 1, 1701

0



**MINUTES OF THE  
SUPREME COURT OF JUDICATURE**

APRIL 4, 1693, TO APRIL 1, 1701

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[Tuesday]

At a Supreme Court of Judicature held  
the 4th of April 1693.

Present:

Willm Smith, Esq., Cheife Justice  
Willm Pinhorne, Esqre., 2d Justice

Steph Courtlandt }  
Che Brooke }  
John Lawrence }

Esqres Justices

Grand Jury Sworne. Lawrence Wm  
Reade, foreman

---

Bongrand }  
vs }  
Goderus }

Tudor pr Defte Enters appearance  
Emott prays time to plead be assigned.  
Thursday, Granted.

---

White }  
vs }  
Westchester }

Upon motion of Mr Nicolls for the  
Plt Thursday Granted to argue the  
demurrer.  
Adjourned till morrow tenn a clock.

---

[Wednesday, April 5, 1693]

Burgis }  
vs }  
Clock }

On motion of Emott pr Defte, Friday  
appointed to argue the Errours of the  
Judgement

Wandell }  
 vs }  
 Smith }

Sur ltre de Errors the Plat [Plaintiff] by Emott pleads on writt of Errour & prays time to be assigned to argue the Errours, fryday appointed.

---

Lyndall }  
 vs }  
 Schuyler }

Emott pr Quer prays a rule for him [to] refresh the argument upon the Demurrer, Granted.

---

Jackson }  
 vs }  
 Wells }

Emot pr Quer prays Judgement. The argument upon the Demurrer to be argued tomorrow 4 a clock afternoone.

---

Brockholls }  
 vs }  
 DePeyster }

To be argued tomorrow afternoone.

---

Dnus Rex }  
 vs }  
 Robin & Horton }

Benj A. Horton pleads guilty. Robin pleads not guilty pro se vul.

---

Dom Rex }  
 vs }  
 Frank, Jack }  
 & Mingo }

Sur abett burglary post factum.  
 Frank non vul pro se  
 Jack non vul pro se  
 Mingo non vul pro se  
 Adjourned till 8 a clock morning,  
 thursday 6th Aprill 1693.

---

Dom Rex }  
 vs }  
 Robin }

Giles Shelley }  
 Isaac Deriemer } 13s: d4  
 tales Ben Blydenburgh }  
 John Hooglandt }

Jury Sworne  
 John Munlis, foreman.  
 The Jury finde the Prisoner guilty.

Dom Rex vs Frank Jack & Mingo	}	Abett sur Burgl Jury sworne, Munlis, Foreman
		Test Richd Jackson Jur. Thomas Tudor Jur. Sam Maynard
[page torn]		

---

Bongrand vs Goderus	}	Jury Sworne Matthew Plowman, foreman Emott pr Quer offers an Account Giles Gaudineau
---------------------------	---	---

---

Tudor pr Defte Capt Thomas Clarke

Test { Gab Bonleaux  
 Morris Newinghouse

Burroughs, Constable Sworne 2 receipts  
 The Jury finde for the Deft & 2d costs.

---

The Grand Jury having persented John Hutchins Catherine Marchaud & Lydiah Roos for Entertaining of Negroes in their houses contrary to the Law the sd presentment is referred to the Mayr & Aldermen at the next sessions of the yeare

[Friday] 7th Aprill, 1693.

W. S. [William Smith] W. P. [William Pinhorne] S. C. [Stephen Cortlandt] C. B. [Chidley Brooke] J. L. [John Lawrence]	}	Nicolls pr Quer moves that upon returne of the writt of inquiry Judgment may be awarded. Judgement awarded.
Cornwall vs Smith & Spray	}	

44 MINUTES OF THE SUPREME COURT OF JUDICATURE

Cornwall } Nicolls pr Quer moves for a rule for  
vs } the Defts to plead this terme, ordered  
Smiths } the Defts plead tomorrow.

---

Wandall } Upon a writt of Error. The record  
vs } read.  
Smith } The Judgement reversed.

---

Lyndall } Cur avisare vult untill next Supreme  
vs } Court  
Schuyler } [Adjourned] till tomorrow m[orning]

---

[Friday] 3 a clock afternoone  
Present Wm Smith }  
Will Pinhorne } Esqres  
Steph Courtlandt }  
Che Brooke }  
Pr Clock } Sur Errour Emott pr Quer The  
vs } Errours read  
RobtBurgesse }  
Statute  
Deed of Sale  
The former Judgemt affirmed.

---

Jackson } In Ejectione. Demurrer sur Evidence  
vs } argued.  
Welles } We overrule the Demurrer and doe  
finde the Evidence sufficient to try the  
issue.

---

White } In Eject. firme Sur Demurrer sur  
vs } Evidence argued  
Westchester } Cur avisare vult  
Judgment for the Plaintiffe.





Skelton }  
vs } Emot pr Quer  
Buckmaster }  
Buckmaster propria persona Con-  
fesses Judgmt for £245s & Costs.

---

Hulin }  
vs } Sci fac. Emot pr Quer prays a Rule  
Clark } for the Deft answering to the sive fac or  
Judgmt.  
Ordered that to morrow morning the  
Deft show Cause, otherwise Judgement.

---

King }  
vs } ltre de Error. Emot prays a day  
Burt } may be assigned to bring in the Record.  
Ordered Thursday morning.

---

Coats &c }  
vs } Tudor pr Quer moves for appearance.  
Kid } Ordered that if the Deft doe not ap-  
pear by Thursday next (the last day of  
the Session) the baile bond be assigned.

---

Belding }  
vs } Tudor pr Quer prays a rule for ap-  
Heathcote } pearance or baile bond.  
Ordered the Deft appear by Thursday  
next or the baile bond be assigned.

---

Teller }  
vs } Tudor pr Quer moves appear  
Dekey &c } Emot pr Deftes appears  
Thursday morning to plead before  
sitting of the Court.

Heathcote  
vs  
Rosedall } Tudor pr Defte prays that if the Plaintiff bring it not on, they bring it on thursday, the Plt to bring on the tryall otherwise the Deft dismissed with costs.

---

Tudor  
vs  
Stevens } Nicolls pr Quer moves for appear, a rule to plead. The Deft appears in person  
Ordered the Deft plead to morrow

---

Flypse  
vs  
Mauritz } Nicoll moves a rule to plead.  
Emot appears, orded Thursday to plead

---

Cornwall  
vs  
Smiths } Nicolls pr Quer prays Judgemt upon nihil dicit.  
Judgement Granted

---

Lyndall  
vs  
Schuyler } Emott pr Quer moves for Judgement.  
Avisamentum

---

Brockholls  
vs  
Monviele } Nicolls prays Judgemt for Plt.  
Avisamentum  
Adjourned till Thursday morning 8  
a clock

---

[Thursday] the 5th Octor 1693  
Coates &  
Williams &c } Tudor pr Quer moves an assignment of the baile bond for non appearance.  
vs  
Kidd } Granted.

48 MINUTES OF THE SUPREME COURT OF JUDICATURE

Dechamp }  
vs } Tudor pr Quer noe person appearing.  
Anthony } Advisamentum

---

Huling }  
vs } Clarke makes oath that since the  
Clarke } sciene faci he could not lett him know  
thereof.

Nicolls pr Defte prays time to  
answer the scire fac.  
Emot prays Judgement  
Curia Avisare vult

---

Belding }  
vs } Emot pr Defte appear & prtat.  
Heathcote } [prolatat] Gen issue

---

King }  
vs } Record filed.  
Brett }

---

Junis }  
vs } Tudor apparet pr Defte  
Luff } Nicolls moves for a rule of pleading,  
to plead to morrow.

---

Tudor }  
vs } Accon withdrawn the Defte to pay  
Stevens } Costs.  
morning } Adjourned till 8 a clock morrow

---

[Friday] the 6th of Octor, 1693

Junis }  
vs } Tudor pleads Covenants performed.  
Luff }

Teller  
vs  
Dekey } Upon mocon of Nicolls pr Quer, to  
come to tryall morrow morning.

---

Brett  
vs  
Morris } Upon the applicacon of Mary Brett,  
William Nicolls is assigned Council for  
Robert Brett.

---

King  
vs  
Brett } Nicolls pr Defte Curia advisare vult

The Grand Jury having persented  
Augustin Griffit, Weighmaster for keeping a false beam at  
the weigh house. Ordered that the marshall summon the  
sd Griffit to appear before the Justices of the Court morrow  
morning.

---

Huling  
vs  
Clarke } Upon a scire fac. the Deft to show  
cause to morrow morning or Judgement

---

[Saturday] 7th October 93.

Huling  
vs  
Clarke } Nicolls pr Defte files answer.

---

Teller  
vs  
Dekey } Jury called. Tudor moves for tales.  
Jury Sworne

Pr Quere A Patent from Govr Nicholson  
Grant of heir of Govert Lockerman.  
Hendryck Kermer  
Gerryt Duyking  
John Clopper  
Joost Elias  
John Vangelder

Pr Defte Mayr Wm Merritt  
William Sharpas  
Minute of the Justices order  
Benjamin Blydenburgh foreman the

---

White }  
vs }  
Westchester } Upon mocon of Nicolls  
Upon write of inquiry returned.  
Judgement awarded

---

Brett }  
vs }  
Morris } Nicolls pr Quer desires a roll brought  
by him may be admitted to be a record  
& filed.  
Emot pr Deft prays time till next  
terme to put in his reasons agst it. Granted.

---

Kid }  
vs }  
Colts } 4 a clock afternoone  
Nicoll pr Defte prays costs noe de-  
claracon being filed & the baile being  
discharged.  
The Plt not having declared before  
the last day of the first Court the Deft is dismissed with  
his Costs.

---

Hulin }  
vs }  
Clarke } Judgment upon the scire facias  
against the Defte.  
Grand Jury dismissed

---

Lyndall }  
vs }  
Schuyler } Nicolls pr Defte prays to be dismissed.  
Avisamentum

King  
vs  
Brett } The Court has noe cognizance of it,  
the debt & damages being under  
twenty pound.

---

Brockholls  
vs  
De Peyster } Emot prays for Judgement  
Avisamentum  
Adjourned sine die

---

[Thursday] the 14th December 1693

At A Speciall Court of Oyer & Terminer assigned to be held for the City & County of New yorke on the 14th & 15th days of Decemr 1693 by Speciall Commicon bearing date 11th of Decemr instant

William Pinhorne, Esqre  
Steph Cortlandt, Esqre  
John Lawrence, Esqre

Grand Jury Sworne Philip French foreman

---

[Friday] the 15th Decemr

Dom Rex  
vs  
Jefferson &  
Clifford } Jefferson non vul. pro se  
Clifford non vul pro se

pr Dome Rege John Vanbrugen  
Mary Vanbrugen  
Ann Graveraedt  
Roger Baker  
Robt Wharton

Adjourned till 2 a clock afternoon

52 MINUTES OF THE SUPREME COURT OF JUDICATURE

Dom Rex }  
vs }  
George Jeffer- }  
son & }  
Richd Clifford }  
The prisoners called to the barr.  
Nathaniel Maston Foreman  
The Jury finde the prisoners guilty  
of the felony, the prisoners ask the  
benefite of their Clergy.  
Jefferson legit Clerice  
Clifford legit Clerice  
Adjourned sine die.

---

[Tuesday] Att A Court held the 3d of April 1694  
Present William Smith Esqr Chiefe Justice  
Stephen Cortlandt } Esqrs  
John Lawrence }  
Grand Jury sworne, Paulus Richards, foreman.

---

White }  
vs }  
Wright } in Eject. Nicolls pr Quer  
Samuel Moor made oath that the  
tenant in possession of the freehold is gone over the sea &  
not yet returned.

---

Monviele }  
vs }  
Earle } Emott pr Quer moves for a rule  
that Deft appear tomorrow or that the  
baile bond be assigned. Ordered accor-  
dingly.

---

Leggett }  
vs }  
Hunt } Emott pr Quer moves a rule of plead-  
ing.  
Graham pr Defte Enters appearance  
pleads not guilty  
Ordered Thursday to plead.

Fullerton }  
vs }  
Doe }  
Emot pr Quer desires to be sworne  
to the service of the Declaration.  
Harmanus Burger desires to be ad-  
mitted defte, allowed & pleads the Generall issue.

---

Barbare }  
vs }  
Cuyler }  
Emott pr Quer moves a day  
for arguing the Errours  
ltre Error Nicolls pr Defte to answer  
to morrow to the errours as-  
signed.  
The Record filed.

---

King }  
vs }  
Merritt }  
Emott pro Quer prays a rule upon  
scire fac. to show Cause &c.  
The Deft to answer to morrow or  
Judgment for Plt.

---

Bayard }  
vs }  
Roe }  
Nicolls pro Quer moves a rule of  
Court for appearance at certain day or  
Judgement. Thursday assigned.

---

Cook }  
vs }  
Rook }  
Nicolls pr Quer moves a rule of Court  
for appearance at certain day, to-  
morrow  
Adjourned till 10 a clock morrow  
morning.

---

[Wednesday] 4th April 1694  
Adjourned till 3 a clock afternoone

Cook }  
vs }  
Rook }  
3 a clock afternoone  
The affidavit of the service was read  
at the Plts motion.



Nicoll pr Adry Wandall desires to be made Deft, Confesseth lease, entry & ouster & pleads Generall issue.

The Grand Jury doe present a bill of Indictment vs Leonard Lewis, Walter Vanderse, & David Provoost endorsed ignoramus.

Adjourned till 9 a clock morrow morning.

[Thursday] 5th April 1694 morning  
Jury called.

James Fullerton vs Harm. Burger	}	In Eject. Emott prays a tales for two. Granted
---------------------------------	---	---

pr Defte Hodger Monvielle Patent	Patent Deed ltre Attorney Will Nicolls ltre
---	---

Thomas Coker, foreman  
The Jury finde for the Defendant

Barbare vs Cuyler	}	Emott prays a rule to have the argument upon the writt of Errour this afternoon assigned.
-------------------	---	---

Lewis, Vandersee & Provoost	}	Being cleared by the grand Jurors, Entered their appearance & were cleared by Proclamacon.
-----------------------------	---	--

Schuyler vs Lyndall	}	Nicoll pr Quer prays Judgment.
---------------------	---	--------------------------------

Adjourned till 3 a clock afternoone

Chidley Brooke }  
vs } Emot pr Francis Goderus Mar:  
Barquenteen } Infor. desires to be made Defendant &  
Roberts } pleads Generall issue.  
Jury finde for the Deft & 4d costs.

---

[Thursday] post meridieni Presentibus Js Idem  
Bilop }  
vs } Ejectmt Nicolls pro Quer moves for  
Ryer Flood } an Execution.  
Awarded accordingly

---

Barbare }  
vs } Writ of Errour. Judgement for John  
Kuyler } Barbare, the Judgemt in the Mayors  
Court reversed.  
The Grand jurors having presented  
the Sheriffe of New York for stabbing a prisoner the Court  
will advise of it.

---

Flypse }  
vs } The Plaintiff by Mr Nicoll Replied.  
Mauritz } Emott Joyned issue for the Deft. To  
come to tryall next Court.

---

[Thursday] Att A Special Court of Oyer & Ter-  
miner held at the City hall of New  
Yorke the 19th of July 94  
Present William Pinhorne Esqre  
Stephen Cortlandt  
John Lawrence  
Nich Bayard  
Caleb Heathcote  
Grand Jury Sworne William Kid, foreman  
Gideon LeRoux  
Daniel Petro  
Gab Le Beauteaux  
Fran. Huling  
Giles Gaudineau

John Johnson                      Adjourned till 9 a clock tomorrow  
Augustin Grasset morning.  
John Green  
Steph Delancey Interpreter

---

[Friday]                      the 20th of July 9 a clock morning  
Present                      William Pinhorne, Esqre  
                                    Stephen Cortlandt                      }  
                                    John Lawrence                        }                      Esqres  
                                    Gab Monvielle                        }  
                                    Caleb Heathcote                      }

The Grand Jury return an Indictmt against Cornelius Jacobs sur proditione ignoramus.

Ordered the Sheriffe sett the prisoner to the barr.

Ordered Proclamation be made for the discharge of the prisoner no person appearing against him to Give any informacon the prisoner is discharged paying fees being called at the prisoners xprss instance.

Grand Jury discharged  
Court Adjourned sine die

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Queens County SS

At A Court of Nisi prius held at Jamaica In Queens County on the 2d Tuesday in August in the sixth year of their Maties Reigne according to an Act of Generall Assembly Intituled An Act establishing Courts of Judicature for the use & benefite of each respective City, Town & County within the sd Province.

Present William Pinhorne, Esqr Justice of the Supreme Court

Thomas Willett                      Esqrs Justices of the peace  
Daniel Whitehead                      for the sd County

Court opened

Court adjourned till morrow morning at 11 a clock

Wednesday the 15th of August 1694

Present William Pinhorne Esqr Justiciary of the Supreme Court

Thomas Willett  
Daniel Whitehead Esqrs  
Thomas Stephenson  
John Smith

John Cooke

vs

Andry  
Wandell

The pannell returned

Samuel Sonds of Hempsted, Gentl  
Jonathan Smith, Senr of Hempsted, Gentl  
Jonathan Smith, Junior of Hempsted, Gentl  
Joseph Pettit of Hempsteed Weaver  
William Creed of Jamaica, Gentl  
Robt Cooper of Oysterbay, Chirurgeon  
Thomas Barker of Hempsted Yeoman  
Philip Ketcham of Newtown Yeoman  
Samuel Thorn of Flushing, Yeoman  
John Tallman of Flushing, Yeoman  
Edward White of Oysterbay, Yeoman  
John Dewsberry of Oysterbay Cloathworker

Sworne to  
try the Issue

Humphrey Clay  
William Hallett  
William Barnes  
Luke DePane  
Jonathan Hazard  
Edward Stevens  
Thomas Willett, Esqr  
Sarah Clay  
John Lawrence Esqr  
Sarah Harte  
William Hallett Junr

Evidence for the Plt Sworne

John Sharp } Evidence for the Deft Sworne  
Johannes Lorenzen }

Charge Given to the Grand Jury & Constable Sworn to attend them.

Court adjourned till 2 a clock afternoone.

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Court mett according to adjournment

Present William Pinhorne, Esqre Justice of the Supreme Court

Thomas Willett }  
Daniel Whitehead } Esqres Justices of the  
Thomas Stephenson } peace for ye  
sd County

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John Cooke }  
vs } The Jury give in their verdict and  
Andry } finde for the Plaintiffe two pence damage  
Wandell } & two pence Costs

The Deft moves for an appeal to the Governour & Council.

Court adjourned without day.

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[Tuesday] At A Supreme Court of Judicature held at the City Hall of the City of New York the 2d of October 1694

Present William Smith Esqre Cheife Justice

William Pinhorne }  
Stephen Cortlandt } Esqres Justices  
Chidley Brooke }  
John Lawrence }

Court opened. Grand Jury Sworne, Capt Thomas Dekey foreman.

Brooke qui tam vs Barquenteen Orange	}	Graham pr Dno Rege &c moves for Judgmt agst the Barquenteen Orange if noe person appear to Defend her. Ordered if no person appear tomorrow Judgmt passe.
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Idem vs Iron barrs	}	Graham pr Eadem moves for judgmt agst some barrs of iron seised for not being &c if no person appear tomorrow to defend the iron ordered judgmt be entered agst it upon the informacon.
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Adams vs Tenyke	}	Nicoll pr Quer moves for Judgmt in Case no person appear to defend On Thursday next. Granted.
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Smith vs Baker	}	Nicoll pr Quer moves for Judgmt agst the Casual Ejecter, if no person appear on thursday next. Granted.
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More vs Arthur Dyck- man	}	Nicoll pr Quer Emott pr Defte, John Dykman prays to be admitted Defte, confesses lease, entry & Ouster & pleads generall issue. Thursday assigned for tryall.
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Duncan vs Smith	}	Nicoll pr Quer moves for a rule & Judgmt. Emott pr Tirck Claes De Witt appears & confesse lease entry & owster & prays to be admitted Defte, pleads Genll Issue.
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60 MINUTES OF THE SUPREME COURT OF JUDICATURE

- Bayard  
vs  
Clock } Nicoll pr Quer moves a rule for tryall  
Emot pr Martin Clock Confesses &c.  
& pleads Generall issue. Granted  
Thursday for tryall of the issue.
- 
- Bradshaw  
vs  
Vandyck } Nicoll pr Quer moves an assignmt of  
baile bond.  
Tuder pr Deft enters appearance to  
plead to morrow.
- 
- Fullerton  
vs  
White } Emott pr Quer  
Nicoll pr Rutgeron
- 
- Bedlowe  
vs  
Selwey & als } Emott pr Quer  
Graham pr Deft, appear Thursday  
to plead.
- 
- Gysbertsen  
vs  
Miseroll } Emott pr Quer  
Nicoll pr Defte. Thursday to Plead.
- 
- Barbare  
vs  
Kuyler } Emott pr Quer moves for Baile bond  
if she do not appear to morrow. Granted
- 
- Algeo & als  
vs  
Butler } Emott pr Quer prays a rule to bring  
in the record.  
Graham pr Deft to bring the record  
to morrow.

Peale  
vs  
Willett } Emott pr Quer a rule of pleading.  
Nicoll pr Defte appear. Thursday  
assigned to plead.

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Nicoll  
vs  
Edsall } Tudor pr Quer moves for an assign-  
ment of ye baile bond. Ordered that  
unless the Defte appear before Thursday  
the baile bond be assigned.

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Belding  
vs  
Heathcote } Tudor moves a day may be appointed  
for tryall. Thursday granted.

Court adjourned till 11 a clock  
morrow morning

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[Wednesday] At A Court the 3d Octor 1694.  
Adams } Emott pr Elpindorp moves for to be  
vs } admitted Defte.  
Tennyke } Confesses lease entry & ouster & plead  
Genll Issue.

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Dom Rex  
vs  
Orange } Emott pr Cornelius Jacobs prays to  
be made Defte & plead Generall issue.  
Graham pr Quer to morrow for tryall.

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Algeo  
vs  
Butler } Emott Quer moves a rule of pleading.  
Ordered the Defte plead to morrow

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Butler  
vs  
Brown & Algeo } Graham pr Quer moves for a rule of  
appearance or assignmt of ye baile bond.  
Granted to morrow to appear or the  
baile bond assigned



Butler }  
vs } Graham pr Quer, the same mocon the  
Algeo & Brown } same rule.

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Alsop }  
vs } Tudor pr Quer prays judgmt be  
Wandell } entered upon the verdict in Nisi prius  
at Jamaica.  
Ordered if the Deft dont show cause  
why judgement shall not be entered before last day of this  
terme that judgemt be entered.

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Nicoll }  
vs } Clark pr Deft produces a Warrt of  
Edsall } Attorney for an appearance & prays to  
be admitted Deft.

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[Thursday] morning the 4th of Octor 1694  
Smith }  
vs } Tudor pr Helebrant Colman prays  
Baker } to be made Deft Granted Confesseth  
lease entry & ouster & pleads Genll issue

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Brooke qui tam }  
vs } Attorney Genl moved for a tales  
Cornelius } Granted, Capt Lawrence Read  
Jacobs } Benj Ask, tales named by the sheriffe.

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Vandyck }  
vs } Emott pr Deft moves for a rule of  
Bradshaw } joynder in Demurrer.

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Emot pr Cornlis Jacobs moves that Mr John Morris may  
not be upon the Jury & offers to prove prejudice.

Brooke qui  
tam  
vs  
Cornelius  
Jacobs

Attorney Genl moves that the Evidence be Sworne.

Saul Brown Sworne after the Jewish manner.

Mr John Morris sett aside.

Attorney Genl moves for anoyer tales.

Granted. John Johnson named by ye Sheriffe & Sworne.

Evidence for Deft  
Affidavit of Jame Right  
Thomas Emes [?]  
Stoutenburgh sworne  
3 letters read.

Evidence for Informant  
the Journall  
3 letters

2 Constables sworne

Adjourned till 3 a clock afternoone

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3 a clock afternoone 4th October 1694.

Brooke qui  
tam  
vs  
iron

The Attorney Genl for appraizors of the iron Ordered Mr John Morris & Capt Thomas Clark doe appraise the iron to morrow.  
Adjourned till 8 a clock morrow morning

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[Saturday]

Octor 5th, 1694.

Brooke qui  
tam &c  
vs  
Barq Orange  
Corn. Jacobs

Court opened  
The Jury, Stephen Delancey, foreman Gives their verdict in writing sealed & say The Jurey find for the Plaintiff.

Nicoll pr Defte moves in arrest of Judgemt.

