

Fort Orange Court Minutes 1652–1660



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best advantage and to deposit the proceeds with the court here, in order to pay therewith the creditors of the said Gijsbert Philipsen *pro rata* and turn over the surplus or the remainder to the heirs. *Actum* in Fort Orange, this 25th of November 1659.

[205]* Present:

La Montagne
Sander Leendersen
Anderies Herbertsen
Jan Verbeeck

The honorable commissary and the magistrates of Fort Orange and the village having met have unanimously resolved for the welfare of this place to appoint and authorize the honorable Francoys Boon, magistrate of this place, to receive and disburse all the moneys which this place is entitled to derive from the burgher and the slaughters' excise, provided that he shall be held to render a proper account thereof to the court. *Actum* in Fort Orange, the 2d of December Anno 1659.

By order of this honorable court,

Johannes Provoost, clerk.

[206] Ordinary Session Held in Fort Orange
December 9, 1659

Present:

La Montagne
Francoys Boon
Anderies Herbertsen
Sander Leendersen
Jan Verbeeck

Poulus Cornelissen, plaintiff, against Hans Carelsen, defendant.

The plaintiff says that he loaded 51 *schepels* of salt in the defendant's yacht at the Manhatans and that upon the unloading of the said salt he received only 21 *schepels* and that there are others who have a share in the said salt.

The defendant says that the crew transshipped the said salt from the

* Pages. 203 and 204 are blank.

ship into the yacht and measured it with a *ton*, taking up 3 *schepels* at a time, but that he himself was not present. He maintains that the shortage must be due to the way the salt was packed down by the measurer, for as the plaintiff came up the river with the said yacht, he cannot understand how the salt could have diminished in the yacht.

The honorable court orders the plaintiff to have the participants of the salt summoned to appear on the next court day, in order that they may be heard and justice be done.

Anderies Herbertsen, plaintiff, against the wife of Jan Martensen, defendant.

The plaintiff demands from the defendant 100 *schepels* of wheat and produces a promissory note.

The defendant admits the debt, but says that she cannot pay the wheat on account of the war in the Esopus and offers 30 *schepels* of wheat.

The honorable court orders the defendant to pay the wheat demanded to the plaintiff in the space of 14 days, according to the promissory note.

[207] Jan Albertsen, plaintiff, against Jacob Tijssen, defendant.

The plaintiff says and complains that the defendant called him a thief.

The defendant admits the charge and that he said it, but requests time until the next court day to produce his evidence.

The honorable court orders: *fiat*.

Jan Martensen, plaintiff, against Arent van den Bergh, defendant.

The plaintiff demands from the defendant payment of 9 beavers.

The defendant admits the debt.

The honorable court condemns the defendant to pay cash, or refers the parties to the previous judgment.

The wife of Henderick Anderiessen,* plaintiff, against the wife of Jan Martensen, defendant.

The plaintiff demands of the defendant payment of 14½ beavers.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the 14½ beavers demanded within the space of six weeks.

Pieter Adriaensen, plaintiff, against Jan Gauw, defendant.

The plaintiff claims compensation for damages suffered by him and still to be suffered this winter on account of [the defendant's failure to complete] the masonwork on his house, which the defendant agreed to

* Maritie Damens

do, and demands payment of *f*100 and 6 beavers in specie, which debt the defendant denies.

[208] The defendant promises to complete the work at the first opportunity whenever it will suit the plaintiff's convenience and in case of failure to put someone else in his place to carry on the work, and promises to make good the tiles which happen to blow off.

The honorable court orders: *fiat*, provided that the defendant shall be held to make good the tiles which should happen to blow off, suspending decision as to the compensation demanded until further proof.

Gommer Poulussen, plaintiff, against
Default. Willem Martensen, defendant.

Abraham Carpeyn, plaintiff, against
Default. Hans Coenraets, defendant.

Hans Coenraets, plaintiff, against
2nd default. Jan van Eeckelen, defendant.

Jan Mangelsen, appearing before the court, refuses to take the oath to give witness to the truth as to the dispute between Hans Hendericksz and Lambert van Neck.

Lambert van Neck being asked by the honorable court whether he did not see that Hans Hendericksen drew his knife on him and whether he did not ward him off with the tongs, answers, "No," and refuses to take the oath to confirm his statement.

[209] The honorable commissary and magistrates of Fort Orange and the village of Beverwijck, pursuant to the ordinance issued by the honorable director general and council of New Netherland and published here on the 6th of October 1656,* ordain, as they do hereby ordain, that henceforth no one shall be allowed to engage in any business of tapping before and until he shall have obtained a license from the officer, on condition of paying therefor one pound Flemish and of being bound to renew his license every three months, on pain of suspension from his business.

The honorable commissary and magistrates of Fort Orange and the village of Beverwijck, having heard diverse complaints from the burghers of this place against the practice of playing golf along the streets, which causes great damage to the windows of the houses and also exposes people to the danger of being injured, which is contrary to the freedom of the public streets; therefore, their honors, wishing to prevent

* See *LO*, 262, for the ordinance dated October 26.

the same, hereby forbid all persons to play golf in the streets, under penalty of forfeiture of *f*25 for each person who shall be found doing so.

Whereas daily experience shows that many burghers of this village of Beverwijck deposit and pile their firewood in the street, contrary to the freedom of said streets, which must always be kept free and unobstructed, whereby not only people are inconvenienced, but wagons, sleighs, and carts can scarcely make use of said streets, to the serious inconvenience of the public; therefore, the commissary and magistrates of Fort Orange and the village of Beverwijck, wishing to provide against such inconveniences, hereby ordain that none of the inhabitants of Beverwijck shall hereafter be allowed to let any firewood lie in the street for more than ten days, under penalty of confiscation of the said wood and of being, in addition thereto, subjected to a fine of *f*25.

Likewise, the honorable commissary and magistrates prohibit, as they do hereby most expressly prohibit, any of the burghers or inhabitants of the village of Beverwijck from shooting on New Year's day, on account of the great damage and disorder which such firing causes, under penalty of twenty-five [guilders] for each person who shall be found to have done so.

Thus done in Fort Orange, at the meeting of the honorable court of the said place, on the tenth of December 1659.

[210] The honorable officer, debit, for receipt of the following fines which have been imposed from primo January 1658 to ultimo December Anno 1659

1658

Jan. 22	Jan Teunissen, condemned to pay a fine of	<i>f</i> 500:--
March 11	Jan Anderiessen de Graeff and Pieter Jacobsen Bosboom, each condemned to pay a fine of <i>f</i> 125, amounting together to	250:--
29 ditto	Dirrick Bensingh, condemned to pay a fine of	150:--
May 21	Luycas Pietersen, fined <i>f</i> 60	60:--
July 16	Poulus Janssen, condemned to pay a fine of	500:--
August 13	Dirrick Carstensen, condemned to pay a fine of	50:--

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May 26	Steven Janssen, condemned to pay a fine of	<u>300:--</u>
		<i>f</i> 1,800:10:--

Of the above listed fines the officer received as follows:

Jan Teunissen paid	<i>f</i> 195:--
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