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More  
vs  
Dyckman

Pannell returned annexed to the venire

Bayard } Venire returned Nicoll moves for 2  
 vs } tales.  
 Clock & } Richd Ashford, returned

The Jury Sworne

Evidence pr Quer Pr Defte  
 Charter Governor Nicolls Patent  
 Deed of the City Constable sworne  
 Deed of West  
 Peticon of Clock & answer

Belding } Venire returned jury sworne.  
 vs } Emott pr Defte prays the affidavit  
 Heathcote } brought by Plt in Evidence be not ad-  
 mitted.  
 The Plt disappeared and nonsuited at  
 Emotts mocon

The Grand jury having presented John Windower for speaking words coming under the Crime of high misdeameanour ordered the Sheriffe take him into Custody forasmuch as the Attorney Genll is not provided to present him at present.

Nicoll } Tudor pr Quer moves the baile bond  
 vs } be assigned the Deft not appearing.  
 Edsall }

Bradshaw } Demurrer argued. The Court are of  
 vs } opinion that the plea in case is insuf-  
 Vandyck } ficient.

2 a clock afternoone 5th Octor 1694  
 Court opened.

Bayard } Philip French, foreman.  
 vs } The Jury finde for the Deft  
 Clock }

Francis More vs John Dyckman	}	Jury sworne Nicoll pr Quer	Emott pr Deft
Gov. Nicolls Patent Govr Nicoll Patent Dutch Ground briefe Jarvis Marshall Jacob Rutgerson			
Philip French, foreman The Jury find for the Deft Adjourned till 8 a clock morrow morning.			

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[Saturday]	Octor the 6th 1694	Prstibus Ijsdem
Chidley Brooke qui tam vs Cornelius Jacobs	}	Emott pr Defte moves the causes of arrest be heard.
Graham Attorney Genll demurrs to the reasons of arrest of Judgement. Arguments heard. Curia avisare vult in postmerdiem Adjourned to 3 a clock afternoone.		

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3 a clock afternoone  
Court opened.  
The Court will advise till next terme.

Flypse vs Morris	}	Emot pr Defte moves for Costs If the Plaintiff bring not on the tryall next Court the Deft is allowed Costs.
Adjourned Sine die		

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[Tuesday]                      At a Supreme Court of Judicature  
held at the City hall of New Yorke  
the 2d of April 1695

Present	Willm Smith Willm Pinhorne Steph Cortlandt John Lawrence	} Cheife Justice 2d Justice Esqres
Thomas Wenham William Russell Miles Forster Robt White, Senn Ben Blydenburg	}	} Fined for absence
Rip Vandam Arent Schuyler	}	} Excused Paulus Richards foreman Grand Jury sworne.
—		
Brown ads Milton	}	} Nicoll pr Quer prays a rule for pleading. Thursday assigned Emott pr Defte enters appearance.
—		
Milton vs Laurin	}	} Nicoll pro Quer moves the baile bond be assigned. John Laurin enters appear in propria persona Nicoll pr Quer moves a rule for plead- ing. Thursday assigned.
—		
Brown vs Cox Clock	}	} Nicoll pr Quer offers to make affidavit of the services &c. Emott pr Martin Clock Desires to be made Deft, confesses least entry & ouster & pleads Genll issue.
—		
Burger vs Davis Hooge	}	} Emott offers to make affidavit &c. Nicoll pr Jacob Lockerman Balth. Bayard & ux & Johann Kiersteed desire to be made Deftes, confesse lease entry & ouster & plead Genll issue; to tryall Fryday.

Brown  
vs  
Clock } Nicoll moves for a rule of tryall.  
Thursday assigned

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Burger  
vs  
Teller } Emott pr Quer  
Nicoll pr Jacob Lockerman & same  
Defts desire ut supra. To tryall Fryday

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Nicoll  
vs  
Sleight & als } Emott pr Quer moves the assignment  
Baile bond  
Henry Sleight & Cornelius Seebringh  
Enter appearance to the Declara resteri  
non inventi.  
Emott moves for a rule of pleading,  
Thursday assigned him, otherwise judgement.

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Monvielle  
vs  
Ellis } Emott moves for Plaintiff assignmt  
of baile bond.  
Tudor pr Deft appears  
Emott prays a rule for pleading so  
that they may come to tryall this terme.  
Thursday assigned for pleading.

---

Robt Allison  
vs  
Shelley } Emot pr Quer prays a rule for assign-  
ment of baile bond.  
Tudor pr Defte appears.  
Emott moves a rule of pleading.  
Thursday assigned for pleading.

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Rogers  
vs  
Simmons  
Brazier } Tudor pr Quer moves to make  
affidavit &c.  
Nicoll pr Abraham Brazier appears  
Desires to be made Defte, confesseth  
lease ouster & entry & pleads Genll  
issue. To come to tryall Thursday.

Brooke qui tam vs Barquenteen Orange Cornelius Jacobs Deft	}	Graham pr Dne Rege, prays Judgemt may be given. Emot pr Defte prays a rule for re- freshing the argumt; to morrow after- noone 3 a clock assigned at the Chiefe Justice Chambers.
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Wharton & ux vs Robinson Adjourned till	}	Nicoll pro Quer moves for assignment of baile bond for non appearance. Fryday assigned for appear of ye Deft or bail bond to be assigned. Thursday 8 a clock morning.
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At the Chiefe Justice Chamber the 3d of  
 Aprill 1695

Present Will Smith Esqre Chiefe Justice  
 William Pinhorne Esqre 2d Justice  
 Steph Cortlandt Esqres  
 John Lawrence

Brooke qui tam vs Barquenteen Orange Cornelius Jacobs	}	The arguments heard on both sides.
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[Thursday] morning April 4th 1695

Present William Smith Esqre Chiefe Justice  
 Willm Pinhorne, Esqre 2d Justice  
 Steph Cortlandt, Esqre  
 Chidley Brooke, Esqre  
 John Lawrence, Esqre

The Attorney Genll moved to the Court that Peter  
 Clock did appear at the barr as an Attorney who hath  
 lately spoken many words to the disturbance of Government

saying the Queen is dead & nothing can be legally done in the Assembly now sitting.

Ordered the Sheriffe of the City N Yorke doe take the sd Peter Clock into Custody.

Laurin  
ads  
Milton

---

Emot enters plea Genll issue.

Brown  
ads  
Milton

---

Emott enters plea Genll issue.

Gisbertsen  
vs  
Miseroll

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Emot pr Gysbertsen files replication

Brown  
vs  
Clock

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Jacob Teller being excused for sicknesse Nicoll pr Quer moves for a tales. Granted the Sheriff returned Richard Ashforth.

Jury sworne

Isaac De Riemer, foreman

Evidences pr Quer

Pr Defte

The Mayrs Deed to West.

Coll. Nicoll Patent

West deed to Coll Bayard.

Nicoll pr Quer Demurrs to the Evidence.

Partys agree the Jury go out upon a special verdict.

Adjourned till 3 a clock afternoon

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Afternoone Present as in the fornoon.

Bedlowe  
vs  
Norton  
Selwey

Tudor pr Quer moves for a rule of hearing.

Graham pr Deft joyns in the demurrer.

Saturday appointed for the hearing the demurrer.



70 MINUTES OF THE SUPREME COURT OF JUDICATURE

Brown }  
vs }  
Clock }  
The Jury returned a Generall verdict.  
Emott moves it may be received  
Nicoll Plt moves it may be quashed  
Emott pro Defte moves the Plt be  
non-suited for non appearance to receive the verdict.

---

Jacob Corbett made oath to the service of a Declaration  
in Ejectmt agst Thomas Jennings at the suite of Gilbert  
Jones upon Van Pelt.

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[Friday] Fryday morning the 5th of Aprill 1695  
Present Willm Smith Esqre Chiefe Justice  
Willm Pinhorne Esqre 2d Justice  
Steph Cortlandt Esqre  
John Lawrence Esqre

Thomas }  
White }  
vs }  
Wright }  
Pontonstentt }  
in possession }

At the Mocon of Mr Nicoll pr Quer  
Samuel Palmer made oath to the service  
of the Declaracon in Ejectment Declar-  
ing he did read it to him & that he  
made answer he thought he should not  
be there to answer it.

Nicoll pr Quer moves for a rule that he  
plead & desire to be made Deft before last day of this Court  
Emott pro Richard Ponton desires to be made Deft, con-  
fesses lease entry & Ouster & pleads genll issue not guilty.

---

Jones }  
vs }  
Jennings }  
V. Pelt }

Nicoll pr Quer moves for a rule for  
the appearance of the tennant in posses-  
sion before last day of this terme or Judg-  
ment agst the Casuall Ejector Granted.

---

Jackson }  
vs }  
Wells }

Emott pr Quer moves for a rule for  
Execucon because the Deft has not made  
return within a year after this writt of  
Errour.  
Curia Avisare vult.

Rogers vs Brazier	}	The Jury sworne Pr Quer Ponton Pr Defte Elsworth Fathers Will Graham pr Quer demurrs to the
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Evidence.

Fryday afternoone  
Presentibus omnibus Justicciariys

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Wharton & ux vs Robinson	}	Tudor enters an appearance for the Deft.
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John Burger vs Jacob Lockerman &c	}	Emot pr Quer prays a tales. Granted. The Sheriffe Returned Thomas Jeffryes, Joseph Ellis. Jury Sworne.
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Burger vs Lockerman &c	}	Evidences pr Quer pr Defte Kieft Patent Transport Govr Fletcher Confirmacon— Acknowledgement Ryen Jonsen Melyn Patent Albert Leonesen Burgers Joris Joris Jacobs transport to George Cornelissen prove Deftstitle Fredryck Hysbertse Nicolls Patent Hilleke Van Voorst Nicolls confirmacon Joost Carellsee Govr Fletchers Dutch Records 3 Patent
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[Saturday] Saturday morning the 6th of April 1695  
Presentibus oibus Justiciariys Chidley Brooke Excepto.

Allison vs Shelley	}	Emott files Replicacon pr Quer & prays a rule for rejoynder & to come to tryall, the day to rejoynd eight days before next terme.
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Burger  
vs  
Lockerman &c } The Jury Robert White Senr foreman  
gave in their verdict in writing sealed in  
hec verbii  
We of the Jury finde for the Plain-  
tiffe according to the evidence sworne with 6d costs of Suite  
Robt White, foreman  
Nicoll pr Defte moves in arrest of Judgment.

---

Bedlow  
vs  
Selwey &c } Demurrer argued  
Judgemt given for the Plaintiffe.  
The Court having under consider-  
acion the misbehaviour of Peter Clock in spreading false  
reports in the Country have ordered that he stand committed  
untill he finde surtyes in 20£ for his good behaviour untill  
the next terme.  
Adjourned till 2 a clock afternoone  
Prestibus sicut antemeridiem

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Monvielle &c  
vs  
Ellis } Jury called.  
Emot pr Quer moves for a tales.  
Thomas Lance Returned  
Jury Sworne. Pete Steade foreman  
Evidence pr Deft Bill of Lading  
The Jury finde for the Deft & 6d Costs.

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Bradshaw  
vs  
Vandyck } Emot pr Quer moves for judgement  
to be entered upon the return of the  
inquisition which is granted.

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Burger  
vs  
Lockerman } Emott pr Quer moves for Judgement.  
Curis avisare vult.

Rogers  
vs  
Brazier

} Continued

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Carkson  
vs  
Wells

} Emmott moves for a rule for Execucon.

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Wharton & ux  
vs  
Robinson

} Nicoll moves for a rule to plead,  
to plead the terme solvit ad diem.

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Nicoll  
vs  
Sleght &c.

} Emmott pr Quer moves for Judgmt pr  
Defaulto.  
Judgement granted.  
John Windower cleared by Procla-  
mation.  
Discharged.

---

Jackson  
vs  
Wells

} If it cannot be made appear next  
terme that the Deft hath prosecuted his  
write of Error to effect then the Court  
do award Execution.

---

Brooke Qui tam  
vs  
Cornelius  
Jacobs

} Judgmt given for the informant  
according to the verdict.

Leggit writ of Error Continued.

John Windower cleared by Proclamacon from his Recognizance. Peter Clock principle and John Windower surety enter in recognizance in twenty pounds each for the Good behaviour of Peter Clock untill the next terme.

[Tuesday] At A Supreme Court of Judicature held at the City Hall of the City New Yorke the first day of October 1695.

74 MINUTES OF THE SUPREME COURT OF JUDICATURE

Present W. S. [William Smith]  
W. P. [William Pinhorne]  
J. L. [John Lawrence]

Grand Jury Sworne

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Wharton  
vs  
Robinson

} Nicoll pr Quer moves for a rule to come to tryall; the last day of the term appointed

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Anthony  
Waters  
vs  
Nicolas  
Everitt

} Nicoll pr Quer moves for a rule of Court to bring the Deft's body hither being taken upon an alias & refusing baile.

Ordered the Sheriffe of Queens County Do bring the body of Nicholas Everitt in his Custody before the Justices of this Court forthwith.

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Thomas White upon the demise of Gaberiel Leggett recovered upon Ponton Nicoll Pr Quer prays Judgmt differred till last day of this terme.

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Duncan upon the demise of Ward recovered upon Tirck Claes De Witt, of Olster; Nicoll pr Quer prays Judgmt differred till last day of this terme.

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Baker  
vs  
Smith Horton

} Nicoll pr Quer prays a rule for appearance of Judgmt against the Casual ejector at a certain day, the last day of the terme is assigned for appearance of the tennant in possession, otherwise Judgmt to follow.

Farmer & ux }  
vs }  
Whitley & ux } Nicoll pr Quer moves for a rule for  
an appearance or the baile bond to be  
assigned.  
Curia avisare vult.

---

Welch &  
Marshall }  
vs }  
Wessells } Nicoll pr Quer moves for a day & rule  
of appearance.  
Emott pr Deft appeard.  
Nicoll pr Quer moves for a rule of pleading.  
Thursday next is assigned.

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Adams }  
Elmendorp } Nicoll prays Judgmt differred till  
last day of the terme. nisi causa.

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Farmer }  
vs }  
Bradley } Nicoll pr Quer prays an assignmt of  
baile bond or that the Sherriffe bring the  
body.  
The Deft not appearing & being called  
ordered if the Sherriffe do not bring the body on Thursday  
next the bail bond be assigned to the Plt.

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The circuitte of Westchester County  
June the 25th 1695.  
Present Willm Pinhorne Esqre 2d Justice of the Supreme  
court  
William Barnes Esqre of the Quorum of the Sessions  
of the peace  
John Hunt  
Willm Chaddertonn  
James Mott

White vs Ponton	}	The Court Opened & Jury Called & Sworne adjourned till morrow morning.
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Wednesday the 26th June, 1695.

Nicolls pr Quer

produces a mortgage undr Defts hand & seale.

Clock pr Defte pleads the Deft was not compos mentis test jur pr Quer Ben Collier	test pr Defte Thomas Baxter John Tomkins Abraham Browne
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Constable sworne to attend the Jury.

The Jurors finde for the Plantiffe one penny costs & one penny Damages.

The Jurors

Thomas Merritt	Isaac Taylor
Isaac Denham	William Davenport
Jonathan Hart	Edward Haddon
Joseph Horton, Junr	John Pinkney
Thomas Hatfeild	Israel Hunnewell
Henry Fowler	Robert Hustice

At A Speciall Court of Oyer & Terminer held at the City Hall of New Yorke the 18th of July 1695.

Present

Charles Lodwyk  
 Abrah De Peyster  
 Will Merrit  
 Brandt Schuyler  
 Robt Darkins  
 Jacobus Cortlandt  
 John Kipp  
 Paulus Richard  
 Peter Jacobs Marius  
 Lawrence Reade  
 Willm Morris  
 Gerrit Dercx

The Commiscon read

Grand Jury Sworne

Proclamacon made for Evidence to come in against Le Reaux. The Indictment committed to the Grand Jury.

Adjourned till 8 a clock morrow morning.

At a Court the 19th of July 1695  
Present

Charles Lodwyk  
Abraham De Peyster  
Brandt Schuyler  
Gerryt Derex  
Robt Darkins  
John Kip  
Paul Richards  
Peter Jacobs Marius  
Lawrence Reade  
Willm Morris  
Jacob Cortlandt  
John Barbaree

Esqes

Dom Rex  
vs  
Le Reaux

The prisoner arraigned non vul pro se  
Jury called 3 absent  
Attorney Genll moves for a tales.  
Granted.

John Evans Jur.  
Peter Bonticoe Jur.

Ordered the Persons summoned upon the Jury & did not  
appear be amerced 13:4d each, in number 5.

Proclamacon three times made for Evidences to come in  
against the prisoner. The Jury, Nathaniel Marston, fore-  
man bring in their verdict not guilty.

The Grand jury bring in the indictment against  
George Jeffersen endorsed ignoramus.

Proclamacon made three times. Adjourned till morrow  
morning.

Die Saturni 20° July 1695  
Court opened then adjourned sine die

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The Circuite of Kings County  
Agust ye 6th, 1695.

Present William Pinhorne Esqre, 2d Justice of Su-  
preme Court



Rooloff Martensen Henry Filkin Nicholas Stillwell Joseph Hegeman Jan Van Dyckhouse Peter Cortilian Stoffell Probasco	}	Esqres Justices of peace
--	---	--------------------------

Justice Pinhorne Commission read.  
 Venire returned.

Theunis  
 Gysbert  
 vs  
 John Miseroll

The Jury called, John Poland absent.  
 Emott pr Quer moves for a tales and  
 for two others that were formerly ar-  
 bitrators upon the difference depending  
 returned upon this pannell, the same  
 is Granted.

The Sheriff returned for John Polland, Jacob Wande-  
 water and John Parris the three following de circumstandibus,  
 viz Luyca Stevensen, Laurence Hoffe & Gerryt Cowen-  
 hoven.

The Plt objected against a Boswyck man being in-  
 terested in the Land & prayed another tales. Granted, the  
 Sheriffe returned Gerrit Cornelisse. The Plt objects against  
 Cowenhoven he being a witness & prays another tales,  
 granted, the Sheriffe returns Cornelius Luyster.

The Jury Sworne.

Gysberts vs Miseroll	}	Evidences for the Plt Stoffell Probasco Cornelius Seebringh Hendryck Rycker Ike Rycker	}	Evidenced for the Deft Governour Nicolls Patent Surveyors returne mean conveyance Surveyors oath John Paris Peter Cortilian John Vandewater John Laurensen
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Emot pr Quer moves the Jury may have a view &c.

The same is granted & it is ordered the Jurors meet to  
 morrow morning at the house of John Bobins with the Sur-  
 veyor & view the premises.

Richd Gibbs } Emot pr Quer moves for a tales,  
 vs } Granted.  
 Jacob Rutson } The Sheriffe returns Doras van White  
 & Daniel Polhemius.  
 Emot pr Quer moves for another tales,  
 Granted.

The Sheriffe returned Henry Sleight, Mauritz Covardin.  
 Emot pr Quer prays a new tales in the room of two of  
 the Defts relations, Granted. Henryck Simonse returned.  
 Test pr Quer Test pr Deft  
 Governor Dongans Patent John Aertse  
 Aertse Deed Thomas Lammertse  
 Lemock Deed Ancky Janse  
 John Way John Gerritse Cowenhoven  
 Rapallie Brucklin Patent  
 Judgmet Of Court  
 Springs Deed

The Jury receive their charge & a Constable sworne. &c.  
 The Jury finde for the Deft.  
 Adjourned till 8 a clock morrow morning

Crastino mane the 7th of Agust 1695.  
 Court opened

Gysberts }  
 vs } Jury charged. Constable sworne  
 Miseroll }

The Jury James Hubbard, foreman  
 finde if the bounds of the Defts Patent beginn at the white  
 oake stump, for the Deft and if the said bounds begins at  
 the bank upon the upland lying along the waterside, for the  
 Plaintiffe, twelve pence damage & six pence costs of suite  
 James Hubbard

John Polland & Peter Nevius being summoned upon the  
 Jury & absent are amerced thirteen shillings & four pence  
 each.

Court adjourned without day.

Kidd }  
 vs } Emott pr Quer moves a rule for ap-  
 Shelley } pearance or an assignment of the baile  
 bond thursday next assigned or the  
 baile bond.

80 MINUTES OF THE SUPREME COURT OF JUDICATURE

DeLancey }  
vs } Emot pr Quer moves for the same  
Blackwell } rule as next above. Thursday next  
assigned or the baile bond

---

Skelton }  
vs } Emot pr Quer moves ut supra  
Blagg } Graham pr Deft appears  
Emot moves for a rule to plead to  
plead on Thursday  
Graham pr Defte pleads Generall issue non assumpsit  
modo & forma

---

Beekman }  
vs } Emot pr Quer moves ut supra in the  
Merritt } two first.  
Thursday assigned or the baile bond.

---

Beekman }  
vs } Emott pr Quer moves ut supra.  
Meyer } Tudor pr Defte appeard  
Emot moves a rule of pleading, to  
plead to morrow.

---

Reade }  
vs } Emott pr Quer prays a rule of plead-  
Anderson } ing or Judgement agst casual ejector,  
last day assigned of the terme.  
John Wogglein Enters appearance  
prays to be made Deft confesse, lease entry & ouster &  
pleads Genll issue.

---

Fullerton }  
vs } Emot pr Quer prays ut supra.  
Anderson } Graham pr Henryck Janse prays to  
Gysbertsen } be made Deft. confesse, lease entry &  
ouster & pleads Genll issue.

Loveridge  
vs  
Theunisse &  
als

} Emot pr Quer prays a rule of appear  
or bailebond.  
Graham pr Deft appear  
Emot pr Quer prays a rule of pleading.  
Graham pr Defte pleads Generall issue.

---

Bedlowe  
vs  
Norton &c

} Emot pr Quer prays Judgemt upon  
the writt of inquiry differred till Thurs-  
day next.

---

Burger  
vs  
Lockerman

} Emot pr Quer prays a rule & day for  
arguing the reasons offered in arrest of  
Judgement. Fryday next assigned.  
Leggitts Writt of Error Continued.

---

Jackson  
vs  
Wells

} Emott pr Quer moves that execucon  
may be awarded.  
Thirsday appointed for the hearing  
of the argument.

---

Ward  
vs  
Ponton

} Sur Writt of Errour, Emott pr  
Ward prays a rule for a day of hearing  
the Errours. Saturday assigned.

---

Gysbertse  
vs  
Miseroll

} Emot pr Quer prays a day to be  
assigned for hearing the argument upon  
speciall verdict. Saturday next assigned.

Nicoll pr Leggit having filed Errours  
in a Judgment agst him ads Domini Regis prays a time of  
hearing. Saturday next assigned to hear the Errours.

Thomas Hunt  
vs  
William Simins  
Clock tenant  
in possession

Nicoll pr Quer moves for a rule for appearance of tennant in possession or judgemt agst the Casual Ejector.

Emot pr Martin Clock prays to be made Deft, Enters appearance pleads Generall issue, confesses lease, ouster & entry. Nicoll moves for a rule to come to tryall. Fryday next assigned for tryall.  
Adjourned till Thursday morning.

---

[Thursday] Thursday the 3d of Octor 1695.  
Presentibus

Willm Smith Esqre,  
Willm Pinhorne, Esqre,  
John Lawrence, Esqre.

---

DeLancey  
vs  
Rt Blackwell

Emot pr Quer moves for an assign-  
ment of the baile bond.

---

Beeckman & ux  
vs  
Mayer

Nicolls pr Quer moves to morrow to  
be appointed for tryall. Granted.

---

Nicoll  
vs  
Sleight & als

Emott pr Quer moves for judgemt  
upon the writt of inquiry unlesse Cause  
be shown before such day in the terme  
as the Justices shall think fitt. Last  
day of the Court is assigned for the  
showing reason, otherwise Judgemt to  
passe according to the inquisition.





Whitley  
ads  
Farmer & ux } Nicoll pr Quer prays the Judgemt of  
Court if she the wife of Whitley shall  
not answer the Plaintiffe, being in-  
formed that she is going to leave the  
Province.  
Curia avisare vult.

---

Enoch Story aged fifteen years lesse two weeks came  
into Court & choosed Patience Lloyd his mother to be his  
guardian and desired the approbacon of the Court thereunto.  
The Court do approve thereof.

---

Bradshaw  
vs  
VanDyck } Emot moves that he hath judgemt &  
Execucon against the Deft & refuses to  
make his returne.  
Ordered that the Sheriffe of Albany do  
make execucon of the writt & returne it before the next  
terme otherwise he shall be amerced.

---

Wessells  
vs  
Welch &  
Marschall } Emot pr Defte pleads the Generall  
issue.  
Adjourned till 3 a clock afternoone

---

Court opened

Skelton  
vs  
Blag } At the Defts motion upon affidavit of  
the absence of a material evidence the  
tryall differred till next terme.  
Adjourned till morrow 8 a clock



[Saturday] morning the 5th Octor 1695

Presentibus

Willm Smith, Esqre  
 Willm Pinhorne, Esqre  
 Steph Cortlandt, Esqre

Hart  
 vs  
 Clock

Nicoll pr Quer prays a tales for two  
 Thomas Palmer  
 Thomas Adams

Martin Clock made choise of Simon Broadstreet, Jur  
 by the Court & permission & Thomas Lewis, Jur  
 the Consent of the Plaintiffe.

Evidence pr Quer City Grant pr Defte Nicolls Patent  
 Wests grant

Nicoll pr Quer Demurrs to the Evidence which was read.  
 The Jury Charged to a special verdict.  
 Special verdict drawn up.

Verdict.

If the Court finde the Defts Evidence sufficient then  
 Wee find for the Deft And if the Court finde the Defts  
 evidence insufficient We finde for the Plaintiffe 6d damages  
 & 2d Costs.

Robt Lurting, foreman

Curia avisare vult.

William Huddleston took the oaths appointed by Act  
 of Parliament instead of the oaths of allegiance & su-  
 premacy & the oath of an Attorney at Law & did subscribe  
 the test.

Marshall-  
 Welch  
 vs  
 Wessells

Jury called, 5 wanting.  
 Nicoll pr Quer prays a tales, granted.

Cornelius Vanderbeeck Jur. }  
 Mangel Johnson, Jur. } tales.  
 Peter King, Jur. }  
 James Spencer, Jur. }

Pr Quer the Kings Patent  
 Casper Molle  
 Francis Wessells  
 John Wessells  
 Isaac Anderson

Verdict  
 We finde for the Plaintiffe with  
 costs of Court & 6d Damages  
 Jno Theobalds, foreman.

Constable sworne  
Adjourned till 3 a clock afternoone  
3 a clock afternoone  
Court Opened.

---

Ward            }  
vs               }  
Ponton         }    Emott files answer to the Errours.  
                  }    Answer read.  
                  }    That the Judgement be reversed &c.

---

Ligget           }  
vs               }  
Ponton         }    Clock files reasons agst judgemt.  
                  }    The Judgemt confirmed.

---

Anna Mary Busch, Cornelia Busch, John Atio sworne to  
give evidence to the Grand jury at farmers request also  
Cornelius Vielle.

---

Burger           }  
vs               }  
Lockerman       }    Emott pr Quer moves the Judgemt  
                  }    be given.  
                  }    Curia avisare vult

---

Gysberts         }  
vs               }  
Miseroll         }    Emot pr Quer Patent read  
                  }    Judgement for the Deft

---

Jackson          }  
vs               }  
Wells            }    Emot pr Quer moves for costs  
                  }    Granted

The grand jury present Paulus Turk for sedition & desire the Court to put it in forme. The Grand jury likewise present Robt Blackwell for like & desire the Court to put it in forme.

Ordered the Sheriffe levy the fines of the Delinquents absenting from the Jury.

---

Howe & ux vs Whitley	}	The Court are of opinion that the accon cannot ly agst the wife unlesse the husband be taken he being alive. Adjourned sur die
----------------------------	---	---

---

At A Supreme Court of Judicature held  
 at the City hall of Newyorke the 7th of  
 April, 1696

Present

Willm Smith, Esqre Cheife Justice  
 Will Pinhorne, Esqre 2d Justice  
 Steph Cortlandt, Esqre  
 John Lawrence, Esqre

Court opened. Grand Jury Sworne

---

Gordon vs Creighton	}	Emot pr Quer prays a rule. Graham pr Defte enter appear for Denis Theunis & prays &c confesses &c, pleads &c. to come tryall next assizes.
---------------------------	---	---

---

Jewell vs White	}	Emot pr Quer prays a rule. Gibbs pr Jossiah Hobbart appears &c. Emot Pr Quer gives notice of tryall at next assizes.
-----------------------	---	---



90 MINUTES OF THE SUPREME COURT OF JUDICATURE

Gold }  
vs } Emot pr Quer moves a rule for the  
Duncan } Deft to bring the record or a procedendo  
Thursday to return the Record.

---

John Thomas }  
vs } Gib pr Quer moves for a rule or  
Thomas Jones } judgemt agst the Casuall Ejector, the  
last day of the terme assigned.

---

John Thomson }  
vs } Qs County } Gibbs pr Quer moves for  
Thomas Johnson } a rule & offers to make  
affidavitt.

---

Marshall }  
vs } Emott pr Defte moves that there be  
Wessells Low } no more costs than damages & prays a  
Rule for hearing.  
Saturday next assigned for hearing.

---

Nicolls }  
vs } Emott pr Quer upon non performance  
Sleight & als } of the rule of the Court moves that the  
Judgemt may be confirmed according  
to the writt of inquiry.  
Curia vult avisare

William Huddleston had the oaths appointed &c & the  
oath of an Attorney administered unto him.

---

Willets }  
vs } Graham pr Quer moves for appear-  
Denton & } ance.  
Smith } Emot pr Deftibus enters appearance.  
Graham pr Quer moves for a rule of  
pleading  
Emot pr Deftibus moves the venire be altered that it  
may be tryed at Queens County, it be an accon of defamacon  
Curia vult avisare

Smith } Tudor pr Quer moves the Deft may  
vs } be called & a rule of appear. or baile  
Harris } bond.  
Thursday assigned.

---

Burger } Emot pr Quer prays a rule for argu-  
vs } ment. Saturday assigned in order to  
Lockerman } give judgement.

---

H. Beeckman } Tudor pr Defte prays that an abatemt  
vs } of the costs, being defamacon. Satur-  
Peter Meyer } day assigned for hearing both partys.  
Adjourned till morrow morning 8 a  
clock.

---

die mercury 8vo Aprilis 1696<sup>o</sup>

Present

Willm Smith, Esqre Cheife Justice

Willm Pinhorne, Esqre 2d Justice

John Lawrence, Esqre

Court opened.

Grand Jurors present William Elwood for felonious murder of Thomas Keltinghall, Peter Jacobs Marius, foreman.

---

Dom R } Indictmt read to the prisoner non.  
vs } vul. pro. se.  
Wm Elwood } Jury called, tales of five.  
Thomas Modall  
test Thomas Burroughs Sworne  
Rachell Hunt

James Spencer Constable sworne to attend the jury

The Jury finde the prisoner not guilty nor that he did flee

Delivered by Proclamacon 3 times made.

92 MINUTES OF THE SUPREME COURT OF JUDICATURE

Thomson } Gibbs pr Quer moves for the affidavit  
vs } of the service of the declaracon in  
Johnson } Ejectmt by John Tradewell who was  
          } sworne.

Lodwyk Vandenburgh  
Robert Hawkins Sworne to give Evidence to the  
Walter Heyer Grand jury  
Ruth Simms  
Adjourned till morning — a clock next.

---

At A Supreme Court held at the City Hall of  
Newyorke the 9th of April 1696

Present  
Willm Smith, Esqre Cheife Justice  
Willm Pinhorne, Esqre 2d Justice  
Coll Cortlandt.

---

Harris } Emott pr Defte enters appeare.  
vs } Tudor pr Quer moves for a rule of  
Smith } pleading, to plead Saturday morning.  
          } Emot pleads Generall issue

---

Robt Skelton } Emott pr Quer moves for a tales.  
vs } Richd Stoaks returned.  
Benjamin Blagg }

---

Dirck Hooglandt sworne to give evidence to the Grand  
Jury.

Jury Sworne  
Test pr Quer Test pr Defte  
bill Lading  
Estimate  
Pr Quer Emot Demurrs to the Speciall Evidence. Graham  
Pr Defte joyns in Demurrer.

By consent of both partys the Deft is to come to a new plea before next terme, paying the costs next terme & Mr Graham has undertaken to pay the same whether Mr Blagg be dead or alive.

The Grand Jury do present Nicholas Augur, Lucas Stevensen, Stephen Buckenhoven, Jacob Cornelissen, Jacob Fredrycksen, James Simms, Thomas Cooper.

Ordered a warrt issue for taking of James Symms, Thomas Cooper, Nicholas Augur, the other four being bound by Recognizance they being presented for a riott in which a negro Fredryck was beat & put in fear & afterwards thereby dyed.

The Grand Jury do present Jacob Teller & Philip Schuyler for playing at deys on the Sabbath & Francis Hulin for entertainmt of them at play in his house.

Ordered a Warrt issue for the taking the sd persons into Custody.

---

Gold  
vs  
Duncan } Record filed by the Cl[erk] of K[ings]  
County.

---

Willett  
vs  
Smith & Denton } Curia vult avisare in Saturday morn-  
ing.  
Adjourned till Saturday morning 8  
a clock.

---

Saturday 11th of April 1696  
Willett  
vs  
Smith & Denton } Emott pr Deftibus moves the venire  
be altered & laid to be in the propper  
County.  
Curia avisare  
It is ordered the Defts put in their  
plea now & come to tyrall here the next terme.



Hart Bayard } Tudor pr Quer moves for judgemt  
 vs } upon the speciall verdict.  
 Clock } Curia avisare vult

---

Burger } Emott pr Quer moves for Judgemt  
 vs } upon the verdict or a rule for hearing.  
 Teller } The verdict of the jurors is quashed  
 for insufficiency.

---

Milton } Emott pr Defte moves for costs ac-  
 vs } cording to rule of former Court.  
 Laurin } Granted.

---

Milton } Emot pr Defte, idem, granted  
 vs }  
 Brown }

---

Farmer } Emot pr Quer prays a rule for tryall  
 vs } next terme. Granted.  
 Tudor } Tudor pleads Genll issue.

---

Beeckman } Tudor pr Defte moves costs be re-  
 vs } turned, being defamation the Costs to  
 Meyer } be returned.

---

Marshall & } Emott pr Deftibus prays costs to be  
 Welch } returned. Granted.  
 vs }  
 Wessells }

Jacob Smith comes into Court & prays the liberty to chose his guardians in open Court which is granted. He choseth Lt John Bulkeley & the Court see Cause to order the Guardian to give two hundred pounds security for his true & faithfull discharge of the duty of Guardian to the sd Jacob.

---

Leggitts Writ of Erroure continued.

English Smith	}	Jury Sworne
vs		
John Harris	}	Test pr Quer Commicon
		Officers Warrt
		John Ellis
		John White
		John Vangesel

The Jury finde for the Plt 3£ 6. 8 damage & 6d costs of Court.

---

Cornelius	}	The Defte by James Graham pleads
vs		liberum tenementum
Verkerke		Emott pr Quer joyns issue.

---

The Grand Jury present Capt John Tudor, Joseph Smith, Godfrey & Capt Robt Snead for a breach of the peace fighting with swords in the Street

---

Peter Legrand enters in Recogniz. as surety with Stephen Buckenhoven & Jacob Cornelissen in the sume of twenty pound each for the appearance of the sd Buckenhoven & Cornelissen at the next Supreme Court to answer for a riott  
Claus Bowdin as surety enters in Recognizance with Jacobus Fredrycks in the like sume oath for the like appear.  
&c.

RICHMD. SS

CIRCUITE

At A Supreme Court of Judicature held at  
Staten Island for the County of Richmond the  
2d Tuesday of June 1696

Present	William Pinhorne,	} Esqre Judge
	Ellis Duxbury	
	Andrew Cannon	
	Jacques Pollion	
	Dennis Theunisen	
		Esqres. Justices of the Peace

The Court opened & the Judge his Commicon read.  
Adjourned till to morrow nine a clock

---

June 10th 1696

Court opened.  
Tho. Gordon }  
vs  
Dennis }  
Theunisse }

The Jury sworne & sent to view the  
land.

The Court adjourned till 4 a clock  
afternoone.

---

4 a clock afternoone the Court opened

The Jury called & not agreed

The Surveyor ordered to run the chain with the Jury,  
one of the Jurors not appearing the Attorney for the plain-  
tiffe moved for a tales, which was granted, Arent Prael re-  
turned by the Sheriffe.

Adjourned till 9 a'clock at night at which time

Court opened the jury called & give their verdict.

The Jury finde for the Plaintiffe 6d damage & 2d costs

The Court adjourned sine die.

Ks COUNTY

CIRCUITE

At A Supreme Court of Judicature in nisi prius held at Flatbush in Kings County the 4th of Augt 1696.

Present William Pinhorne, Esqre Judge

Roeloffe Martinsen	} Esqres Justices of ye Peace
Joseph Hegeman	
Nicholas Stillwell	
Henry Filkin	
John Vandyckhuys	
Stoffel Probasco	
Peter Cortilian	

Court opened

Theunis	} Emot pr Quer	Huddleston pr Defte Enters appearance.
Gysbertse als		
Fullerton		
vs		
Hendrick		
Jansen		

The pannell returned Jotham Gulik absent

Emot pr Quer moves for a tales, granted. Roeloff Vankerk returned.

The Deft moves agst C. Wyckoff & prays tales, granted, Barent Joost returned.

Jury Sworne

Pr Quer

Dutch Patent  
 Nicolls Patent  
 The Survey  
 Peter Johnson  
 Order Court Sessions  
 Wells Survey

Pr Defte

Edmund Androsse Patent  
 Statute Limitation  
 Act of Assembly

Constable Sworne to attend the jury

Adjourned till 3 a clock afternoone

3 a'clock afternoon presentibus y Idem.

Gysbertse  
Ja Fullerton  
vs  
Hendrick  
Johnson

Court opened the Jury called.  
The Jury, James Hubbard, forman,  
finde for the Defte and 2d costs of  
suite

Adriaen  
Bennett  
Benja Gold  
vs  
Simon Aertse

Emot pr Quer The Pannell returned  
Tudor pr Defte & Jury called  
Emot pr Quer moves the tryall be  
differed till morrow, one of his witt-  
nesses being absent.

Emott has the first  
declaracon

The Deft moves the tryall be brought  
on forasmuch as they had notice of  
tryall to be thursday or that costs be  
assigned.

Ordered the tryall come on.

The jury being called & some of them absent the Plaintiffe  
did not move for any tales so the Court adjourned sine die.

At A Supream Courte of Judicature held att ye  
Citty Hall of New Yorke on Tuesday ye 6th day  
of Octobr 1696

Present

Willm Smith, Esqre Chiefe Justice  
Stephanus V. Cortlandt  
John Lawrence

Courte opened Grand jury Sworne, Paul Richard, Foreman.

Forster  
ver  
Theobalds

Graham pr Quer, Moves ye Sherriff  
make Return of ye writt, Sheriffe Re-  
turne Cepi Corpus, ye Deft not appear-  
ing, Graham Pr Quer Moves ye Defendt  
appear next Thursday in ye morning  
otherwise the bayle bond to be assigned.  
Granted.

John Barberie }  
 ver }  
 James Thomas } The Defendt personally appeared  
 Graham pr Quer Moves that he file his  
 Plea by Fryday next in the morning weh  
 is accordingly ordered.

---

John Barberie }  
 ver }  
 James Thomas } Idem

---

Benjamin Aske }  
 ver }  
 James Thomas } Defendt Appears in Person Graham  
 pr Quer Moves he file his Plea by Fry-  
 day next in the Morning. Granted.

---

Benjamin Aske }  
 ver }  
 James Thomas } Idem.

---

Benjamin Aske }  
 ver }  
 James Thomas } Idem.

---

Christina }  
 Veenvos }  
 ver }  
 Lawrence }  
 Heddings } Graham pr Quer Moves ye Sheriff  
 Return ye writt Sheriff Returns Cepi  
 Corpus, Graham Moves yt ye Defendt  
 Enter Appearance by Thursday morn-  
 ing next otherwise ye Bayle bond be  
 assigned. Granted

---

John Geddes }  
 ver }  
 Richard Russell } Huddleston Appears pr Defendt,  
 Graham pr Quer Moves they Plead by  
 Fryday next. Granted.

---

Willett }  
 ver }

100 MINUTES OF THE SUPREME COURT OF JUDICATURE

Giles Shelley }  
ver }  
Ben Blyden- }  
burgh }  
Huddleston Appears pr Defendt,  
Tudor pr Quer prays a Rule yt ye  
Defendt plead by Fryday next in the  
morning. Granted.

---

John Tudor }  
ver }  
Will Kidd }  
Coroner Returns Capi Corpus Plff  
in Person Moves the Defendt Enter  
appearance by Thursday next otherwise  
Baile bond to be assigned. Granted

---

Barbarie }  
ver }  
Thomas }  
Graham pr Quer Moves ye Defendt,  
be obliged to give in Special Bayle &  
yt he be taken into Custody till he  
performe this Rule. Granted

---

Gaudineau }  
ver }  
Handcock }  
Retraxil

---

Barbarie }  
ver }  
Thomas }  
Graham pr Quer moves ye Defendt be  
taken into Custody till he give in  
Special Bayle. Granted.

---

Aske }  
ver }  
Thomas }  
Idem

---

Aske }  
ver }  
Thomas }  
Idem

---

Aske }  
ver }  
Thomas }  
Idem

MINUTES OF THE SUPREME COURT OF JUDICATURE 101

Miles Forster of New Yorke Mercht Personally appeared in Courte & Recognized in the severall sum Contained in the Actions Commenced Agt James Thomas yt ye said James Thomas should abide ye Judgmt & Determination of this Courte in the same.

Adjourned till Thursday morning att 8 a clock.

---

Thursday Morning 8 a clocke

Present

Will Smith, Esqre Chiefe Justice  
Coll. Stephanus V: Cortlandt } Justices  
John Lawrence Esqr. }

Smith  
ver  
Barclay

Mr Gibbs pr Quer, Mr Emott appears pr Defendt & prays yt Samll Gerrett ye Tenant in possession be Admitted Defendt Confessing lease Entry & ouster & to stand upon ye title only & also pleads ye Genll Issue, not Guilty.

---

Forster  
vs  
Theobalds

The Defendt Personally appears Graham pr Quer Moves a time be assigned for ye Defendt to plead, any time to morrow assigned.

---

John Ward  
ver  
Tyreche Claese

The Sheriffe of Ulster Returning A writt of Habere facias Possessionem Complaining that in the Execution thereof he was Resisted by Direch Claese Dewitt & his Daughter & many others whereupon he applyd himself to Coll Henry Beeckman one of his Majts Justices of ye peace of ye sd County who did also Refuse to give him Any Aid & afterwards when he had obtained Eighteen of his Majts Subjects to assist him in ye Execution



102 MINUTES OF THE SUPREME COURT OF JUDICATURE

of ye said writt he did Command the said Persons to goe to their Respective homes & not to assist ye sd Sheriff whereupon itt is Considered by the Courte that Another writt be directed to ye sd Sheriff for ye Delivering Possession unto the sd Plff According to ye Judgmt & that Coll. Beeckman doe Personally appear att ye next Supream Courte to Answer what shall be alleadged agt him on his Majts Behalfe by the said Sheriff.

---

Tudor  
vs  
Kidd

Emott Appears pr Defendt.

---

Willett  
Agt  
Isaac Smith

Graham pr Quer Moves their Evidence may be sworne in Courte & their Depositions taken alleadging their Evidence cannott without great Detriment attend ye Courte. Granted.

---

Willett  
ver  
Denton

Idem.

---

Willett  
ver  
Smith

Files his Plea in forme wch is accepted by ye Plff. Graham pr Quer moves ye tryall Come on on Saturday next. Granted.

---

Thomas Gordon  
ver  
Dennis Teunis

Emott pr Quer Moves Judgmt be Entered According to the Verdict in ye Circuite in Richmond County.

Granted & Ordered that the surveyor of ye County doe attend ye Sheriff when he delivers Possession of ye land that no more may be delivered then what is Mentioned in the Declaration.

Teunis  
Gysbertsen }  
ver  
Hendrick  
Johnson } Graham pr Defendt Moves for Judgmt  
upon a verdict obtained in Kings Coun-  
ty the last Circuite. Granted.

---

Veevos  
ver  
Heddings } The Defendt Personally appears,  
Graham pr Quer Moves he be taken  
into Custody till he give in Special  
Baile Granted. also Moves yt he  
plead to Morrow.

Tudor pr Defendt Craves Oyer of ye  
Bond, Granted.  
The Defendt have Notice to come to tryal to morrow.

---

Dom Rex  
ver  
Thomas Cooper } The Defendt Personally appears &  
pleads Guilty to ye Indictmt & Prays  
ye Mercy of the Courte.

The Grand Jury Indict Jacob Cornelisen, Lucas Steven-  
sen, Jacobus Fredrick, Stephen Buckenhoven & James  
Simms for a Riott & upon there being called & ye Indictmt  
Reade they all plead not Guilty & putt themselves upon ye  
Country. The Courte order they stand committed till they  
finde security to abide the determination of ye Courte.

---

Veevos  
ver  
Heddings } Peter Wessells Recogn. in the sum of  
100£ that the Defendt shall abide ye  
Judgmt & Determination of ye Courte.  
Adjourned till to morrow morning  
8 a clock.

---

Die Veneris Octobr 9th 1696  
Present Will Smith, Esqre Chiefe Justice  
John Lawrence, Esqre  
Courte Opened.

Adjourned till to morrow morning 8 a clock.

104 MINUTES OF THE SUPREME COURT OF JUDICATURE

Att A Supreme Court held by adjournment the  
10th of Octor 1696

Present

Coll. William Smith, Chiefe Justice  
William Pinhorne, Esqre 2d Justice  
Coll Steph Cortlandt  
John Lawrence, Esqre

Meyndert  
Harmensen  
ads  
Will Smith

Enters appear and confesseth judgmt  
for 66£ due by bond & 40s damages.

Abigail Matson sworne to give Evi-  
dence to the Grand Jury.

Barbaree  
vs  
Thomas

Graham pr Quer, venire returned &  
pannell  
The jury called, 3 absent Horton,  
Jefferys  
Ripley

The Plaintiffe moves for a tales of three.

The venire returns Michael Bassett of Newyorke, Mercht  
Nicholas Jamaine of Newyorke, Mercht  
Dirck Vandenburg of Newyorke, Brick-  
layer.

The Jury Sworne.

Evidences

Pr Quer

Ouzeel Van Swieten

Mr Jamain

Mr Merlin

Pr Defte Tudor pr Defte

Protest

Alexr Reed

Isaac Boutwin

George Knight

Willm Frazier

John Denton

Ed Basford

Certificate of Aldermn Darkins  
& Tothill

John Mosel

Graham pr Quer moves the jury may view the goods  
damd. Granted.

Timothy Lee  
Constable Sworne to attend the jury  
The Jury Lawrence Reade, foreman, finde for the Deft.

---

Lucas Stevenson aged 16 years comes into Court and dos  
freely & voluntarily choose Capt Brandt Schuyler to be his  
Guardian which is approved.

John Stevensen aged about 16 years comes into Court  
and dos freely & voluntarily choose Capt Theunis Dekey  
to be his Guardian which is approved.

---

Dom Rex vs Schermerhorn	}	The Deft appears—The Informacon read. The Deft pleads Generall Issue not guilty.
-------------------------------	---	---

It is ordered that the Deft be bound  
for his appearance to abide the determinacon of this Court  
upon tryall in the Circuite of Albany & in the mean time to  
be of the good behaviour.

---

Farmer vs Tudor	}	Gibbs pr Quer moves for ar ule of tryall to come to tryall this afternoone.
-----------------------	---	--

---

Tudor vs Kid	}	The Same rule.
--------------------	---	----------------

---

Geddis vs Russell	}	The pannell returned & jury called Graham pr Quer the Plaintiffe moves for a tales of two. Tudor pr Defte objects agst John Sharp, overruled. Jury Sworne
-------------------------	---	--

106 MINUTES OF THE SUPREME COURT OF JUDICATURE

Evidence

Pr Quer  
The account  
John Danfort  
Peter Melott

Pr Defte  
Perry  
Spencer

Constable sworne

Adjourned till 2 a clock the afternoon.

2 a clock afternoon Saturday 10th Octob 1696  
Presentibus ysdem

Dom Rex  
vs  
Leggett

In Errour. The Justices having considered the whole matter see cause to reverse the Judgemt & it is reversed accordingly.

Geddis  
vs  
Russell

The Jurors Obadiah Haige, foreman, find for the Plaintiffe £64 13 3 damages with 6d costs.

Tudor pr Defte moves in arrest of judgemt.

Ordered the Deft file his causes of arrest of judgemt in four days next ensueing.

The Jury called 6 absent & excused.

Willett  
vs  
Smith

Tudor pr Quer moves for a tales of six, granted.

The Jury Sworne  
Evidences

Pr Quer  
Cornelius Quick  
Joshua Cornwell

Pr Defte

Constable Sworne

MINUTES OF THE SUPREME COURT OF JUDICATURE 107

The Jury Lawrence Reade, foreman finde for the Plaintiffe tenn pounds dams & 6d costs.

Continued till next Court.

Dom R  
vs  
Stevenson  
Jacobus Hend-  
ryck  
Stephen Buck-  
enhoven  
Johannes  
Simms

Claes Bowden for Jacobus Hend-  
ricksen surety.

Farmer  
vs  
Tudor

Jury called Gib pr Quer moves for  
a tales of three.  
The jury sworne.

Evidences

Pr Quer  
Aert Aertsen

The Jury Robt Lurting, foreman  
finde for the Plaintiffe 13£ dammage & 2d costs.

Tudor  
vs  
Kidd

The jury called the same persons re-  
turned between Farmer & Tudor.

Pr Quer  
Farmer  
Burroughs  
Allison

The Jury Robt Lurting, foreman find for the Plaintiffe  
13£ damages and 2d costs of Court.

Willet  
vs  
Denton

Graham pr Quer moves for judgemt.  
Granted.

108 MINUTES OF THE SUPREME COURT OF JUDICATURE

Barnett  
vs  
Harrison } Tudor pr Quer moves for costs,  
granted.

---

Shelley  
vs  
Blydenburgh } Huddleston pr Defte pleads Genll  
issue.  
Graham pr Quer moves for a rule of  
tryall next terme.

---

Barbaree  
vs  
Thomas } Tudor pr Defte moves for costs upon  
the nonsuite, Granted.

---

Ask  
vs  
Thomas } ditto Hart }  
Clock } Curia avisare vult

---

Burger  
vs  
Huygen } Tudor pr Defte moves for costs for  
discontinuance, if not brought forward  
next terme costs assigned.

---

Shelley  
vs  
Kid } Tudor pr Defte moves for costs for  
discontinuance ditto rule

---

[Tuesday] At A Supreme Court of Judicature held  
at Newyorke the 6th of Aprill 1697

Present William Smith, Cheife Justice  
William Pinhorne, 2d Justice  
John Lawrence, Esqre.

Court opened  
The Grand Jury Sworne  
Court adjourned till morrow morning.

[Wednesday] At A Supreme Court &c  
Present

Willm Smith, Esqre Chiefe Justice  
Willm Pinhorne, Esqre 2d Justice  
John Lawrence, Esqre

The Grand Jury charged. Jeremiah Tothill, foreman

Arensen  
vs  
Wood

} Emot pr Quer moves for a rule of  
hearing upon the return of the record.

The sume recovered being under  
twenty pounds the Court cannot cognize.

---

Feild  
vs  
Wood

} Eadem mocon  
idem judicium

---

Pinhorne  
vs  
Earle

} Deft enters appearance, Plt prays a  
rule to plead to morrow morning,  
granted.

Emott pr Quer prays the Deft be  
held to special baile being a stranger in the Province which  
is granted.

---

Edward Earle  
John Windover  
Andries Meyer

} Enter in Recognizance in 1000£  
joyntly & severally to abide the deter-  
minacon of this Court.

---

Shelley  
vs  
Blydenburgh

} Emot pr Quer moves a rule for tryall  
Fryday Granted.



110 MINUTES OF THE SUPREME COURT OF JUDICATURE

Skelton  
vs  
Blagg

} Emott pr Quer moves for a rule of tryall  
Fryday assigned for the tryall  
Tudor pr Deft pleads condicons performed.

---

Veenvos  
vs  
Heddings

} Emott pr Quer moves for tryall.  
Upon affidavit that the Deft is at Jamaica and his Evidences & deteind by the winds & weather Ordered the Tryall come on the next terme.

---

Tudor  
vs  
Kidd

} Emott pr Deft moves that the record & Judgemt be inspected Curia avisare vult

---

Tudor pr Willett files an inquisition upon the damages of Denton whereby they finde twenty pounds damages & six pence costs.

---

Skelton  
vs  
Blagg

} Provided special baile be given to abide the determinacon of the Court upon tryall next terme by Mr Blagge it is agreed the tryall be delayed this time.

Adjourned till fryday morning 8 a clock

---

[Friday] fryday the ninth of Aprill 1697.  
Present William Smith, Esqre Chiefe Justice  
William Pinhorne, 2d Justice  
John Lawrence, Esqre

Henry Filkin took the oaths appointed to be taken in  
stead of the oaths of alligance & supremacy and the oath of  
an Attorney adminstred unto him.

Barne Cosins the like oaths.

---

Shelley vs Blydenburgh	}	Jury called, wanting 2. Tudor pr Quer moves for a tales, granted.
		Michael Howdon Claes Bowdon
Pr Quer Emott Evidences		Jury Sworne Pr Defte Huddleston
affidavit of the mate		John Righton, Jur
The Defts note		John Trevett, Jur
Letter for a passage		
		Constable sworne.

---

Willet vs Denton	}	Tudor pr Quer moves for judgmet upon the inquisition for the costs & damages.
		Curia avisare vult.

---

Kidd vs Shelley	}	Emot pr Quer Enters a replicacon & prays it may be admitted notwith- standing a rule of Court obtcind last Court when the Plts Attorney was sick & absent, no issue being joynd to come to tryall.
		Tudor pr Deft joyns issue to the replicacon.

---

Burger vs Hooga	}	Emott pr Quer moves the rule of costs obtcind last terme may be re- versed. Curia avisare vult.
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112 MINUTES OF THE SUPREME COURT OF JUDICATURE

Veevos            }     Tudor makes affidavit of the absence  
vs                    }     of a material Evidence to put off tryall  
Hedding            }     till next terme & makes oath

---

[Saturday]     10th April, 1697  
W. Smith, Esqre Chiefe Justice  
W. Pinhorne, Esqre 2d Justice  
S. Cortlandt  
J. Lawrence.

Shelley            }     The jury Hum. Trageny, foreman  
vs                    }     finde for the Plaintiffe sixteen pounds  
Blydenburgh        }     damages & six pence costs.

---

Dom R.             }     Discharged by Proclamacon 3 times,  
vs                    }     the Jury having found ignoramus upon  
Mary Ann            }     the indictmt of murder.  
a negro woman

---

Dom R.             }     Pr Dno Rege            Pr Defte  
vs                    }     riott   Robt Hawkins     Nich Bowdon  
Jacob Cornel-        }     Nicholas Augur        Kath Blank  
issen  
Lucas Steven-        }     son  
Jacob Fredricks     }     Stephen Buck-  
Stephen Buck-        }     enhoven  
Johannes  
Simms

Constable sworne

The Jury, Hump Trageny, foreman finde the Defts not guilty of the riott whereof they stand indicted.

MINUTES OF THE SUPREME COURT OF JUDICATURE 113

Blagg vs Skelton	}	Emott pr Quer	Jury sworne
		Pr Quer	Pr Defte
		Declaracon read	Protest read
		Plea read	
		replicacon	Sam VerPlanck
		bill lading	Depositions
		Capt Clarke	
		Mr Jacobs	
		Capt Danx	

The jury finde for the Plt 40s and six pence costs.

---

Nicoll vs Sleight & als	}	Emot pr Quer prays judgemt upon the inquisition returned 500£ damm. & one shilling costs. Granted
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---

The Grand Jury present Hesther the wife of Juriaen Blanck for Encouraging the servt of Mr Clarke to steale mony & entertaining of negroes.

Ordered the Sheriffe do take the sd persons into custody to have them before the Justices this afternoone.

Adjourned till 3 a clock afternoone.

---

Afternoone.  
Willm Smith, Esqre. Cheife Justice  
William Pinhorne, Esqre, 2d Justice  
John Lawrence, Esqre.

Jurian Blanck enters in recognizance for Hesther his wife to appear and answer a presentmt for enticeing servants to steal money from their Mastors & entertaining of negroes at her house at the next Supreme Court of Judicature.

114 MINUTES OF THE SUPREME COURT OF JUDICATURE

Doms Rex  
vs  
Isaac Rodrico  
Marquis } The Attorney Genll enters a non  
pros  
Ordered the Sheriffe levy the forfei-  
ture upon defaulters 13s : 6d each

---

Kid  
vs  
Tudor } Curia avisare vult

---

Willet  
vs  
Denton } Judgmt given for the damages &  
costs found by the inquisition returned  
by the Coroner

---

Burger  
vs  
Hooga } The rule for costs given at Mr Tudors  
mocon last terme reversed, the accon  
being agst Lockerman.  
Adjourned sine die

---

[Tuesday] At a Supreme Court of Judicature held at  
the City hall of the City of N Yorke the  
5th of Octor 1697.

Present Coll Wm Smith, Cheife Justice  
William Pinhorne, Esqre 2d Justice  
Coll Steph Cortlandt  
John Lawrence, Esqre

The Court opened & for the insufficiency of the City hall  
it was immediately adjourned to the Dutch Church.

---

At A Supreme Court of Judicature held at the  
Dutch Church in New Yorke the 5th of Octob  
1697

Present isp supra

Court opened. Grand Jury called. Grand Jury Sworne  
& charged

Lockerman vs Bayard	}	Emot pr Quer B Bayard enters appearance avisamentum.
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Lockerman vs Bayard	}	Emot pr Quer. Eadem mocon eadem regula.
---------------------------	---	--

---

Leggit vs Jos Hunt	}	Emot pr Quer Moves a rule of pleading, to plead agt next — Antill pr Defte enters appearance. Emott moves for rule pleading avisamentum.
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Legget vs Tho. Hunt	}	Emot pr Quer. Tudor pr Defte Enters appearance & pleads non vul.
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---

Yeats & ux vs Morgan	}	Emot pr Quer Tudor pr Defte Enters appearance. Emott moves for a rule to plead, Thurs- day assigned sedente curia.
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---

Kingsland vs Perry	}	Emot pr Quer. Moves for appearance.
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116 MINUTES OF THE SUPREME COURT OF JUDICATURE

Godfrey  
vs  
Delavall } Emot pr Quer  
Moves for appearance the Sheriffe  
returns the Cepi Corpus, the Plaintiffe  
moves for a rule of appearance or  
assignment of Baile bond. Thursday assigned for appear-  
ance or the mocon granted.

---

Visler  
vs  
Evertse } Emot pr Quer.  
Antill pr Defte enters appearce.  
Emot moves for a rule for pleading.  
Thursday assigned.

---

Gouge  
vs  
Kanche } Emot pr Quer.  
Moves he may be called and a rule  
for assignmt of baile bond, granted.  
Thursday he appear otherwise.

---

Levines  
van Schaick  
vs  
Wessell  
ten brooke } Emot pr Quer  
Moves for the same rule which is  
granted.

---

Dongan  
vs  
Buckenhoven  
& als } Emot pr Quer moves a rule of appear-  
ance or assignment of the baile bond.  
Thursday appointed the same for Jaco-  
bus Cornelissen.

---

Walter  
vs  
Adolph } Emot pr Quer agreed.

Wenham & Porter vs Harris } Emot pr Quer. Tudor enters appear. Emot moves for a rule to plead. Thursday Granted

---

Fullerton vs Davis Bonrepo } Emot pr Quer moves for the service of the Declar. Tudor pr John Theobalds Desires &c Confesses &c & pleads Genl issue.

---

Sam Staates & als vs Willm Demyer } Emot pr Quer moves for rule of appearance or baile bond assigned, thursday appointed.

---

Fr. Vanderpool vs Claus Evertse } Emot pr Quer moves a rule pleading. Tudor enter appearance, is to plead Thursday as in the other agst Evertse.

---

DePeyster vs Torens & Cruger } Emott pr Quer moves for a rule of pleading Antill pr Ouzeel Van-sur attachmt. Swieten & John Cruger appears & prays time to plead till next terme. Curia vult avisare.

---

Ludlowe vs Sipkin } eadem reg.

---

French vs Merret } Antill pr Quer moves for appearance or assignment of baile bond. Thursday granted.



118 MINUTES OF THE SUPREME COURT OF JUDICATURE

Simmons }  
vs }  
Stone }  
Claus Simmeons } Tudor pr Quer moves the Tenant in possession be called. Emot pr Claus Simmonse appears confesses &c pleads Genll issue.

Emot pr Defte moves for a rule for a speciall jury of the next viscinage, the neighbouring Towns being at law with his Cliente about like controversy.

Cursa vult avisare.

---

Venvoos }  
vs }  
Laurence } Tudor pr Quer.  
Emot pr Defte enters appearance  
Tudor moves for a rule of pleading,  
fryday next assigned for pleading.

---

Davies }  
vs }  
Terry } removed by habeas cor.  
Simmons } Henry Filkin pr Quer moves for a rule  
for tryall in the County the next circuite.  
Emot pr Deftibus confesse.

---

Matthews }  
vs }  
Pell } Tudor pr Quer moves the Sheriffe be amerced for not returning the baile bond, granted. nisi cras vice comes.

---

Mr Hannah Allison sworne to give evidence to the Grand Jury.

---

Pinhorne }  
vs }  
Earle } Emot pr Quer gives notice to the Deft baile, to come to tryall next fryday.

MINUTES OF THE SUPREME COURT OF JUDICATURE 119

Venvoos  
vs  
Heddings

} Emott pr Quer moves for a rule of  
tryall & an issuable plea.

a clock

Adjourned till morrow morning 8

---

At a Supreme Court of Judicature held at  
the Dutch Church the 6th of October 1697

Present William Smith, Esqre Cheife Justice  
William Pinhorne, Esqre 2d Justice  
Stephen Cortlandt, Esqre.  
Court opened.

Upon the mocon of James Emott for the contempt &  
neglect of the Sherriffe of Westchester County in Executing  
the Kings writts It is ordered complaint be made to his  
Excell. & his Excell. be desired to appoint another Sheriffe  
for that County.

---

Simmons  
vs  
Cl Simonsen

} At the mocon of Mr Emott it is  
ordered that a jury out the Towns of  
Gravesend & New Utrecht be im-  
pannelled to try the issue joyned  
between the Towns of Flatbush & Newton.

Adjourned till 7 a clock morrow morning at the house  
of George Rascarrick.

---

At a Supreme Court of Judicature held at George Ras-  
carrick house the 7th of Octor 1697.

Present William Smith, Esqre Cheife Justice  
Will Pinhorne, Esqre, 2d Justice  
Stephen Cortlandt, Esqre.  
Court opened.

120 MINUTES OF THE SUPREME COURT OF JUDICATURE

Dmin Rex  
vs  
Smith

} non vul pro se The Jury Sworne.

Richd Sleigh Sworne  
Hannah Allison  
Lt Coll Lodwyk  
John Sipkins

The Jury, Michael Howdon, foreman find the prisoner not Guilty nor that he did fly for it, but that it was se defendendo

---

Buckenhoven  
& als  
ads  
Dongan

} Tudor pr Deftibus Enters appearance.

Emot pr Quer moves for a rule of pleading, the Defts to plead agst Saturday morning.

---

Dmin Rex  
vs  
Le Roux

} Arraigned non vul pro. se. Jury Sworne

Testes Delvis  
Simmons Pr Dno Rege  
Newkirke

Pr Defte long paper  
Constable sworne to attend the jury.

---

Evertse  
ads  
Visler

} Tudor enters plea & moves for security for his costs.

---

Godfrey  
vs  
Delevall

} Emot moves for speciall baile upon Capt Tudors showing a warrt for appear. curia avisare vult.

MINUTES OF THE SUPREME COURT OF JUDICATURE 121

The Grand jury did present Lt John Lawrence for the same felony of which John Reaux is indicted & desire it to be put in forme & desire the presentmt to be read in Court which was done and Capt John Evans appearing did declare that his Ltnt was under confinemt on board his Majts Ship the Richmd for the crime and did say he would give him up to the Court of Admiralty in England. Resolved His Excell. be made acquainted therewith & to waite his Excell. direcons thereon

Ordered the persons impannelled that did not appear do pay a mark each.

Adjourned to two a clock afternoone.

---

At A Supreme Court held at the house of  
George Rascarrick the 7th of Octor 1697 2  
a clock afternoone

Present Coll Will Smith  
William Pinhorne Esqre  
Stephen Cortlandt Esqre

Dnus Rex }  
vs } The Jury, Jos Blydenburgh, foreman,  
Le Reaux } finde the prisoner guilty nulla bona

Adjourned till 8 a clock morrow  
morning.

---

7th Octor 1697

James Emot pr Merret Enters appearance to the accon  
of Philip French.

---

Octor 8th 1697  
Present Coll Will Smith  
Will Pinhorne, Esqre  
Coll Steph Cortlandt  
John Lawrence, Esqre

Court opened.

122 MINUTES OF THE SUPREME COURT OF JUDICATURE

Visler  
vs  
Evertæ

} Emot pr Quer moves for a rule of  
tryall to morrow, Granted.

Frances Vandrpool vs Eunden eadem  
regula

---

Merret  
ads  
French

} Emot pr Defte prays oyer of the  
award & of the condicon.

---

Wenham & als  
vs  
Harris

} To come to tryall to morrow.

---

De Peyster  
vs  
Tyrens &  
Cruger

} Tudor moves for a rule of pleading.  
avisamentum

---

The Grand jury having made complaint that William Berkley Junr being sent for by them & summoned by a constable refused to come & is withdrawn.

It is Ordered the Sheriffe do take him into custody & bring him before the Court.

---

Godfrey  
vs  
Delavall

} Emot pr Quer moves for speciall  
bail or that the baile bond be assigned.  
It is ordered that in case the Deft do  
not give in speciall baile before the end  
of this Court the baile bond be assigned to the Plaintiffe.

---

Kingsland  
vs  
Perry

} Perry Enters appearance.

Legget vs Th Hunt Junr	}	Jury called Emott pr Quer moves for a tales, Granted. Emott pr Quer moves for anyr tales, Granted. Emot pr Quer moves for anyr tales, Granted.
------------------------------	---	--

**Jury Sworne**

The Declaracon read to the Judges & jury  
 The jury finde for the Plt 10d damages & 6d costs  
 Test pr Quer    Nath Underhill, Attest  
                           John Williams, Jur  
                           Sarah Drake, Jur  
                           Jane Campbell Jur  
                           Edwd Hedding  
                           Ebenezar Crannell

Pinhorne vs Earle	}	Earle moves the tryall be put off till afternoone & made oath of his having a material evidence whom he expects from East Jersey.
-------------------------	---	--

---

Sipkins vs Ludlow	}	Emott pr Quer moves for a writt of procendendo because the record is not returned from the Mayrs Court. Cur avisare vult.
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---

Adjourned till 3 a clock

Post meridiem, Present  
 Coll Will Smith, Ch Justice  
 Willm Pinhorne, Esqre 2d Justice  
 Coll Steph Cortlandt  
 John Lawrence, Esqre

Court opened.

French vs Merret	}	Antill pr Quer moves a rule of plead- ing to plead to morrow morning.
------------------------	---	--

124 MINUTES OF THE SUPREME COURT OF JUDICATURE

Pinhorne }  
vs } Jury called  
Earle } Emot moves for a tales, granted.  
Jno Basford,  
Jury Sworne.  
was read the declaracon & issue.

Pr Quer informacon to the Justices  
oaths of Mayr & daughter  
Willm Sandford Jur  
Paulus Vanderbeek Jur  
David Ackerman Jur  
James Simson Jur

---

Dmn Rex }  
vs } Tudor offers for the quashing of the  
L Reaux } indictmt & verdict that the prisoner is  
belonging to the Richmond under the  
Kings pay & there is a provision in his  
Maties Ltrs Patent that such shall not be tryed but by  
Commicon under the broad seal of Engld &c, & prays the  
Court will crave oyer of his Excell. Letters Patents for the  
Government under the Great Seal.

Whereupon Coll Stephen Cortlandt & the prisoners  
Council were desired he waite upon his Excell & to crave a  
sight of His Excell letter Patents which were granted & read  
in Court.

The Court take it into advisement.

---

Venvoos }  
vs } Tudor pr Quer moves for a rule for  
Lawrence } tryall, differed till next terme for ab-  
sence of material evidence.

---

DePeyster }  
vs } Tudor pr Quer moves for a rule of  
Tyrens & } pleading.  
Cruger }

Grand Jury present Doctr Samuel States & John Windower  
Buckenhoven }  
ads } Tudor pr Deftibus plead Genll issue.  
Dongan }  
Adjourned till morrow morning

---

At a Supreme Court of Judicature Octor 9th 1697  
Present Will Smith, Esqre  
Will Pinhorne, Esqre  
Steph Cortlandt, Esqre  
John Lawrence, Esqre  
Pinhorne } The Jury Paul Droillet do finde for  
vs } the Plaintiffe fourty shillings damages  
Earle } & six pence costs of Court.  
Wenham & als } Emot pr Quer Pr Defte James Evetts  
vs } The Declaracon read Tho Wood  
Harris } The plea Mr French  
James Evetts Mr Ask  
Thomas Wood Mr Howdon  
John Trevitt  
Capt Laury

---

Claus Wolfe }  
Dom Rex } The pisoner being asked what he had  
vs } to offer why Judgmt should not passe  
Le Reaux } upon him according to verdict.  
Desired Counl who Did give in his  
reasons in writing for quashing of the verdict & processe.

---

De Peyster }  
vs } Ordered the Defts plead this Court.  
Tyrens & }  
Cerrug }



Wenham & Porter }  
 vs  
 Harris } Verdict We finde for the Deft & 6d costs.

Adjourned to two a clock  
 Afternoone Present  
 Coll Will Smith  
 Will Pinhorne, Esqre  
 Coll Steph Cortlandt  
 John Lawrence, Esqre

Vanderpool }  
 vs  
 Evertse } Court  
 Jury Sworne  
 Pr Defte  
 Declar }  
 Plea } read The journall  
 replicacon } Henryck Janse  
 & joynder }  
 Pr Quer } Henryck Janse

The jury find for the Plt 28:15d damages & six pence costs.

Dums Rex }  
 vs  
 Le Reaux } The reason for squashing the verdict being read the Clause of his Excell Comicon being fully considered and Captain John Evans Commander of His Maties Ship the Richmond requiring the prisoner as being one of his Ships Crew to be put on board his Maties Ship. The Court do consider that the proceedings of this Court in this matter indictment & sd verdict from henceforth quashed &c.

Visler }  
 vs  
 Evertse } The Attorney for the Deft confesses judgmt for 34-4d for nine months & ½ wages at 12 ps 8/8 [pieces of eight]

De Peyster }  
 vs  
 Tyrens & } Antill pr Deftibus moves for time to  
 Cruger } plead till first day of next terme.  
 The Defts plead the Generall issue  
 non assumpsit modo & forma

Joseph Smith, principle

Thomas  
Harding  
Michael  
Howdon

} Suretyes in 100£ each.

To be of the good behaviour towards  
the King & his leige people till next Suprem Court.

Claus Wolfe discharged by proclamacon.

Emott pr Dne Rege moves that Capias issue agst Dr  
Staats & Mr Windover being presented by the Grand Jury  
to be brought to answer next terme.

Emot likewise moves in the name of the Sheriffe that the  
Judges do move to the City, the insufficiency of the City hall  
& prison.

Octor 9th 1697

Whereas it appears to this Court that for divers years  
Last past the City Hall or Townhouse of this City has beene  
decayed and insufficient for the houlding their his Majties  
Courts & that the Magestrates of the City have been thereof  
advertized by this Court & have still promised to Erect &  
build a new one on which is not yet done & A surveigh of  
severall Emnent Massons & Carpinters haveing by order  
of the Cheife Justice beene thereof had who doe Certifie the  
Insufficiencie thereof by reason whereof His Majesties  
Supreme Court hath been Obliged to adjourne from Place  
to Place and the Sheriffe of this City and County haveing  
also Complayned to us of the insufficiencie of the present  
Goale, the Justices haveing maturely considered the same  
doe hereby order And decree that the said City for the  
reason aforesaid be Amerced and fined for the use of Our  
Soveraigne Lord the King three hundred pounds unlesse  
within two years frome the date hereof they finde and  
Provide a sufficient town house or hall wherein his Majties  
Courts of Judicature may be held and Kept & that in the  
mean time they make not the Prison sufficient they ought  
to be Accountable for all escapes.

---

That the prisoner John Le Reaux being called and by  
the Court asked what he had to say why judgemt should

not be given agst him according to the jurys verdict he humbly prayed not understanding English himselfe he might be heard by his Council Who set forth to the bench that the prisoner upon his tryall has no knowledge of the Law nor of the jurisdiccon of this Court, That the fact committed on which sd verdict was grounded was alleaged to be done upon the water out of a prize ship and the goods alleaged to have been taken from her never brought a shoare that his Excell. the Governours Letters Patents restrained all such offences to the Jurisdiccon of the high Court of Admiralty that sd Le Reaux was born in his Maties pay and service on board his Maties Ships the Richmond which was certified to this Court by Captain Evans Commander of his Maties sd Ship who did also pray of this Court that pursuant to the sd Letters Patents the prisoner might be delivered to him for which reasons his Council did alleage the verdict & prosecution of sd LeReaux ought to be allowed as coram non judice. This bench did pray the Oyer of his Excellencys letters Patents under the great seal of England which was had And the Court having duly considered that part thereof which restrains all offences committed or done on the seas or in the Creeks, havens, coves, rivers or harbours within this Province by any person or persons acting in his Maties service on board his Ships of warr to be adjudged and tryed in such a manner as in the sd Letters Patents is sett forth & expressed. The bench having duly weighed & considered the same are of opinion that the sd indictmt and the processe & verdict thereupon for the reasons aforesd be from here forth quashed but that his Excell. the Captain Genll & Vice Admirall be acquainted from this Court with the crime for which those proceedings have been had agst sd Le Reaux as also the Grand Jurys presentment of Lt John Lawrence for the same fact and that the prisoner be not discharged untill his Excell. purpose be herein knowne

---

The Bench having sent for the Mayr & Aldermen did cause to be read the two preceeding decrees & also an Adresse from the Grand Jury setting forth a Genll breach

of the Lords day & urged their diligence in causing the constables go about during divine service.

Adjourned sine die.

---

[Tuesday] At a Supreme Court of Judicature held for the Province of New Yorke on tuesday the 5th of Aprill, 1698.

Present

Coll William Smith, Cheife Justice  
William Pinhorne, Esqre  
John Lawrence, Esqre  
Chid Brooke, Esqre

Court opened.

Proclamacon for return of writts.

Proclamacon for return of Recognizance.

Grand jury called & sworne.

Dongan } Nicoll pr Quer moves for a rule for  
vs } tryall,  
Buckenhoven } fryday assigned for tryall

---

Fullerton } Emot pr Quer moves for a rule of  
vs } tryall,  
Theobalds } Saturday assigned for tryall.

---

Ab DePeyster } Emot pr Quer moves a rule for tryall,  
vs } fryday assigned for tryall.  
Tyrens & }  
Cruger }

---

Forster } Emot pr Quer moves for appear aut  
vs } forme follo.  
Jamaine } Tudor pr Defte enters appear  
Emot pr Quer moves for a rule of  
pleading.  
Thursday assigned for pleading

130 MINUTES OF THE SUPREME COURT OF JUDICATURE

Monvielle  
vs  
Eundem } Emot pr Quer eadem moco  
eadem regula in toto

---

Lockerman  
vs  
Bayard } Replicacon filed in two accons abate-  
ment.  
Curia avisare vult.

---

Pinhorne  
vs  
Earle } Emot pr Quer moves for a rule of  
appear. aut. To morrow granted for  
appearance or assignmt of baile bond.

---

Aretse  
vs  
Earle } Emot pr Quer eademe moco eadem  
regula.

---

Mayle  
vs  
Burroughs } Emot pr Quer moves for a rule of  
appear.  
Tudor pr Defte appears.  
Nicoll pr Defte craves oyer of the  
bond.  
Emot moves for rule of pleading  
Thursday assigned for pleading.

---

Bayard  
ads  
Lockerman } Emot pr Defte prays the the baile be  
discharged because the Plaintiffe has not  
entered his Declaracon in two accons.  
It is Resolved to be a rule for the  
future that when the Plt does not file his Declar. before the  
Court sit the deft of course be discharged from the baile  
bond & have his costs.

MINUTES OF THE SUPREME COURT OF JUDICATURE 131

Rascarrik }  
vs }  
Janeway }  
Emot pr Quer moves for appear.  
Tudor pr Defte enters appearance.  
Emot pr Quer moves for rule plead-  
ing, Thursday.

---

Waters }  
vs }  
Bayard }  
Eadem regula ut in Bayard ads  
Lockerman

---

Huddleston }  
vs }  
Sewell }  
Tudor pr Quer moves for appear aut.  
To morrow assigned for appear. or  
baile bond to be assigned.

---

Wood Saml }  
vs }  
Wood Levelett }  
Tudor pr Quer moves for a rule of  
appearance.  
Nicoll pr Defte enters appear.  
Tudor moves for rule of pleading.  
Fryday assigned

---

Venvoos }  
vs }  
Lawrence }  
Tudor pr Quer moves for rule of  
tryall.  
Saturday assigned for tryall.

---

Allison }  
vs }  
Shelley }  
Tudor pr Defte moves for tryall or to  
be discharged it being the 5th Court.  
Unlesse the tryall be brought on by  
the Plt next Court the Defte to be dismissed with costs.

---

Kid }  
vs }  
Shelley }  
Tudor pr Defte, eadem regula.

132 MINUTES OF THE SUPREME COURT OF JUDICATURE

- Venvoos  
vs  
Hedding } Tudor moves the same, eadem regula.
- 
- Creighton  
vs  
Fullerton } Emott pr Quer moves the usuall rule.  
Filkin pr Willm Creed appears confesses lease entry & ouster & desires to be admitted deft, Granted Pleads Genll issue.
- 
- Dom Rex  
vs  
John Fisher } The Defte called and Capt John Evans admitted as his baile.
- 
- Kanche  
ads  
Gouge } Antill pr Quer moves the Sheriffe be amerced for not returning the writt, the Sheriffe of Ulster is to be amerced if he dont return the writt before next Court.
- 

6th Apr. 1698.

City New  
Yorke William Huddleston agt Ann Leunell widd in an accon of Debt upon a bill penall pr 1000 lb defendt comparuit per Ja Emott attornie &c

---

Tudor pr Earle enters appear. at the suite Claus Aertse.  
Cosins Pr Earle enters appear. at the suite of Pinhorne.

---

At a Supreme Court held at New Yorke the  
7th of April 1698  
Present Coll Willm Smith  
Will Pinhorne, Esqre  
Coll Cortlandt. Esqre

Lockerman }  
 vs }  
 Bayard }  
 Emott pr Quer moves for hearing &  
 files repl.                      Granted  
 Curia avisare vult

---

Pinhorne }  
 vs }  
 Earle }  
 Emot pr Quer moves for a rule of  
 pleading. To plead any time before the  
 Court sitt to morrow or judgment.

---

Aertse }  
 vs }  
 Earle }  
 Emot pr Quer eadem moco.  
    eadem regula.  
 Antill pr Defte pleads the Genll issue.

---

Janeway }  
 ads }  
 Rascarrick }  
 Tudor pr Defte enters appearance &  
 pleads Genll issue.

---

Hudleston }  
 vs }  
 Sewill }  
 Tudor moves for liberty to mend the  
 Declaracon, moves for a rule of plead-  
 ing.  
 To plead before sitting of the Court  
 to morrow morning  
 Emot pr Deft prays oyer of the bill obligatory, granted.

---

Dnus Rex }  
 vs }  
 Fisher }  
 Jury called the prisoner arraigned  
    non vul. pro. se.  
 Cornelia Atkinson } Evidence Sworne.  
 Jane Andrews }



134 MINUTES OF THE SUPREME COURT OF JUDICATURE

George Brown, Junr Enters in Recognizance in the sume of fourty pounds to appear here on fryday or Saturday next when called to give evidence agst the three murderers.

Adjourned till afternoon

---

Afternoon the 7th of Aprill 1698.

Present Coll William Smith, Cheife Justice  
Willm Pinhorne, Esqre  
Coll Steph Cortlandt

Donus Rex }  
vs } The Jury Dirck Vanderburgh fore-  
John Fisher } man finde the prisoner not guilty of  
murder but homicide & by misadventure & that he did not flea for it.  
Adjourned till morrow morning.

---

Thomas Clarke, Coroner, complains of David Provoost Junior, Jacob Boelen Leonard Lewis, John Hutchinson for not appearing at the inquest being legally summoned and fined as the Law directs and prays an order for the levying the fine.

---

Burroughs }  
ads } The Deft by William Nicoll pleads  
Mayle } condicon performed.

---

At a Supreme Court held at New Yorke fryday the eighth of Aprill 1698

Present Coll William Smith  
Will Pinhorne  
Coll Steph Cortlandt  
John Lawrence, Esqre.

Dongan }  
vs } Proclamacon made Nicoll pr Quer  
Buckenhoven } prays a tales of two.  
& Jacobus }  
Cornelisse }

Tudor pr Deft moves that Mr Howdon be dismissed after being sworne haveing been Coll Dongans servant, Granted.

Jury sworne

Pr Quer test  
Robt Hawkins Jur  
Capt Clarke Jur

Pr Defte test  
Claus Bowdon Jur

Constable sworne to attend the jury.

---

Huddleston }  
vs } Tudor pr Defte prays for special  
Sewill } baile.

Joseph Smith enters his appearance in Court.

The Deliquents upon the pannells are fined according to instance in 13s 4d each being twenty.

Adjourned till afternoon

---

Postmeridiem

Present Coll Willm Smith  
Willm Pinhorne, Esqre  
Coll Steph Cortlandt  
John Lawrence, Esqre

Dongan }  
vs } The Jury finde for the Plaintiffe from  
Cornelisse } Jacob Cornelisse twenty pound dam-  
ages & six pence costs.

Buckenhoven not guilty.

Adjourned till morrow morning.

Saturday the ninth of April, 1698.

Present Coll William Smith }  
William Pinhorne, } Esqres.  
John Lawrence }

Hudleston }  
vs } The plea of abatemt argurd.  
Sewill } Curia avisare vult.

136 MINUTES OF THE SUPREME COURT OF JUDICATURE

Sealed a venire Tyrens & Cruger & Depeyster  
 a supa in Theobalds case  
 a venire Fullerton vs Theobalds  
 a venire for Rascarrick vs Janeway  
 a supa for ditto

Adjourned for  $\frac{1}{2}$  an hour.  
 Venvoos & Laurence Venire  
 April 9th, 1698

Rascarrick vs Janeway	}	Emot pr Quer Jury sworne	Pr Deft Capt Evans
		Pr Quer test a note under Janeway hand Constable sworne	

Venvoos vs Laurence	}	Jury sworne Tudor pr Quer moves for a tales of two, Granted.
---------------------------	---	--

Emot pr Defte challenges the whole  
 array because the Plt holds their land by corporation title  
 and the persons returned freeman of the City, at the Plts  
 request.

Ordered a special venire issue for a jury out Kings County

Bayard vs Clock	}	pr Replicante Tudor prays judgemt
-----------------------	---	--------------------------------------

Emot pr Defte moves to be served  
 with the books.

Ordered the papers books be made up & that the Deft  
 have a copy of it.

Adjourned to two a clock afternoone

Bayard vs Lockerman	}	in two cases    Ordered the writt abate, being no such writt in the register.
---------------------------	---	--

Huddleston }  
vs } Ordered the Plaintiffe amended his  
Sewill } Declar. paying five Shilling costs.

---

Postmeridiem  
Coll Smith }  
Judge Pinhorne } Esqres  
John Laurence }

Huddleston }  
vs } Tudor moves for a rule of pleading.  
Sewill } To plead & come to tryall this day.

---

Rascarrick }  
vs } The Jury Claus Bowden, foreman,  
Janeway } finde for the Plt 32:6 d damages & 6d  
costs of Court.

---

DePeyster }  
vs } Pannell returned Jury Sworne  
Tyrens & } Pr Quer  
Cruger }

Account Currnt

No. 1 Leger  
2. Leger  
2 small accounts  
book of letters  
Robt Sinclair Jur  
Coll De Peyster Jur

The Jury, Samuel Burt, foreman, finde for the Plt one thousand fourty three pounds eighteen shillings & five pence farthing damages & six pence costs.

---

John Fisher principall }  
Capt John } enter in Recognizance in the  
Evans } sume of One hundred pounds  
Jeremah Tothill } Suretys for the good behaviour of the sd  
John Fisher for a year and day.

138 MINUTES OF THE SUPREME COURT OF JUDICATURE

The Attorney Genll for John Ward moves for a pluries in Execucon the Sheriffe having neglected to serve two writts of possession.

---

Fullerton            }       Nicolls pr Quer moves for a tales,  
      vs                }       Granted.  
Theobalds            }       William Crosse  
                          }       Jury Sworne    Bartholomus La Reaux

Pr Quer test  
Governr Nicolls Patent  
the will of Ann Litcho

Emot pr

If the Court judge the Deed brought in evidence for the Deft a good title they find for the Deft and if otherwise for the plaintiffe 6d damage & 2d costs.

---

Huddleston         }       Emott pr Defte pleads non est  
      vs                }       factum  
Sewill                }

In all the severall cases where a verdict is brought for the Plaintiffe where Mr Nicoll & Mr Emott are concerned they move for judgemt contrary to the severall verdicts which is granted.

---

At a Supreme Court of Judicature held at Flatbush in Kings County the 2d of Augt. 1698

Present Coll William Smith Cheife Justice  
Roeloff Martinsen Schenck  
Nicholas Stillwell  
Circuite Peter Cortilian  
Jan Dekerhouse  
Joseph Hegeman  
Stoffell Probisco  
Court opened by Proclamacon  
the jury Sworne

Esqres Justices

William Simons }  
 vs  
 Claas Simonsen } Tudor pr Quer opens the case.

pr Quer Governr Nicolls Patent.  
 Coll Dongans Patent.

Emot pr Nicoll pr Defte Demures to the Evidences and prays the Jury be dismissed.

The Jury say if the deeds produced by the Plaintiff in Evidence to Witt Governr Nicolls Patent dated the 11th of October 1667 & Governr Dongans Patent dated the 12th of Novemr. 1685 be sufficient in the Law to prove the Plaintiffs title Wee finde for the Plaintiffe & 6d costs and if these Patents are not sufficient in the Law to prove the Plaintiffes title then wee finde for the Deft.

Richard Stillwell, foreman.

Queens }  
 County } ss

Att A Supream Court of Judicture for the Province of New Yorke held at Jamaica the Second Tuesday in August being the 9th day of the same Month in the tenth year of the reigne of our Sovereigne Lord William the third King of England &c.

Ante Merid.

Prsent William Smith, Esqre Cheife Justice  
 John Smith, Esqre }  
 Samll Moore, Esqre } Justices  
 Willm Hallett, Esqre }

Court opened

John Harrison, Esqre Sherriffe of Queens County called who returned a Writte with a panll of the Jurrors names thereunto annexed in which pannell are named/ &c. Jur pannell.

James Fullerton }  
 ver } The Plt appears by Mr Emott and  
 William Creed } the Deft by Mr Filkin who prays a  
 rule of Court that one Mrs Woolsey  
 (who hath the Towne Patent &

Deeds) may be sent for to bring the same into Court. The Court orders she be sent for by the Constable of Jamaica:

Mr Creed moving that in regard he wants some Material Evidences that he cannot have this forenoon that he may [have] time to the Afternoon to come to tryall which is granted by the Court and the Court adjourned untill two of the Clocke in the Afternoone.

Post meridiem

Prsent omnes ut supra.

James Fullerton ver William Creed	}	2 votes of the Towne of Jamaica dated 24 March 1698, read for the plt
---	---	---

A letter from Mr Graham the Attorney Genll to Capt Whitehad dated pmo Aprill 1686 read for Id. another vote of the Towne dated 2 Aprill 1686 read for Id a pattent from Gover Dongan to Capt Whitehead Dated 17 May 1686 read from the same.

Ordered that the Towne Clerke of Jamaica bring into the Court the Towne bookes.

Ed: Higbey Samll Smith Senr Peter Stringham	}	Jurat. pr. Deft
---	---	-----------------

Samll Russoe Jurat pr Defte

Wart Smath Nat Denton	}	Jurat pr Quer
--------------------------	---	---------------

Court Adjourned till to morrow at 6 of the Clock in the morning. Die.

Prsent	William Smith, Esqre Cheife Justice John Smith, Esqre. Willm Hallett, Esqre. }	Justices
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James Fuler-ton ver William Creed	}	The Jury find for the Plaintiffe Six pence damage and two pence Costs
---	---	---

Court adjourned. Sine die.

MINUTES OF THE SUPREME COURT OF JUDICATURE 141

Tuesday           Att A Supreme Court of Judicature  
October 4th 1698 afternoon  
Prsent           Coll Wm Smith.  
                  Coll Steph V. Cortlandt.  
                  Coll. Abra. de Peyster.  
The Court opened.  
Adjourn to 7 a clock to morrow morning.

---

Wensday   5th October 1698   A. M.  
Prsent     Coll. William Smith  
           Coll. Steph. van Cortlandt  
           Coll Abraham de Peyster.  
The Court opened by proclamation.  
The Grand Jury sworne.

Huddleston }  
vs            }     Sewell confesses Judgmt for eighty  
Sewell       }     pounds.

---

Harrison }  
vs        }     Nicolls pr Quer moves yt if there be  
Wood     }     no appearance enter'd the bail bond  
          }     may be assign'd.  
          }     Avisare vult.

---

Carpenter }  
vs         }     Tudor pr Quer moves that the Deft  
Jerom     }     appear to morrow or that the bail bond  
          }     be assign'd. Ordered

---

Burger }  
vs      }     Tudor enters appearance & desires  
Powill }     Leendert Huygen be admitted def-  
          }     fendant. Confesse, lease, entry, &  
          }     ouster & pleads ye generall issue.



142 MINUTES OF THE SUPREME COURT OF JUDICATURE

- |                                |   |  |
|--------------------------------|---|--|
| Vincent<br>vs<br>Laurier       | } | Emot pr Quer moves for a rule of pleading<br>Antill pr Deft to plead to morrow.  |
| <hr/>                          |   |  |
| Syms<br>vs<br>Randolp          | } | Emott pr Quer, moves for special bail, Granted, to be given to morrow.   |
| <hr/>                          |   |  |
| Plowman<br>vs<br>Mary d la noy | } | Emott pr Quer, moves for a day to plead.<br>Cosens pr Defte to plead fryday morning.   |
| <hr/>                          |   |  |
| Harwood<br>vs<br>Wilcox        | } | Antill pr Quer moves for a day to plead.<br>Emott pr Deft, to plead to morrow.   |
| <hr/>                          |   |  |
| Delanoy<br>vs<br>Burger        | } | Antill pr Quer moves for a rule of pleading.<br>Emott pr Defte. appearance enter'd. to plead to morrow                       |
| <hr/>                          |   |  |
| Laurier<br>vs<br>Vincent       | } | Antill pr Quer moves for a rule of pleading.<br>Emott enters appearance: to plead to morrow                                  |
| <hr/>                          |   |  |
| Willox<br>vs<br>Jerom          | } | Nicolls pr Quer moves for assignment of the baile bond, unless he enters appearance on fryday morning before the Court sitt. |

MINUTES OF THE SUPREME COURT OF JUDICATURE 143

Codebeck  
vs  
Westphalia } Cosens pr Quer moves for the bail  
bond to be assigned unless he appear on  
fryday morning.

---

Parmiter  
vs  
Hobart } Cosens pr Quer moves for speciall bail.  
Granted to morrow or the bail bond  
assign'd.

---

Ireland  
vs  
Glover } Nicolls pr Quer moves for a rule of  
pleading.  
Emott pr Defte. fryday before the  
court sitts.

---

Cooreman  
vs  
Ewouts } Nicolls pr Quer, the same Motion  
Emott pr Deft the same rule

---

Willson  
vs  
Weaver } Emott pr Quer moves for special bail.  
Cosens pr Defte Avisare vult.

---

Staats  
vs  
Willson } Cosens pr Quer moves for special bail  
Granted.  
Emott pr Deft.  
Cosen, moves for pleading, to morrow.

---

Lewis  
vs  
Willson } The same motions & rules.

---

DePeyster  
vs  
Willson } The same motions & rules

144 MINUTES OF THE SUPREME COURT OF JUDICATURE

Gouverneur vs Willson	}	The same motions & rules.
—————		
Sydenham vs Young	}	Cosens pr Quer the same motion & rule for speciall rule; to plead a fryday Nicolls pr Defte.
—————		
Sinkclair vs Fletcher	}	Cosens pr Quer. the same motion & rule. Nicolls pr Defte, to plead to morrow.
—————		
Phillips vs Balding	}	Graham pr Quer. moves for special bail Antill pr Defte. to morrow morning before the Court Sitt.
—————		
Burger vs Huygen	}	Emott pr Quert: to come to tryall a Saturday.
—————		
Forester vs Jamain	}	Emot pr Quert moves for a rule for tryall, order a fryday.
—————		
Domn R. vs Jack	}	Prisoner arraign'd, pleads not guilty

Jury sworn

Witnesses  
Thomas Ives.  
Edwd Randolph.  
Tho. Burroughs.

Constable sworn

Jury find ye Prisoner Guilty of fellony & Burglary as he

MINUTES OF THE SUPREME COURT OF JUDICATURE 145

stands indicted & that he has no goods, Chattles, lands & tenement.

Each Constable fined 20s except Barent v. tilburgh & Vincent.

---

Bonifoy  
ads  
Lecount } Emott pr defte moves for costs for want of declaration  
Costs assign'd unless the Plt. declare to morrow.  
Ordered that the defaulters of the grand & petty Jury be amerced a mark.

---

Arnold  
vs  
G. Silverster } Filkin pr Quert moves for a rule to plead.  
Nicolls pr Defte: ordered to plead on fryday morning before the Court sitts.  
Court Adjourned to morrow morning 8 clock.

---

Thursday Att A Supream Court of Judicature 6  
Octobr 1698  
Prsent Coll. Wm Smith  
Coll. Steph. v. Cortlandt  
Coll. Abra. de Peyster  
Court open'd by proclamation

Hobart. principle }  
Miles Forester. surety } each £200 recognizance.

---

Veenvos  
vs  
Lawrence } Tudor pr Quer.

---

Willson  
vs  
Weaver } Emot pr Quer moves for special bail.  
Cosen, rejected, ordered to plead to morrow.



Sydenham }  
 vs }  
 Young }

Same vult.

---

Parmiter }  
 vs }  
 Hobart }

To plead a Saturday.

---

Wood }  
 ads }  
 Harrison }

Cosens pr def. moves for costs because no declaration filed. Order he have further time to plead.

---

Wm Symmons }  
 vs }  
 Claes Symensen }

Tudor pr Quer pray a rule for arguing the demurrer, ordered it be argued to morrow morning.

Mr David Jamison sworn attorney at Law took the oath apointed by Act of Parhamt instead of the oaths of allegiance of supremacy & subscribed the test & association

---

Willox }  
 vs }  
 Jerom }

Miles Forster }  
 John Morehead }

Joynly & severally in ye sum £1000 to abide the Judgmt of the Court before J. Smith

The Court adjourn'd 2 clock afternoon

P. M. Att a Supream Court of Judicature 6 Octor. 1698.

Present William Smith  
 Steph. Cortlandt  
 Abr. De Peyster

The Court opened by proclamation

Veenvos }  
 vs }  
 Lawrence }

The Jury find for the Plaintiff 6s dam. & 3d cost  
 Jochen. Guylick [?] foreman

The Court allows the Jury 6s each

The Court adjourned 8 a clock to morrow morning.

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Syms  
vs  
Randolph } Antill pr Defte pleads the generall  
issue.

Lowrier  
ads  
Vincent } The same plea.

Fryday      Att a Supreme Court of Judicature 7 October  
1698

Present Coll. Wm Smith.  
Coll. Steph. V. Cortlandt.  
Coll. Abr. de Peyster

Sinclair  
vs  
Fletcher } Wm Nicoll } Recogn each  
Ebenezer Willson } £400: to abide the  
determination of  
the Court.

The Court opened by proclamation.

Phillips  
vs  
Baldrige } Adam Baldrige } £5000 Joyntly &  
Edward Taylor } severally recogni-  
zance to abide the  
determination of  
Court.

Forster  
vs  
Jamain } Emot pr Quer      Wm Creed  
moves for tales four      Corn. Lodge  
Jury Sworne      Joh Va Geese  
Ephraim Morse

Pr Deft      Witt.  
Michael Bassett      Bassets certificate  
Zacharia Wicks      Bassets affidavit  
Mr Jamain instructions  
2 accounts.

Constable sworn.

Carpenter  
vs  
Jerom } Tudor pr Quer moves for the bail  
bond assigned.  
Granted

---

Phillips  
vs  
Baldrige } Jamison pr Quer. moves for a rule to  
plead.  
Antill pr Deft. order to plead to mor-  
row before the Court sitt.

---

Randolph  
ads  
Syms } Antill pr Deft moves that that tryall  
may be brought on this term.  
Avisaire vult.

---

Willox  
ads  
Jerom } Nicolls pr Quer prays that the deft  
may be oblig'd to plead so as to come  
to tryall to morrow.

---

Symons  
vs  
Symonson } Tudor pr Quer moves for a rule to ar-  
gue the demurrer to day. ordered it be  
the first thing done to morrow morning.

---

Whitehead  
vs  
Creed } Emot pr Quer moves the arguing the  
arrest of Judgmt ordered it be argued  
to morrow morning.

---

Sydenham  
vs  
Young } Cosens pr Quer moves for special bail  
because he was maim'd.





MINUTES OF THE SUPREME COURT OF JUDICATURE 151

Willson  
vs  
Weaver } Emot pr Quer moves for a rule for  
tryall. Avisare vult

---

Whitehead  
vs  
Creed } Emot pr Quer: moves for Judgmt  
upon the writt of error.

---

Wm Simons  
vs  
Claes Simmson } Nicolls pr deft moves that the roll  
may be rejected because both the deeds  
were not inserted.  
Granted.

---

De la Noy  
ads  
Burger } Emot pr deft moves for abatemt of  
the writt.  
Granted to be dismiss'd with costs.  
Ordered that Mr Adolph Phillips &  
Mr Robert Lurting do appraise the Goods seiz'd belonging  
to Mr Owzeel Van Swieten & Mr Edwd Taylor.

---

Sinclair  
vs  
Fletcher } Nicoll enters his plea.

---

Johannes  
Burger  
vs  
Leendert  
Huygen } the Jury called 1st mocon & rule for tales  
of 5.  
2d mocon & rule for tales  
of 3.  
3d mocon & rule for tales  
of 1.  
Jury sworn

152 MINUTES OF THE SUPREME COURT OF JUDICATURE

	Witnesses	Pr Deft
Pr Quer	Kiefts pattent	Wm Teller, Senr.
	Fletcher confirmation	Martj Kip
	Henry Hedger	Casper Steynmets
	Albert Leendarts	Arent Duyking
	Joris Jacobs	Henry Janse to Burger Joris
	Wm White	Burger deed to Leroy [or
	Fred. Gysbertse	Lewis]
	Jost Cornelisse	Nicolls pattent
	Constable sworn.	

---

Hubbart vs Parmiter	}	Emott pr deft enters his Plea.
---------------------------	---	--------------------------------

---

Willson vs Weaver	}	Emot pr Deft moves for rule for tryall, ordered it come to tryall this after- noon.
-------------------------	---	---

---

Harrison vs Wood	}	Nicolls moves for rule of pleading, Ordered to plead the first day of the next term
------------------------	---	---

---

Veenvos vs Heddings	}	
---------------------------	---	--

---

Cordeben vs Westphalia	}	Cosens pr Quer moves for to have the bail bond be assign'd, Granted.
------------------------------	---	---

---

Domn. Reg. vs Jack	}	Judgmt of Death pass'd agst the Prisoner.
--------------------------	---	--

Court adjourned 3 a clock afternoon.

MINUTES OF THE SUPREME COURT OF JUDICATURE 153

Whitehead }  
vs }  
Creed } Ordered Judgment be entered according to the verdict.

---

P. M. October 8 1698  
Prsent Coll. Wm Smith  
Coll. Steph Cortlandt  
Coll. Abr. de Peyster  
Court opened by proclamation  
Johanis Burger }  
vs } Lancaster Syms, foreman.  
Lender Huygen }  
& 6d cost. } Jury find for the defendant 4d dam.

---

Syms }  
vs } Ordered Mr Joh. va. Cortlandt be  
Randolph } discharged from his bail & Mr Randolph  
be taken into custody.

---

Randolph }  
ads } The Court accepts of Mr Randolph  
Symes } personall appearnc. because it appears  
to the Court that Mr Randolph is upon  
extraordinary business of the Kings.

---

Willson }  
vs } Jury Sworn. Motion & rule for tales.  
Weaver } Wittnesses  
Pr Quer Tho Palmer  
Math. Lings deposition.  
Constable sworn

Ordered that the defaulters of the pettit Jury be amerced thirteen shillings & four pence.

154 MINUTES OF THE SUPREME COURT OF JUDICATURE

Allison  
vs  
Shelly } Tudor pr Quer moves that they may  
have costs.  
Emott pr deft. moves for tryall pur-  
suant to the orders of the last court:  
The Court is of opinion that the defendant shall have  
his cost.

---

Wilson  
vs  
Weaver } William Anderson foreman  
The jury finds for the Plt. 500£ five  
hundred pounds damages & six pence  
costs.  
The Court adjourned sine die.

---

Creed  
ads  
Whitehead } Wm Creed  
Henry Coleman  
Henry teneyck  
Recogni. in £500: to prosecute a  
writt of error before the Governr & Council at or before the  
first day of May Next taken ye 9th of October 1698, pr  
Wm. Smith

---

Blagge  
vs  
Hungeford } Edwd Blagge  
Stephen de lancy  
Recog: Joyntly & severally in the  
sum of £80 to abide the determination of the Supreme  
Court in Aprill next taken the 30th of November berore J.  
Guest.

---

Briganten  
Swift  
ads  
Hungerford  
£270 } Adam Baldrige  
Edward Taylor  
James Emot } Recog: £270. 0-0.  
to abide the deter-  
mination of the  
next Supreme  
Court of Judica-  
ture in Aprill next. Taken the 31st  
November before J. Guest.

MINUTES OF THE SUPREME COURT OF JUDICATURE 155

Tuesday Att a Supream Court held the 4th day of  
April 1699

The four Justices Comicon read

Prsent

Wm Smith } Esqres Stephen Van Cortlandt } Esqres  
John Guest } Abra: de Peyster }

Court opened by proclamation

Grand Jury Sworn; Lawrence Reed, foreman

Adjourned to 9 a clock to morrow morning.

Wednesday the 5 April 1699

Prsent

Wm Smith } Esqrs. Stephen Cortlandt } Esqres.  
Jno Guest } Abra. de Peyster }

Court open'd by proclamation

Crocheron }  
vs } Deft confesses Judgment for £32. 16.  
Presher } with costs.

Willson }  
vs } Cosens pr Deft. enters appearance.  
Reyers } Emott pro Quer: moves for a rule  
to plead.  
Ordered the deft have time untill to  
morrow

Lawrence }  
vs } Boudinutt dewitt, in own prson  
DeWitt } enters his appearance.  
Emott pro Quer, moves for a rule  
to plead.  
Order to plead on fryday.

Heath & uxr }  
vs } Antill pro Deft, enters appearance.  
Blydenburgh } Emott pro Quer. moves for a rule to  
plead.  
Ordered to morrow.

156 MINUTES OF THE SUPREME COURT OF JUDICATURE

King  
vs  
Roberts } Jamison pro Deft. enters appearance.  
Emott pro Quer. moves for a rule to  
plead.  
Ordered he plead to morrow

---

King  
vs  
Le Feurt } Bart. Le feurt in his own prson enters  
appearance.  
Emott pr Quer. moves for a rule to  
plead.  
Ordered to plead on fryday.

---

Gouge  
vs  
Noxon } Graham pr Deft. enters appearance  
Emott pro Quer. moves for a rule to  
plead  
Ordered he plead on Fryday.

---

Taylor  
vs  
Sneading } Sneading appears in his own person.  
Emott pr Quer: moves that ye deft  
may give bail to ye action or stand  
committed. Ordered he stand comitted  
Emot moves for rule to plead. Ordered to morrow.

---

Dne. R.  
vs  
Swift } Emott prays Edwd Taylor may be  
admitted deft.  
Cosens pro Quer moves for a rule to  
plead.  
Ordered to plead to morrow.

---

Dne R.  
vs  
Concord } Emott prays Capt John Blake may be  
admitted Deft.  
Cozens pro Quer. moves for a rule to  
plead,  
Ordered fryday to plead.

MINUTES OF THE SUPREME COURT OF JUDICATURE 157

Dne  
vs  
Pipe staves } Emott prays Charles Wooley be admitted defendant.  
Cozens pro Quer. moves for a rule to plead.  
Fryday to plead.

Dne Reg  
vs  
Wm & Thomas }

Jamain  
ads  
Jay } Tudor pro Defte moves they may be discharged with costs there being no declaration filed. Granted

Jamain  
vs  
Cromiline } Tudor pr Defte the same motion & rule.

Preshar  
ads  
Crocheron } Tudor pr Defte the same motion & rule.

DeMeyer  
ads  
Dne Reg. }

Dne R.  
vs  
Floyd } Certiorari. precipit referr'd to the Attorney Generall.

Beekman  
ads  
Dne Reg. } Cosens pro Defte moves to be discharged no declaration filed. Granted.

Adjourned 10 a clock to morrow morning.



158 MINUTES OF THE SUPREME COURT OF JUDICATURE

Thursday At a Supream Court held at the Citty Hall  
of the city of New York, 6th day of Aprill,  
1699.

Prsent Wm Smith } Esqres.  
Jno Guest }

Court opened by proclamation  
Adjourned 2 a clock afternoon.

---

Post meridian 6 April 1699.

Prsent Wm Smith } Esqs. Steph Cortlandt  
Jno Guest } Abra. de Peyster.  
Court opened by proclamation.

Dom Rex. }  
vs } Emott pro Deft pleads the Generall  
Briganteen } Issue, not Guilty.  
Swift }

---

Dom Rex }  
vs } Emott pro Defte plead the Generall  
pipe staves } Issue, not Guilty  
to come to tryall to morrow.

---

Willson }  
vs } Cosens pro Defte gives affidavit he  
Reyerse } cannot have evidence this term but be-  
lieves he may have them next term.  
Curia avisare vult.

---

Taylor }  
vs } Cosens pro Deft pleads the generall  
Sneeding } Issue.  
Emott pro Quer: to come to tryall on  
Saturday.

---

Heath & ux. }  
vs } Avisare vult.  
Blydenburgh } Tudor pro Quer is security for the  
costs of court.

King }  
vs } Tudor pr Defte pleads the Generall  
Roberts } Issue, not Guilty.  
Adjourned 8 a clock to morrow  
morning.

---

Fryday At a Supream Court 7th April, 1699.  
Prsent Wm Smith } Esqres Stephen Cortlandt  
Jno Guest } Abra. de Peyster

The Grand Jury present the Citty of New York for not  
cleansing &c the Dock of the sd Citty, also the constables of  
the said Citty for not endeavouring to keep the Youths &  
Negros from playing publicly on the streets on Sundays.

---

King }  
vs } Emott pro Quer gives notice of tryall  
Roberts } to be to morrow.

---

Hungerford }  
vs } Cozens pro Quer moves for tales 2  
Woolley } Jury sworn. John Johnson  
Tirk Vanderburgh  
Court adjourned for 2 hours. Opened  
by proclamation. Evidence pr Defendt  
Reading a Certificate  
Joh Johnson foreman of Jury find for the Defendant.

---

The Grand Jury present Cornelius De Peyster  
Mercht for unjustly digging a certain trench  
or Ditch in the publick Street of the Citty of  
New York.

Gouge }  
vs } Graham pro Deft pleads the Genll  
Noxon } Issue, not Guilty.

160 MINUTES OF THE SUPREME COURT OF JUDICATURE

Dom Rex } Ordered the sheriff of Ulster County  
 vs } bring the body into Court the last day  
 De Meyer } of the term or be amerced.

---

Heath } If the wife produce a letter of At-  
 vs } torney from her husband the plea to  
 Blydenburg } be allow'd.

---

King }  
 vs } Nicolls pro Defte pleads nonage.  
 Le Fuert }

---

Dom. Rex. }  
 [vs] } Emott pro Deft pleads the Genll  
 Jno Blake. } Issue, not guilty.

---

Lawrence }  
 vs } Cosens pro. Deft pleads special  
 DeWitt }  
 Adjourned til to morrow morning 8  
 a clock.

---

Saturday At a Supream Court held the 8th Aprill 1699.  
 Prsent Wm Smith } Esqres Stephen Cortlandt } Esqres  
 Jno Guest } Esqres Abra: de Peyster }  
 Court open'd by proclamation.

---

Heath }  
 vs } the plaintiff hath time till next term  
 Blydenburg } to prove her letter of attorney.

---

Taylor }  
 vs } Emot pro Quer } Barent Van Tilburgh  
 Sneeding } moves for 2 tales } Alexander Paxton

Cosens pro Deft prays he may be brought to the barr which is allow'd.

Jury Sworne

Pr Quer            Witnesses            Robt Sinclair, foreman  
                         Jno Cornill  
                         Tho Hicks  
                         Tho Karle & his wife

The Jury find for the Plaintiff £160 dam. & 6d costs,  
One hundred & sixty Pounds.

Constable sworne

---

Dom'Rex  
ver  
Cornelius D.  
Peyster

Mr Nicolls moves that the usual process be made upon the said Presentmt. Granted.

---

King  
ver  
Roberts

Jury Sworne  
Pr Quer, Evidences    Pr Defte.  
Sussanna depuy    Nahars letters  
Michael Hawdon  
Mrs Lewis    Constable sworn

Joh. Johnson foreman

The Jury find for the plaintiff five & twenty pound damages & 6d costs.

---

Dom Rex  
ver  
Mary Finlinson

The Grand Jurors present Mary Finlinson for having two Bastard Children not three months old &c; & pray the Courte put this in form &c: the Courte Order the Common process be made Accordingly.

---

Dom Rex  
ver  
Wynkey  
Lawrence

The Grand Jury doe present Wynkey Lawrence of New Yorke for having A Bastard Child by a Negro & pray the Courte put this in forme &c: the Courte Order the Common process be made accordingly.

Adjourn 3 in the afternoon

162 MINUTES OF THE SUPREME COURT OF JUDICATURE

P. M.

Present Wm Smith } Esqres. Abra. de Peyster  
Jno Guest } Steph. Van Cortlandt

Court open'd by Proclamacbn

Hungerford }  
as well &c. } Cosens pro Quer moves for 1 tales.  
vs } Granted. Direk Van der Brug  
John Blake }

Jury Sworn Emott pro Defte. Evidence  
Thos Palmer

Clause of an Act of ye 14 C. II.

Robt Sinclair, foreman.

The Jury find for the Defendant

6d cost.

Willson  
vs  
Reyerse }

To come to tryall next terme  
Adjourned sine die

Att a Supream Court of Judicature held at  
the City Hall of the City of New York the  
3d day of October 1699.

Present Coll William Smith  
Coll. Steph van Cortlandt  
Coll. Abra. de Peyster

Court open'd by proclamation.

Grand Jury Sworn, Capt Willm Morris, foreman  
Adjourned 10 a clock to morrow morning.

Att a Supream Court 4th day of Oct 1699

Wednesday  
Present

Coll. William Smith  
Coll. Steph: van Cortlandt  
Coll. Abra. de Peyster  
Court open'd by Proclamation

James Fullerton }  
vs }  
George Jewell }  
Tienhoven }  
oath of the service of the declaration.

---

James Fullerton }  
vs }  
George Jewell }  
The same motion & rule  
Judith d'Mercier tenant in possession.

---

James Fullerton }  
vs }  
James Creghton }  
Emott pr Quer make the same motion.  
Tudor pr Defte prays that Engelje  
Burger be admitted defendand and confesses lease, entry and ouster.

---

James Fullerton }  
vs }  
Tho. Davis }  
Emott pr Quer moves the same as  
above,  
the same rule as the first.  
Geesie Van Clyf tenant is possession.

---

James Fullerton }  
vs }  
James Crieghton }  
Emott pr Quer.  
The same motion and rule as in the  
first.  
Duyking, [tenant in possession.]

---

Van Swieten }  
vs }  
Andr. }  
Gravenraedt }  
Emott pr Quer moves that the Defte.  
appear to morrow or the bail bond  
assign'd.

164 MINUTES OF THE SUPREME COURT OF JUDICATURE

- Jacob Kipp  
vs  
Geesie  
Vander Clyf } Emott pr Quer the same motion and  
rule.
- 
- Kathe de Puy  
vs  
George  
Sydenham } Emott pr Quer the same motion and  
rule.
- 
- George Walker  
vs  
Sarah  
Grevenraedt } Emot pr Quer the same motion and  
rule.
- 
- John Merrett  
vs  
John Coe } Tudor pr Quer moves that the Sheriff  
bring the body of the defendt into  
Court or the Sheriff be amerced. Curia  
avisare vult  
Tudor pr Quer moves for habeas Corpus.
- 
- Kathrin  
Van Brugh  
vs  
Jacques  
Cortileau } Tudor pr Quer.  
Nicolls pr deft. enters appearance
- 
- Roger Thomas  
vs  
George  
Sydenham } Anthill pr Quer. moves that if the  
Defendt appear not to morrow the bail  
bond be assign'd. Granted
- 
- John Finny  
vs  
Jacobus  
van Rollegum } Antil pr Quer the same motion &  
rule

Nicolas Blank }  
 vs }  
 John Peters }  
 Melott }

Antil pr Quer the same motion & rule

---

Roger Baker }  
 vs }  
 Jasper Griffin }

Antill pr Quer the same motion & rule

---

Edwd Taylor }  
 vs }  
 Isaac }  
 De Riemer }

Antill pr Quer.  
 The defendt appears in his proper person.  
 Antill pr Quer. moves that that the deft plead 14 days before the next term.  
 Granted.

---

Gerardus }  
 Beekman }  
 vs }  
 John }  
 Lamberse }

Parmiter pr Quer. Nicolls pr Deft.  
 The Defendt appears in his }  
 proper person }  
 Parmiter pr Quer moves for }  
 special bail } avisare vult

---

Stephen }  
 de Lancey }  
 vs }  
 John Wake }

Jamison pr Quer.  
 Emott pr Deft. enters appearance

Jamison pr Quer. moves for special bail, or the defendt to plead to morrow issuable so to come to tryall this term.

---

Ebenezer }  
 Willson }  
 vs }  
 Gervas }  
 Marshall }

Nicolls pr Quer moves the deft appear to morrow or the bail bond assign'd.  
 Granted.

---

Geessi Van Clyf }  
 vs }  
 Harmon }  
 Lawrier }

Nicolls pr Quer the same motion and rule



166 MINUTES OF THE SUPREME COURT OF JUDICATURE

Content Titus }  
vs }  
Cornelis }  
Sybering }  
} Emott Pr Quer moves for a rule to  
} plead, ordered on fryday.

---

Wandall }  
vs }  
Alsop }  
} Alsop appears in his proper person.  
} Parmiter moves for special bail his  
} appearance, allow'd to plead on fryday.

---

Parmiter }  
vs }  
Woerdon }

---

Hungerford }  
vs }  
East Indian }  
Goods }  
} Antill pr Deste, disires Robt Hack-  
} shaw to be admitted defendt, the  
} plaintiff call'd but appears not. Antill  
} moves that the goods be discharg'd.  
} Avisare vult.

Adjourned to 11 a clock morning.

---

Die Jovis undecima hore Ante Meridiem

Present Coll William Smith, Chief Justice  
Coll Stephanus V:Cortlandt  
Coll Abraham D:Peyster

Rule of Courte out of the Statute of the fourth & fifth of William and Mary Vizt. if Any Defendts. be taken or charged in Custody upon any writt or Writts out of this Courte & Detained for want of Sureties for their Appearance the Plaintiffs may before the end of the Next Terme after such writt or Process shall be Returnable declare Agt such Prisoners in the Courte out of which the writt shall Issue and Cause a Copy thereof to be delivered to such Prisoner or the Gaoler in whose Custody he shall Remaine to which if the said Prisoner shall not appear and Plead the Plaintiff shall have Judgment as if he had Appeared and Refused to answer or Plead.

MINUTES OF THE SUPREME COURT OF JUDICATURE 167

Gerrardus  
Beeckman  
ver  
John Lambertse } Parmyter Pr Quer prays A Rule for  
Special Baile this Courte else A writt  
of Procedendo &c: Granted.

---

Ouzeel V:  
Swieten  
ver  
Andries Gre-  
venraet } Parmyter appears pr Defendt Emott  
pr Quer prays a Rule to plead.

---

Parmyter prays time of Imparlance

---

Jacob Kip  
ver  
Geeshe van  
Clyfe } Emott pr Quer prays ye: Baile bond  
be Assigned. Granted.

---

Katherine  
Depue  
ver  
George  
Sydenham } Emott pr Quer prays ye Baile Bond  
be Assigned. Granted.

---

George  
Walker  
ver  
Sarah Gre-  
venraet } Nicoll pr Defendt, Emott pr Quer  
prays A Rule to Plead. Nicoll pr  
Defendt prays an Imparlance. The  
Defendt. to Plead Issuable 14 days  
before the next Courte.

---

Mary Barry  
ver  
John Van Struy } Emott pr Defendt prays the Plain-  
tiff be non-suite & pay Costs for want  
of a Declaration. Granted.

---

John Heath  
& ux  
ver  
Jo Blydenburgh } Emott pr Quer prays the Defendt  
plead to morrow he having Prov'd his  
letter of Attorney. Granted.

168 MINUTES OF THE SUPREME COURT OF JUDICATURE

Ebenezer  
Willson  
ver  
Jarvis Marshall

Emott pr Appears pr Defendt.  
Nicoll prays A Rule for Speciall Baile  
or the Baile Bond be Assigned. The  
Defendt to give special Baile to morrow  
before the sitting of the Courte else the  
Baile bond to be assigned.

---

Geeshe  
Vandercluf  
ver  
Harmon  
Laurier

Emott appears pr Defendt Nicoll pr  
Quer makes the same Motion & prays  
the same Rule. Granted.

---

Engelbert Lott  
quietam  
ver  
Sundry Goods

Information Read, Reading A  
Warrant.  
Curia avsiare vult.

---

Ducie Hunger-  
ford, quietam  
ver  
Sundry Goods

Information Read. 2 Acts of Par-  
liament read pr Quer.  
Curia avisare vult.

---

Roger Thomas  
vs  
George  
Sydenham

Anthill pr Quer moves that the bail  
bond be assigne'd Granted.

---

John Finny  
vs  
Jacobus  
Von Rollegum

Emott pr Deft appears to plead to  
morrow morning.

---

Nicolas Blank  
vs  
Jon Peter  
Melott

Emott pr Deft appears to plead to  
morrow before the court rise.

Adjourn 3 a clock afternoon

MINUTES OF THE SUPREME COURT OF JUDICATURE 169

Afternoon 5th October

Prsent Coll William Smith  
Coll. Steph van Cortlandt  
Coll. Abra. de Peyster  
and Capt Robt Walters comicon published.

Van Swieten }  
vs } The Deft deposition read. Ordered  
Grevenraed } the defendt plead 14 days before the  
next term.

---

James Fullerton }  
vs } Emott pr Quer. moves that if the  
John Davis } tenant in Possession or some other  
upon demise of } person concerned in the title do not  
Coll Depeyster } appear to morrow then Judgment to go  
against the Casual Ejector. Granted.

---

Jacob Kip }  
vs } The same rule that was Granted this  
Geesie Van- } morning is confirm'd.  
der Clyf }  
Adjourned 9 a clock to morrow  
morning.

---

Fryday A Supream Court held the 6th day of  
October 1699  
Present Coll. William Smith Cheif Justice  
Coll. Stephenus van Cortlandt  
Coll. Abra. de Peyster  
Court opened

Fullerton }  
vs } Tudor pr Deft desires that Luycas  
Jewell } Tienhoven be admitted defendt con-  
fesses lease ontry and ouster and stand  
only upon the title & pleads the Gen-  
erall rule.

170 MINUTES OF THE SUPREME COURT OF JUDICATURE

Fullerton  
vs  
Crieghton

} Graham pr Deft the same rule that  
Gerrit Duyken be admitted defendant  
de Mercier tenant in possession.

---

Fullerton  
vs  
Thomas Davis

} Coll De Peyster withdrew and Capt  
Walter, came to ye bench.

Antill pr Defte. Geesi Van der Clyf  
Defendt the same rule, Anthill moves for imparlance.

Geesse van der Clyf Deposition read. Ordered that  
Capt Walters take the Deposition of Geessi van Clyf.

---

Jacob Kip  
vs  
Geessi  
Van der Clyf

} Emott pr Quer, ordered the bail bond  
be assigned. Capt Walters left the  
bench.

---

Fullerton  
vs  
Crieghton

} Parmiter pr Deft confesses, lease,  
entry and ouster and pleads the Gen-  
erall rule.

George Sydenham desires to be ad-  
mitted defendt. ordered they come to tryall the 1st day of  
next term.

---

Rollgom  
vs  
Finny

Geesie  
Van der Clyf  
vs  
Laurier

} To plead to morrow Emott pr Defte

---

Willson  
vs  
Marshall

} Nicolls pr Quer ordered the bail bond  
be assign'd

MINUTES OF THE SUPREME COURT OF JUDICATURE 171

De Lancie } Jamison pr Quer moves for special  
vs } bail, Granted upon condition he bring  
Wake } on the tryall this Court.

---

John van Cortlandt sworn to give evidence to the Grand Jury.

---

Merrett } Tudor pr Quer moves that appear-  
vs } ance be entered to morrow during the  
Coe } sitting of the Court. Tudor making affi-  
davit of the Service of the declaration.

---

Laurier }  
ads } Harmon Laurier  
Van der clyf }

Daniell Devoir enters in recognizance in the sum of fourty & eight pound to stand to the determination of the court. Taken before Coll. Smith.

Adjourn to 8 a clock to morrow morning.

---

Saturday At a Supream Court held the 7th of October 1699.

Prsent Willm Smith, Esqre Chiefe Justice  
Steph van Cortlandt, Esqre  
Abraham de Peyster, Esqre  
Court opened.

Thomas Sutton comes into court and desires that Capt Ebenezer Wilson and Capt Jeremy Tothill be admitted his Guardians. Granted

---

Merrett } Tudors deposition taken.  
vs } Emott enters appearance pursuant to  
Coe } an Act of Parlimt of the 4th year of  
William & Mary, ordered the Deft  
plead 14 days before next Court.

172 MINUTES OF THE SUPREME COURT OF JUDICATURE

Beekman } Jan. Lamberse Recogn in £1000  
vs } Jacobus Cortland Joyntly and severally  
Lamerse } Jacobus DeKey to stand & abide the  
determination of this Court.

Ordered the Deft plead 14 days before next term.

---

Fullerton }  
vs } Vander Clyf deposition read.  
Van der Clyf } Ordered to come to tryall next Court.  
Silence Ford sworn to give evidence  
to G. Jury  
Peter Resoo sworn to give evidence to the Grand Jury  
Mat. Clarkson also sworn.

---

Delancie }  
vs } Jury called  
Wake } Jamison pr Quer moves for one tales,  
Granted.  
Robt Sinclair  
Jury Sworn

Jamison pr Quer, declaration, plea & reply & issue read  
Evidence pr Quer Evidence pr Defte  
Phillip French John Dillon  
Rip Van Dam Henry Swinard  
Robert Lurting John Hodge  
James Mills Charles Bedwell  
Cleghorn

Constable sworn

---

Dom. Rex }  
vs } The Grand Jury present Jannetje  
Jannettje Barber for entertaining of negroes con-  
Barber } trary to Law. & pray the Court will put  
it in form. The Court order the Com-  
mon process be made accordingly.  
Arthur Bunyan sworn to give evi-  
dence to the Grand Jury.

MINUTES OF THE SUPREME COURT OF JUDICATURE 173

Wandall }  
vs }  
Alsop } Emott pr Deft. desires they be dis-  
mist with costs. Granted.

---

Rollogom }  
ads }  
Finny } Emott pr Deft the same motion &  
rule.

---

Blydenburgh }  
ads }  
Heath } Ordered that the Deft prove the  
Death of the Plant. by next court other-  
wise than by a letter now produced.  
Adjourned till 3 a clock in the after-  
noon.

---

Afternoon 3 of the clock.

Same prsons present  
Court open'd

Engelbert Lott }  
vs }  
Sundry Goods } It is the opinion of the court that  
Engelbert Lott Esqre. high Sheriff of  
Kings County hath the right of inform-  
ation (the information read).

Emott prays that Robert Allison,  
Mercht may be admitted Defendt. Emott pr Quer. pleads  
the Generall Issue, not Guilty in manner & form as in the  
Information is alleadged.

---

Nicolls for Capt Shelley moves that a habas Corpus may  
be granted returnable imediately for the Sheriff to bring the  
body into Court that the Court may determine whether he  
be bailable or whether he ought to be discharged.

Curia avisare vult.

The same Motion for Otto Van Tuyle, the Attorney Gen.  
prays time. The Grand Jury Present Simon Smith  
Chaplin of his Majestys fort of New York for marrying  
Elizabeth Buckmaster wife of Edw Buchmaster to Adam  
Baldrige without a lycence for so doing.

Ordered that the said presentment be recomended to  
his Honour the Lt Governour; and at the same time his



174 MINUTES OF THE SUPREME COURT OF JUDICATURE

Honour be acquainted that upon reading the said presentmt the sd Smith did contemptiously utter severall scurrilous expressions to the scandall of his function the abuse of ye Grand Jurors & dimpnution [diminution] to the dignity of the Court. But in regard he exeeuting the office of a Priest in the Church of England & Chaplain to his Excell. the Earl of Bellomont the Court would not put any censure upon him for such his contempt but recomend the same to the consideration of His Honour the Lt Governr to do therein what in his prudence & discretion he shall think convenient.

---

Delancy }  
vs }  
John Wake }      Lawrence Read foreman, the Jury find for the Plaintiffe & that the defendt do pay unto the plaintife the sum of five hundred and fifty pounds eight shillings and three pence currt money of New York wth six pence costs the said defendt is to have all the goods and if any sold by the plaintife he is to be accountable to the defendt of what shall be disposed of said goods.

Whereas there was some objections made to the latter part this verdict is agreed to by both plaintife and defendt. that they will be concluded & perform the said verdict and release errors on either side.

Ordered that the defaulters of both Grand & Pettit Jurys be amerced 13s 4d.

---

Dom. Rex }  
vs }  
Boudewyn de }  
Witt }      Ordered that Boudewyn de Witt high Sheriff of Ulster County be amerced ten pounds for that he hath not made return of a writt to him directed to take the body of Willm De Meyer at the Kings suit.

Adjourned sine Die.

---

Hellegond }  
Slechtenhorst }  
ads }      Recognce Jacobus Verplank his heirs, executors & administrators bound in £100 that Hellegond Slechtonhorst shall stand and abide the determination of the Supream Court in April next, 1700, at the suit of Syndenham befor S. V. George Sydenham }  
Sydenham }  
Cortlandt in an action of trespass upon the case.

MINUTES OF THE SUPREME COURT OF JUDICATURE 175

Dom. Rex } William Sharpas & John Bulkeley  
vs } enter into recognizance as security for  
Fred Platt } Fredrick Platt in the sum of £100 each  
himself, in £200 for himself for the  
personall appearance of the sd Fredrick Platt at the next  
Supream Court of Judicature to answer for the death of an  
Indian boy called Hope dated 27 Decembr 1699 taken before  
St. van Cortlandt

---

Deacons of } Edwd Anthill & Thomas Child enters  
Dutch Church } into Recognizance in ye sum of £100  
vs } each that Robt Everendyn shall stand  
Robt Ever- } & abide the determination of the  
endon } Supream Court in an Action of Debt  
at the suit of the said Deacons before  
St. van Cortlandt

---

John Cuyler } William Nicoll enters into recogn:  
vs } in the sum of £200 that Killiaen  
Kiliaen van } Renselaer shall stand and abide the  
Renselaer } determination of the Supream Court  
in an action of Debt 21st February 1699  
Taken before St. van Cortlandt.

---

At a Supream Court of Judicature held for the  
Province of New York the 2d day of April 1700  
in ye City of New York.  
Tuesday Prsent Coll. Wm. Smith.  
Coll. Abra de Peyster.  
Court opened by proclamation.  
Adjourned to morrow morning 8 a clock

---

Wendsday At a Supream Court of Judicature held ye 3d  
of April 1700 in the City of New York  
Prsent Coll. Willm Smith  
Coll. Abra. de Peyster  
Capt. Robt Walters  
Capt Walters commicon publish'd.

176 MINUTES OF THE SUPREME COURT OF JUDICATURE

Court opened by proclamation.

Grand Jury Sworn Tho. Noell, foreman

Beekman vs Sydenham	}	To come to tryall to morrow
<hr/>		
Heath vs Blydenburg	}	The Plt dead.
<hr/>		
Fullerton ver Van der Clyf	}	Emott pr Quer moves for a Comicon for another Justice, Coll de Peyster being the Lessor of Plaintiff in the action.
<hr/>		
Merritt ver Coe	}	Emot pr Defte pleads in abatement, overruled. Guest pr Quer moves for a rule to plead to morrow Ordered the Deft plead on fryday before the sitting of the Court.
<hr/>		
Blank vs Melot	}	Anthill pr Quer. ordered the Deft re-joyn till Fryday before the sitting of the Court.
<hr/>		
Vander Clyf ver Laurier	}	Nicolls pr Quer. Emott pr Deft. ordered the Deft plead to morrow.
<hr/>		
Lott as well &c agst East India Goods	}	To come to tryall to morrow.

MINUTES OF THE SUPREME COURT OF JUDICATURE 177

Parmyter }  
ver } Plaintiff moves for appearance and  
Hungerford } speciall bail.  
Emott pr Deft. avisare vult.

---

Parmyter }  
vs } Parmyter  
Hungerford }

---

De Pue }  
ver } Ordered if the Deft appear not by the  
Farquar } last day of the term bail bond be  
assign'd.

---

Smith }  
vs } Parmyter pr Quer  
Mongomery } Guest pr Deft prays that Nathanll &  
Richd Seamans be admitted defendants.

---

Nightingale }  
vs }  
Freeman }

---

Sydenham }  
vs } Parmyter pr Quer.  
Taylor } Anthill pr Defte. ordered he give in  
speciall bail

---

Everendon }  
vs } Parmyter pr Quer if ye Deft appear  
Farquar } not by the last day of the term the bail  
bond assign'd.

---

Parmyter }  
ver } Parmyter pr Quer  
Finch } Emot pr Deft desires time till to give  
in speciall bail on Thursday Granted

178 MINUTES OF THE SUPREME COURT OF JUDICATURE

Domi Rex ver Ph. French	}	Parmyter  -----
Domi Rex vs Cor. Tenyck	}	retraxit  -----
Domi Rex vs Abra. Santvoord	}	retraxit  -----
Wake ver Emott	}	 -----
Taylor vs Cooper	}	Nicoll pr Quer. Ordered that the tenant in possession or some other per- son concerned in the Title plead the first day of next term or else Judgment to go against the Casuall Ejector.  -----
Norris vs Green	}	Nicoll pr Quer ordered that the tenant in possession or some other per- son concern'd in the title plead the last day of the term or Judgmt to go agst the Casuall Ejector.  -----
Noxon ver Martin	}	Nicoll pr Quer Emot pr Deft to plead fryday.  -----
Elmendorp ver Lawrence	}	Nicoll pr Quer Emot pr Defte, the same rule.

Westphalia }  
ver }  
Swarthout } Nicolls  
to appear on Fryday or the bail  
bond assign'd.

---

De Peyster }  
ver }  
Fortune } Nicoll  
the same rule.

---

Richd Doe }  
ver }  
John Doe } Jamison pr Quer. If the tenant in  
possession or any other person con-  
cern'd in the title appear not by the last  
day of the term then Judgmt to go  
agst the Casuall ejector.

---

Humphrey }  
Corsly }  
ver }  
Tho. Spread } Jamison pr Quer prays speciall bail.  
Emot pr Deft prays oyer of the pts  
power.  
Watkins letter of Attorney read.  
Avisare vult.

---

John Corsely }  
ver }  
Tho Spread } The same rule & motion.

---

De Riemer }  
vs }  
Stanton } Emott pr Quer moves that the Deft  
appear to morrow or the bail bond be  
assign'd.

---

De Bruyn }  
vs }  
Tienhout } Emot pr Quer, if the Deft appear  
not the last day of the term the bail  
bond be assign'd.

180 MINUTES OF THE SUPREME COURT OF JUDICATURE

Folwell  
ver  
Arnold } Emot pr Quer  
Nicoll pr Deft to plead on fryday.

---

Forster  
vs  
De Wilde } The Sheriff returns Cepi Corpus.  
Emot pr Quer moves that the Defendt  
remain comitted untill he give speciall  
bail. Granted.

---

Whitehead  
vs  
Jewell } Emot pr moves that if the tenant in  
Possession or some other person con-  
cern'd in the title appear the last day  
of the term or Judgment to go against  
the Casuall Ejector. Granted, pro-  
vided the Plant. make demision of  
terrain of the declaration.

---

Barclay  
ver  
Fullerton } Emot pr Quer  
the same motion & rule.

---

Ludlow  
ver  
Taylor } Parmyter pr Quer the Deft to appear  
to morrow or the bail bond be assign'd.

---

Parmyter  
vs  
Hungerford } Avisare vult.

---

Reighton  
vs  
Creighton } Jamison pr Quer. ordered that the  
tenant in Possession or some other  
person concern'd in the Title appear  
the last day of the term or Judgmt to go  
agst the Casuall Ejector.

Tomson            }  
vs                   }  
Doe                 }  
                      } Guest pr Quer  
                      } Parmyter pr Deft prays that John  
                      } Seamans be admitted defendant.  
                      } The Deft confesses, lease, entry, and  
ouster & pleads the Genll Issue.

---

Cosens            }  
vs                   }  
Smith              }  
                      } The Deft appears personally to plead  
                      } to morrow.

---

Cosens            }  
vs                   }  
Elliott            }  
                      } The Def. personally appears, the  
                      } same rule.

---

De Riemer        }  
vs                   }  
Bayard            }  
                      } Anthill pr Quer, prays special bail.  
                      } Granted.  
                      } Nicolls pr Deft to plead a fryday.

---

Parmyter         }  
vs                   }  
Bond              }  
                      } Parmyter pr Quer. moves for special  
                      } bail  
                      } Emott pr

---

Bueno             }  
vs                   }  
Do Porto         }  
                      } Emot pr Quer, the Deft to appear to  
                      } morrow or the bail be assigned.

---

Gould            }  
ver                 }  
Duncan            }  
                      } Nicolls pr Quer  
                      } Guest pr Deft desires Jarvis Mudge  
                      } be admitted  
                      } Defendant, confesses, lease, entry &  
ouster and pleads the Genll Issue.



182 MINUTES OF THE SUPREME COURT OF JUDICATURE

Barclay  
vs  
Giles Silvr-  
ster } For land in the County of Suffolk on  
the demise of Jeffrey Jones removed by  
habeas Corpus from the Court of  
Comon pleas in the said County.

---

Ward  
vs  
Jno Parker } For land in Suffolk County on the  
demise of Nathan Fordham removed by  
Habeas Corpus from the said County.

---

Jno Wood  
vs  
Samll Wood } Nicolls pr Quer moves for speciall  
bail. Granted.  
Parmyter pr Deft moves for time till  
Saturday to give in bail. Granted.

---

Everindon  
vs  
Farquar } Jamison pr Quer. moves they be dis-  
charg'd with costs no declaration being  
filed.

---

Hungerford  
vs  
Lawrence } Emott pr Deft moves that bail bond  
be cancel'd this action being discon-  
tinued. Granted.

---

Beekman  
vs  
Lamberts } Parmyter pr Quer. enters reply.  
Ordered the Deft rejoyn to morrow  
in the afternoon.  
Adjourned 8 a clock to morrow  
morning.

---

De Riemer  
vs  
Bayard } Coll Nicolas Bayard principale recogn  
in £228  
Samuel Bayard Surety in £114. to  
stand and abide the determination of

MINUTES OF THE SUPREME COURT OF JUDICATURE 183

the Court taken the 4th day of Aprill, 1700 before St V Cortlandt

Thursday At a Supream Court of Judicature held the 4th day of Aprill 1700.

Present

Coll. Willm Smith  
Coll. Abra. de Peyster  
Capt. Robt Walters

Court open'd by Proclamacon.

De Riemer  
vs  
Bayard

} Nicoll pr Defte desires oyer of the bill. Granted.

Fullerton  
vs  
Sydenham

} Emott pr Quer Parmyter pr Defte  
Jury Sworn

test

Pr Quer

Abra. Gouverneur, Sworn interpreter  
Peter van der Linde pattent  
Peter vander Linde conveyance to  
Coming on. [?]  
Coming Mortgage [?]  
Coll Fletcher Pattent to Beekman.

Governr Nicolls  
Pattent  
Govr Nicolls  
Pattent.

Parmyter pr Deft moves for a view of the Land in dispute Ordered the Jury view the sd Land with the Surveyor Genll on Thursday the 11th Instant that the Jury seal up their verdict and deliver it to one of the Justices of this Court.

Engilber Lott  
as well &c  
vs  
Robert Allison

} Nicolls pr Quer.  
Graham pr Quer moves for Judgmt  
Jury Sworn  
Informacon read  
Act of Parliament

Robt White foreman

The Jury find for the Plaintiff.

184 MINUTES OF THE SUPREME COURT OF JUDICATURE

Fullerton vs vander Clyft	} Emott pr Quer gives notice of tryall to morrow.
Ludlow vs Taylor	} Emott pr Deft Parmyter pr Quer moves for Speciall bail ordered they have time till to morrow.
Sydenham vs Taylor	} Parmyter pr the same rule.
Engelbert Lott &c vs Robt Allison	} Graham pr Quer moves for Judgmt. Granted. Ordered that Capt Is. de Riemer & Capt Robert Sinclair appraise the goods.
Parmyter vs Finch	} Emott pr Deft. moves for altring the venue or that they have time to plead till next term: he have time to plead till next court. Speciall bail given.
Tho Burroughs Surety for £50.	
Fullerton vs Creed	} Emott pr Quer moves for Execution upon the Judgment Avisare vult.
Noxon vs Morton	} Emott pr Deft pleads the Genll Issue.
De Riemer vs Stanton	} Emott pr Quer moves that the bail bond be assign'd. Granted

Emot moves that Pr. Parmyter be not admitted to plead at the Barr as an Attorney at Law before he take the oaths. Avisare vult.

---

Everendon } Jamison pr Deft moves they be discharged the Debt being under £20  
vs } Avisare vult.  
Farquar }

---

Bueno } Emot pr Quer moves for Speciall bail.  
vs } Anthill pr Deft ordered to give  
De Porto } speciall bail to morrow.

---

Emensdorp }  
ver } Pleads Genll Isue  
Lawrence }

---

Adjourned 9 a clock to morrow morning.

---

Fryday At a Supream Court held the 5th Aprill  
1700

Prsent.

Wm Smith  
Abra. De Peyster  
Robt Walters

It is the opinion of the bench that any action where the Debt or Damage laid be under twenty pounds is not cognizable by this Court.

---

Corsely }  
vs } It is the opinion of the bench that the  
Spread } Letter of Attorney produced by the  
Plaintiff not being proved is not sufficient in the Law for the [plaintiff] to maintain the action.

186 MINUTES OF THE SUPREME COURT OF JUDICATURE

Parmyter  
vs  
Hungerford } Ordered the Deft give special bail provided the Plaintiff bring on the Tryall this term, otherwise the Deft appearance to be allowed.

---

Parmyter  
vs  
Hungerford } The same rule.

---

Parmyter  
vs  
Hungerford } The same rule

---

Parmyter  
vs  
Bond } The same rule.

---

Court opened by Proclamation

Fullerton  
vs  
Vanderclyf } Emott pr Quer moves for tales of one.  
Jury called Johanis Cortlandt  
Jury sworn  
Test pr Quer. Anthill pr Defte  
Van Clyf mortgage read. ordinance read  
The Jury find for the Plaintiff 2s Dam. and 6d costs.

---

Jacob Kip  
vs  
Vander Clyf } Parmyter pr Deft enters appearance and the said Parmyter engages to pay all the costs upon the bail bonds relating to this action. To plead 14 days before the next term.

---

Merrett  
vs  
Coe } Guest pr Quer moves for Judgment upon nihil dicit. Granted.

MINUTES OF THE SUPREME COURT OF JUDICATURE 187

Taylor  
vs  
Beeman } Jamison pr Deft demurrs to ye  
declaration.  
Emott pr Quer Joyns in demurrer.

---

Van Swieten  
vs  
Grevenraedt } Gouverneur pr Deft. ordered the Deft  
rejoyn 40 days after this term.

---

Forster  
vs  
De Wilde } Emott pr Quer making oath of the  
service of the declaration pursuant to a  
statute of the 7 & 8 of William, ordered  
the Deft plead 14 days before next term  
or Judgment to go by default.

---

Beekman  
vs  
Lamberts } Parmyter gives notice of tryall in the  
next circuit of Queens County.

---

Vander Clyff  
ver  
Lawrier } Nicolls pr Quer moves for Judgmt.  
Granted.

---

Cosens  
vs  
Smith } Cosens gives notice of tryall to  
morrow morning seven a clock. Issue  
being Joyn'd.

---

Cosens  
vs  
Elliott } The same rule

---

Parmyter  
vs  
Finch } Paroculus Parmyter engages to pay  
the costs of Court.

Adjourn 7 a clock to morrow morning.

188 MINUTES OF THE SUPREME COURT OF JUDICATURE

Ludlow vs Taylor	}	Edwd Taylor Principall £180. Ebenezer Willson Surety 90	}	} Recog.
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---

Bueno vs De Porto	}	Jacob de Porto principal £150. Saul Brown Surety £150.	}	} Recog.
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---

Saturday At a Supream Court held ye 6th Aprill 1700

Prsent Coll. Wm Smith  
Coll. Abra. de Peyster  
Capt. Robert Walters  
Court opened by proclamation

Norris vs Green	}	Emott pr Defte desires that Tho. Pearsell be admitted Defendt & con- fesses lease, entry & ouster & pleads ye Genll Issue.
-----------------------	---	---

Anthill pr Quer gives notice of tryall ye 1st day of next term

---

De Riemer vs Bayard	}	Guest pr Deft moves for oyer of the Report, overruled.
---------------------------	---	---

---

Cosens vs Eliott	}	test Cosens moves for tales of Pr Deft one. Francis Chappell Jarvis Marshall Cornelius De Peyster foreman
------------------------	---	--

The Jury find for the Plaintiff ten pounds damage & six pence cost.

---

Dom. Rex vs Martinus Lambris	}	The Grand Jury present Martinus Lambris for the murder of Hester La fort & Sarah a negro woman.
---------------------------------------	---	---

MINUTES OF THE SUPREME COURT OF JUDICATURE 189

The Prisoner arraigned pleads not Guilty &c. Ordered he be comitted without bail or main-prize.

---

Cosens } Test Moves for tales of one.  
ver } Pr Deft Peter Hambly  
Smith } Ducie Hungerford  
Gab: Ludlow

Constable sworn. John Jansen foreman  
The Jury find for the plaintiff three pounds damages &  
6d costs

---

Fullerton }  
vs } Emott pr Quer  
Tienhoven }  
test

The Dukes Laws  
Emott pr Quer demurrs to the evidence  
Graham pr Deft joins in demurr: The Jury dicharg'd  
by consent of both partys.

---

Afternoon  
Court opened by Proclamacon

Jno Doe }  
vs } Cosens pr Deft desires Joh Provoost  
Richd Roe } be admitted Defendt, confesses, lease,  
entry & ouster pleads the Genll Issue

---

Whitehead }  
vs } Emott pr Quer files the affidavit of  
Jewell } the service of the declaration for Land  
in Dutchess County.

---

Barclay }  
vs } Emot pr Quer files the affidavit of the  
Fullerton } service of the declaration for a house &  
land in Kingstown.



190 MINUTES OF THE SUPREME COURT OF JUDICATURE

Taylor  
vs  
DeRiemer } Emott pr Quer. ordered the demurrer  
be argued the first day of the next  
term.  
Coll. De Peyster being plaintiff with-  
drew from the bench

---

Fullerton  
vs  
Vander clyf } Emot pr Quer moves for Judgmt  
upon the Jury Verdict  
Granted.  
Coll De Peyster took his seat again  
upon the bench.

---

Folwell  
vs  
Arnold } Emott pr Quer. ordered the abate-  
ment be argued the first day of the  
next term.

---

Baclay  
vs  
Fullerton } Emott pr Quer moves for Judgmt  
against the Casual Ejector. Granted.

---

Whitehead  
vs  
Jewell } Emott pr Quer the same Motion &  
Rule.

---

Righton  
vs  
Creighton } Jamison pr Quer The same Motion  
& Rule.

---

Cosens  
vs  
Smith } Cosens moves for Judgmt upon the  
Jury Verdict.  
Granted.

---

Cosens  
vs  
Elliot } The same Motion & rule.

MINUTES OF THE SUPREME COURT OF JUDICATURE 191

- Hungerford  
ads  
Parmyter } Emott pr Deft enters appearance.  
allowed for fry.  
Pleads the Genll Issue.
- 
- Hungerford  
ads  
Parmyter } Emott pr Deft enters appearance,  
the same rule.  
For goods sold.
- 
- Hungerford  
ads  
Parmyter } Emott pr Deft enters apreance, al-  
lowed.  
To plead 14 days before next term.
- 
- Bond  
ads  
Parmyter } Emot pr Deft enters appearance.  
Allowed,  
the same rule.
- 
- Phil. French  
ads  
Dom. Rex } Emot pr Deft moves for the bail bond  
to be canceled no declaration being  
filed. Granted.
- 
- Dom. Rex  
vs  
Fred. Platt } The Deft personally appears. or-  
dered he enter into recognizance to  
answer at a speciall court of Oyer &  
Terminer to be held in the County of  
Westchester within a twelve month & a day. Recognizance  
given accordingly.
- 
- Blank  
vs  
Melott } Nicolls pr Quer moves that the de-  
murr. be argued  
Emott pr Deste moves for time.  
Ordered the demurr. be argued the  
1st day of next term.

Everendon }  
 vs }  
 Farquar } not cognizable.

---

De Pue }  
 vs }  
 Farquar } not cognizable.

---

Paroculus Parmyter Esqre Sworn an Attorney at Law  
 for this Province.

---

Wake }  
 vs } Parmyter pr Quer moves the Deft  
 Emott } may plead 14 days before the next term.  
 Curia avisare vult.

---

It is the opinion of this Court that John Guest, Esq. is  
 a person qualified to be an Attorney at Law in any Courts  
 in this Province.

---

Domse. Rex }  
 vs } The Grand Jury present Rachell  
 Rachell Hunt } Hunt for entertaining sailors and ser-  
 vants contrary to Law. Ordered this  
 presentmt be remited to the Mayor of  
 the Citty of NewYork and that he take effectuall care that  
 the Laws in that behalf be put in execution.

Martinus Lambris comited upon a Presentment of the  
 Grand Jury for Murder. Smith made aplication to this  
 Court that they would please to recomend his Pettition to  
 his Excell. the Earle of Bellomount for a special Comission  
 that he may come to a speedy Tryall. Ordered the Chief  
 Justice do recomend it to my Lord.

The Grand Jury present the Citty of New York for suf-  
 fering and conniving at the Generall breach & profanation  
 of the Sabbath by the frequent meeting of negroes in tumult-  
 uous crowds the comon playing of children upon the street,  
 the frequenting of publick taverns & ale houses.

Ordered this Presentmt be reccomended to the Mayor of  
 the Citty of New York.

Ordered the defaulters of the Grand and Petty Jury be amerced thirteen shillings and four pence each.  
Court adjourn'd sine Die.

Att a speciall Court of Oyer and Terminer held for the Citty & County of New York on the 16th day of May 1700.

Present Abra. de Peyster }  
Samll Staats } Esqres  
Robt Walters }

Court open'd by proclamacon.

Dom Rex  
vs  
Martinus  
Lambris

Ordered the Sheriff bring the Prisoner to the barr forthwith in order to his tryall upon an indictment for the murder of Hester La Fort & Sarah a negro woman.

Jury Sworn

Prisoner challenges 8 of the Jury

Test pr Rex

Test pr Prisoner

Corroners inquisition read

Ann Appell

Paul Richards sworn

Annitje Brewerton sworn

Mary Hoogelant sworn

Grietje Mauritts

Constable sworn.

Robt Seelton foreman.

The Jury find the Prisoner not guilty & that he did not fly for it to their knowledge.

Ordered the defaulters of the Jury be fined each 13s & 4d.

Adjourned untill a new summons.

Ulster  
&  
Dutchess

At a Speciall Court of Judicature held in ye Circuit for County ss: Ulster & Dutchess County at the town house in Kingstown ye 21st of May 1700.

Tuesday

Prsent Coll Abraham dePeyster, Justice of the Supreme Court.

Jacob Rutsen }  
 Heerman } Esqres Justices of the  
 John Ward } peace for the sd County.

Court opened by Proclamation  
 Adjourned to morrow morning 8 a clock.

---

Wendesday At A Supream Court held in ye Circuit  
 at Kingstown the 22d of May 1700.

Prsent Coll. Abra: De Peyster a Justice of  
 the Supream Court

Jacob Rutsen }  
 Jacob Aertse } Esqs. Justices of  
 Abria Hesbrock } the Peace.  
 John Exmonse }  
 Heerman }  
 John Ward }

Court opened by Proclamation

Elmendorp }  
 vs }  
 Jan Lawrence }

Nicoll pr Quer Emott pr Deft  
 Nicoll moves for tales of 5. Granted.  
 Jury sworne

Test pr Quer

Fred Hasrey }  
 Tho Noxon } Jurors.  
 arrianty oosterhoust }  
 Mort. Le Cont }  
 Bowdewin de Witt }

Constable sworne

The Jurys for ye Defendant.

---

Noxon }  
 vs }  
 Martin }

Nicoll pr Quer Emott pr Deft.  
 John Martin in his proper person  
 comes into Court & confesses Judgment  
 for 15£ wth costs of Suit wth eesmnt  
 execute [Stay of execution] for 9 months whereupon the  
 Jury by consent of both partys was discharged.

Gouge vs Noxon } Emott pr Quer, Nicoll pr Deft.  
 Moves that being just now retain in ye  
 cause & that Mr. Graham (who was  
 formerly retain'd his business would  
 nott permit him to go to ye circuitt yt ye Tryall come on  
 next Court without further notice. Granted  
 Adjourned 4 a clock afternoon  
 Court opened by Proclamation

Lawrence vs de Witt } Nicolls pr Deft moves yt ye a mater-  
 iall evidence being not to be found, the  
 tryall be put off till next Court.  
 Ordered the Deft come to tryall this  
 Court or pay ye reasonable costs.  
 The partys agreed to wth draw the accon.  
 Adjourned Sine Die.

County of Westchester } ss: Att a Special Court of Oyer & Terminer  
 & Genll Goal delivery held for the  
 County of Westchester att the Court  
 house of Westchester On Monday the  
 fifth day of June Ao. 1700.

Present James Graham, Esqre quor:

John Hunt  
 Thomas Baxter  
 William Barnes  
 Edward Waters } Esqres. Justices &ca.

Speciall Commission published

Dedimus potestatem Read & Justices Sworne &c.

Court opened.

Grand Inquest Sworne, Joseph Drake foreman.

Dom. Rex ver Fredrick Platt } The Grande finde a bill of Indictment  
 agt. Fredrick Platt, Billa Vera for ye  
 Murder of Hope a Moletta Boy. The  
 sd Fredrick being Arraigned, pleaded  
 nott Guilty & desires to be tryed by God & his Country.

Ordered the Sheriff take the Prisoner into Custody &  
 the tryall to come on the afternoon

Court adjourned till 2 clock afternoon



Post Meredien

Prsent the Cheife Justice ut supra

Joseph Smith, Esqre.  
Content Titus, Esqre.  
William Hallett, Esqre.  
John Coe, Esqre.  
Danll Whitehead, Esqre.

Justices

Court opened

Benj Gold }  
ver }  
Jarvaise Mudge }

Mr Guest for ye Deft that in regard  
some matteriall evidence is wanting that  
tryall may be delayed untill to morrow  
in ye morning & ye sd Deft haveing  
made oath to the same. Granted & the Court adjourned  
untill to morrow att 7 a clock in ye morning.

Wednesday ye 19th Ante Meridien

Prsent the Cheife Justice

John Coe  
Danll Whitehead  
Joseph Smith  
Willm Hallett  
Samuell Edsall

Esqres. Justices

The Jury called over Jonathan Hazard, Phillip Ketcham,  
Nehemiah Smith, Benja Thurstone, Tho: Betts, Edward  
Hunt & Jonas Wood not appearing Court order that the  
persons above named fined 13s: 4d each according to the  
Act of Assembly.

Court adjourned for one hour

Court opened

Present the Cheife Justice

John Coe  
Danll Whitehead  
Joseph Smith  
Wm Hallett

Esqres Justices.

Benja Gold }  
ver }  
Jarvie Mudge }

The triall was put off till the next  
Court by Consent of both partys.

Court adjourned sine Die.



Suffolk ss: Att a Supream Court of Judicature held att Southampton the third tuesday in August being the 20th day of the same Month in ye Xye yeare of the Reigne of our Sovereaign Lord William the third by the Grace of God King of England Scotland, France & Ireland Defender of the Faith &ca.

Ante Meridien

Prsent	William Smith, Esqre. Cheife Justice Isaac Arnold Richd Smith Wm Barker Thomas Helme Thomas Mapes John Tuttle	}	Esqres Justices
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Court opened.

John Ward ver Jno Parker	}	Mr Nicoll for ye Plt & Mr Emott for ye Deft and ye Sheriffe did returne ye Venire in all things served with a pannell of ye names of ye Jurors thereunto annexed who being call'd did appear (to witt) some of ym & because Isaac Halsey & Jebus Mapes two of ye sd Jurors did not appear Command is given to ye Sheriff att ye request of ye Plt that two others of ye by standers may be returned of upom the same Jury who being call'd did appear & were sworne upon ye same Jury.
--------------------------------	---	--

A deed of Gift read for ye Plt.

Matthew Howell, Esqre Justice came in to Court & took his place.

Charge given to ye Jury & ye Constable of Southampton, Sworne to keep ye same.

Court adjourned for  $\frac{1}{2}$  an hour

Post di midium horæ

Prsent	ye Cheife Justice Isaac Arnold Matthew Howell Richd Smith	}	Esqres. Justices.
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Court opened

Jno Ward vs Jno Parker	}	The Plt & Deft being call'd doe appear & the sd Jury being elected tryed & Sworne upon yeir oath doe say if ye deed from David Briggs to Nathan
------------------------------	---	---

Fordham be good in Law then we find for ye Plt Six pence damage & 6d Costs if not then we find for ye Defendant.

Court adjourned untill to morrow at 9 clock of the morning.

---

Wendesday ye 21st Ante meridiem.  
Prsent ye Cheife Justice }  
Isaac Arnold } Esqres. Justices  
Matthew Howell }  
Richd Smith }  
  
Josiah Hobart }  
Wm: Backer } Esqres Justices  
Tho: Helme }  
Court opened

Jno Barclay }  
vs } The Plt. appears by Mr Emott &  
Giles Sylvester } Mr Nicoll for ye Deft and the Sheriffe  
did returne ye Vernire in all things  
served wth a pannell thereunto an-  
nexed who appeared & were sworne.  
Southold Patent read for ye Plt

Jacques Guilot }  
Richd Edgcomb } Jurat pr Deft  
John Pain }

A Receipt from Geofery Jones to Capt. Sylvester read for ye Deft.

Samuell King Jur pr Quer.

Charge given to ye Jury & ye Constable sworne to attend the same.

Court adjourned for  $\frac{1}{2}$  an hour.

---

After  $\frac{1}{2}$  an hour  
Prsent the Cheife Justice & Justices ut supra  
Jno Barclay }  
vs } The Plt & Deft being call'd appear  
Giles Sylvester } & ye Jury being elected tryed & Sworne  
upon yeir Oath doe say that they find  
for the Defendant wth 6d costs  
Court adjourned sine Die

New York September 17th, 1700

Ducie Hungerford ads Poroclus Parmiter	}	Emott pr Deft. pleads nott Guilty.
—————		

Jno Finch ads Edwd Parmyter	}	Emott pr Deft pleads nott Guilty.
—————		

Mary Bond adj Poroclus Parmyter	}	Emott pr Deft non assumpsit.
—————		

Att a Supream Court of Judicature held for the Province of New York the 1st day of October 1700.

Prsent

Wm Smith, Chief Justice  
Coll. Courtlandt  
Coll. De Peyster

Court open'd by Proclamation.

Grand Jury called but twelve appears

Ordered those persons be fined 13s 4d each who have not appeared except those who have been excused.

Ordered that a habeas corpora Juratorum

Issue returnable to morrow morning 8 a clock to bring the body of the defaulters into Court.

Taylor vs Kidd	}	Emott pr Defte desires Wm Kidd may be admitted defendt. confesses Lease, entry and ouster. Pleads Genll Issue.
—————		

Jacob Kipp vs Vander clyf	}	Emott pr Quer, moves for Judgmt by default. Granted.
---------------------------------	---	--

Follwell vs Arnold } Emott Pr Quer  
 Ordered the demurrer be argued to  
 morrow morning.  
 Adjourn'd to 8 a clock to morrow  
 morning.

---

Wensday Att A supream Court of Judicature 2d  
 day of October 1700.  
 Prsent Wm Smith }  
 Coll. Cortlandt } Esqres.  
 Abr. de Peyster }  
 Court opened by proclamation.  
 Grand Jury sworn Tho. Burrough foreman

Taylor vs Kidd } Ye partys by consent agree to come  
 to tryall next terme.

---

Sydenham vs Slechtenhorst } Tudor pr Quer.  
 Emott pr Deft. to plead to morrow.  
 pleads non assumpsit

---

Follwell vs Arnold } Demurrer argued.  
 Curia avisare vult.

---

Fullerton vs Sydenham } Parmyter pr Deft  
 Emott pr Quer.

The Jurys verdict sealed up was  
 opened and both ptys do now agree to release all errors on  
 both sides. The Jury find for the Plaintiff 6 pence dam and  
 2d costs and do find that the Plantive growne doth go from  
 the water along the fence of the widdow Kipp to a tree  
 markt by us a little above the old path and then to the head

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of the creek then to the mouth of the said Creek so to the first plase.

Walter Thong foreman

New York, Aprill 11, 1700.

---

Norris } Anthill pr Quer.  
vs } Emott pr Deft. to come to Tryall on  
Pearsall } Saturday.

---

Blank } Anthill pr Quer. moves for Judgmt or  
vs } that the demurrer be argued. ordered  
Melott } ye Defte join the Demurrer & it be  
argued to morrow morning or Judgmt  
shall be granted.

---

Bueno } Emott pr Quer.  
vs } Anthill pr Deft. to plead to morrow.  
de Porto }

---

Parmyter } Parmyter pr Quer. gives notice of  
vs } tryall at the next Supream Court in  
Finch } Queens County.

---

Ludlow } Parmyter pr Quer.  
vs } to plead to morrow.  
Taylor } Pleads Genll Issue.

---

De Riemer } Parmyter pr Quer to rejoin before the  
vs } sitting of Court to morrow morning.  
Bayard } Nicolls pr Defte.

Taylor vs De Riemer	}	The demurrer to be argued a fryday.  _____
John Doe agst Joh. Provoost	}	Jamison pr Quer to come to tryall a Saturday.  _____
Beekman vs Cosens	}	Parmyter pr Quer to plead some time this term.  _____
Dom Rex vs Geo Anderson	}	Parmyter pr  _____
Woolsten Croft vs Chocke	}	_____
Richards vs Bosch	}	Emott pr Quer to appear to morrow or the bail bond assigned.  _____
Van der Burgh vs John Davie	}	Emott pr Quer moves for special. Granted. Recogn. John Davey. Senr } £200 John Davey. Jun } £700 to plead to morrow.  _____
Fullerton vs Jewell	}	Emott pr Quer Moves that the tenant in possession or some other person concern'd in the title appear to morrow or Judgmt to go against the Casuall Ejector. Granted provided oath being first made of the service of the declaration.

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Dom. Rex } Parmyter pr Quer  
 George Ander- } Recogn: Ebenezer Willson in £100,  
 son } to plead this afternoon.

---

Miles Forster } Emott pr Quer. Moves for special  
 vs } bail  
 Peter Berrian } Ordered the defendt appear to mor-  
 row or the bail bond be assigned.

---

John Mathews } Emott pr Quer the plaintiff to give  
 vs } security to pay the cost if cast.  
 Jacob Adams } The Deft to appear to morrow or the  
 bail bond be assign'd.

---

Leaver } Nicoll pr Quer  
 vs } Ordered the Deft plead to morrow or  
 Parmyter } the bail bond be assign'd.

---

Anderson } Tudor pr Quer to appear to morrow or  
 vs } the bail bond be assign'd  
 Noxon }

---

Dom. Rex } Cosens pr Quer.  
 vs } Ordered the Deft plead sometime this  
 de Meyer } Terme.  
 Tudor pr. deft.

---

John Mathews } Special bail Jacob Adams principle  
 Jacob Adams } £400  
 Henry Collman surety  
 £200

Pr Quer Robert Mason Recogn: to pay the Costs if  
 Arthur Simson the Plaintiff be cast

Jno. Beekman }  
 vs }  
 Edwd Taylor } Parmyter pr Quer, to plead to mor-  
 row.  
 plead Non assumpsit  
 Anthill pr Deft.

---

Edwd Taylor }  
 vs }  
 Jno. Beekman } Parmyter pr Quer.  
 Ordered the Deft be discharg'd with  
 costs no declaration being filed.

---

Everendon }  
 vs }  
 Morse } Emott pr Quer.  
 Ordered to give special bail to  
 morrow or a procedendo to be granted.

---

Smith }  
 vs }  
 Rip van dam } Tudor pr Quer, the same rule.

---

Wooley }  
 vs }  
 Bradley } Emott pr Deft  
 Ordered the Defte be discharg'd with  
 costs no declaration being filed.

---

Wm Hallet }  
 agst }  
 Jacob Wellsey }  
 Coenredt }  
 Allbertson } Avisare vult.

---

Chocke }  
 vs }  
 Livingston } Guest pr Quer  
 The Defte to appear to morrow or  
 the bail bond be assign'd.  
 Court adjourned to morrow morning  
 10 a clock.



Everendon vs Morse	}	Recogn     John Morse, Prncple, £640 John Jackson & Content Titus	}	Surety, each £320.
Taken before Coll Cortlandt				

---

Thursday     At a Supream Court held the 3d day of  
October 1700.

Prsent	}	Wm Smith Steph V Cortlandt Abra. de Peyster
--------	---	---

Court opened by proclamation

Chocke vs Livingston	}	Recogn. Special bail, Walter Thong £40.
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De Riemer vs Bayard	}	To come to tryall to morrow.
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Bueno vs De Porto	}	To come to tryall to morrow.
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Vander Brugh vs Davie	}	Tudor pr Defte pleads the Genll Issue.
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---

Fullerton vs Nich. Blank	}	Nicolls pr Defte desire that Nich. Blank be admitted defendt confesses, lease, entry and oyster & pleads Genll Issue.
--------------------------------	---	--

---

Mathews vs Adams	}	To plead to day.
------------------------	---	------------------



Bosch  
ads  
Richard } Recogn. Jurian Bosch principle £84  
Elsie Bosch surety £42  
to plead to day.

---

Chocke  
vs  
Livingston } Cosens pr Quer, to plead to morrow.

---

Parmyter  
vs  
Randall } Emott pr Defte,  
to plead 14 days before next terme.

Adjourned to morrow morning 8 a clock.

---

Follwell  
vs  
Arnold } The Defte plea of abatement over-  
ruled.

---

Blank  
vs  
Melott } The rejoinder insufficient in Law  
therefore give Judgment for the Plain-  
tiff.

---

Bosch  
ads  
Richards } Guest pr Deft pleads solvit ad Diem.

---

Fryday Att A Supream Court held 4th October  
1700  
present Wm. Smith }  
Stephen. Cortlandt } Esqres  
Abra. de Peyster }  
Court open'd by Proclamation  
Genll pannell called.

De Riemer }  
vs } Jury sworn  
Bayard }  
test Pr Quer.  
bill of exchange  
Constable Sworn

---

Richards }  
vs } Emott pr Quer. moves for tryall to  
Bosch } morrow. Granted.

---

Fullerton }  
vs } Emot pr Quer  
Tienhoven } The demurrer to be argued to morrow,  
adjourned 3 a clock afternoon.

---

P.M. The same Present  
Court opened by Proclamation

DeRiemer }  
agst }  
Bayard }  
The Jury find for the Plaintiff one  
hundred and fourteen pounds seven shillings dam. and 6  
pence costs New York money.  
Nicolls pr Deft moves for Arrest of Judgment. Granted  
provided the Deft file his reasons to night.

---

Carpenter }  
vs } Josiah Wiggins } each  
Wiggins } Recogn. William Whitehead, Junr } £40

Taken ye 16 Septembr 1700. taken  
before Coll Cortlandt.



Mathews }  
 ads }  
 Adams }  
 clock

Emott pr Quer.  
 Ordered the Plt join in demurrer and  
 that it be argued to morrow.  
 Adjourned to morrow morning 8 a  
 clock

---

Saturday Att a Supream Court held the 5th day of  
 October 1700

Prsent

Wm Smith }  
 Steph Cortlandt } Esqres  
 Abra. d. Peyster }

Norris }  
 vs }  
 Pearsell }  
 Plaintiff gives notice of tryall next terme.

Emott pr Deft moves for imparlence  
 the Deftd making oath that a materiall  
 evidence is wanting. Granted.

---

John Doe }  
 vs }  
 Jno Provoost }

The Deft John Provoost in his  
 proper person comes and withdraws his  
 plea to the declaration (viz) Not  
 Guilty and confesses. Judgment with  
 cost of Court cessit Executed for 3  
 months.

---

Jos Smith }  
 vs }  
 Rip Van Dam }  
 Test pr Quer

Tudor pr Quer  
 Tudor moves for tales of one.  
 Jury sworn Elyas Boudinott

Math Ling Sworn  
 Mr Bowdens discharge read Constable sworn  
 Jury find for the plaintiff Eleven pounds  
 seven shillings 6d dam. & 6d cost £11.7.6

---

Richards }  
 vs }  
 Juriaen Bosch }  
 Emott pr Quer. moves for judgmt by default. Granted.

Emott pr Quer  
 The Deft withdraws his plea to the  
 declaration solvit ad diem.

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Mayle  
vs  
Le Noir } Guest pr Quer ordered that if the  
Defendt give not in special bail before  
the end of this term then a Proceedendo  
to Issue forth.

---

Westphalia  
vs  
Swaarthout } Cosens pr Quer  
Ordered a Proceedendo issue no  
Record being return'd.

---

Parmyter  
ver  
Randall } Emott pr Deft prays the venue be  
Removed to New Yorke, the Cause of  
Action arising there & not in Queens  
County wch is agreed to by the Pltt &  
Courte.

---

Hallet  
vs  
Wellsey &  
Elbertson } Curia Avisare vult.  
coram non Judice.

---

Wake  
vs  
Emott } That Mr Parmyter was not an At-  
torney at Law of the Province when  
this suit was comenced and therefore  
not qualified to maintain the said suit.

---

Wood  
vs  
Wood } Parmit. moves for supersedas, over-  
ruled.  
The Proceedendo being legally  
granted.  
Adjourned 3 a clock afternoon.

A. M. the same Justices Present.  
Court open'd by Proclamation.

Mathews  
vs  
Adams } The Court overrule the Defendt  
plea and award Judgmt for the plaintiff  
and that a writt of Inquiry go forth to  
assess the Plaintiffs damages.

---

Edwd Taylor  
vs  
John Gaddis } Joh Read Recogn. to pay the costs of  
court if the defendt be cast, the cost not  
exceeding £25.  
Anthill pr Quer. moves for appear-  
ance.

Emott pr Defte enters appearance, Anthill moves for  
plea. To plead 14 days before next terme.

---

Fullerton  
vs  
Sydenham } Emott pr Quer moves for Judgmt ac-  
cording to the verdict. Granted.

---

Smith  
vs  
van Dam } Tudor pr Quer the same motion &  
rule.

---

Levingston  
ads  
Chocke }

---

Fullerton  
vs  
Burger } Tudor pr Defte moves yt if the Plt  
bring not on the tryall next term the  
Defte bring it on by Proviso.

---

Fullerton  
vs  
Duyken } Tudor pr Defte the same Motion and  
rule.



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Woolstencroft vs Chocke	}	Guest pr Deft, enters appearance to plead 14 days before next term
<hr/>		
Baker vs Griffin	}	Emott pr Quer. Judgmt by default.
<hr/>		
Beekman vs Cosens	}	By consent to plead 14 days before next term.
<hr/>		
Dickens agst Bogaert	}	Cosens pr Quer moves for Proceed- endo no record being return'd. Granted.

At a Supream Court of Judicature held for the  
Province of New York this 1st day of Aprill 1701  
Prsent Abra: de Peyster Chiefe Justice  
Isaac de Riemer } Esqres.  
David Provoost }

Chief Justices Comicon read  
the other two Justices comicon read  
Court ordered by Proclamation.

---

2d Aprill  
The same persons present.  
Adjourn'd 2 a clock to morrow afternoon  
Adjourn'd to the first tuesday in October next.

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