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THE PATROON SYSTEM IN NEW YORK

A Thesis

for

The Master of Science Degree

University of Minnesota

by

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When in the year 1621 the States General of Holland chartered the Dutch West Indian Company, declaring "that the welfare and happiness of the United Netherlands depended mainly upon their foreign trade and navigation, and that those great interests could be properly encouraged in distant regions only by the combined and united action of a general incorporated company," it transferred, as is well known, to this corporation extraordinary privileges.

(1)

Of the vast territories which it received, and over which it had "boundless power to subdue, colonize and govern," the colony of New Netherlands (2) was the one which was destined to feel its influence the most.

1. Broderhead Hist. of N. Y. 134.
2. Bancroft II--37.

Broderhead 136.

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Says Brodhead, in his History of New York: "It was an evil day for New Netherland when the States General committed to the guardianship of a close and grasping mercantile corporation the ultimate fortunes of their embryo province in America." (1) The company which ~~has~~ thus came into existence for the purpose of trade and colonization was altogether too anxious to fill its coffers with the riches of the land.

Attempts at colonization in New Netherland was soon commenced after its transfer to the new masters. The territory was formed into a Province and its affairs entrusted to the Amsterdam Chamber, and in the spring of 1623 the first emigrants were sent out. (2)

But the company soon became disappointed, finding that its newly acquired territory would not yield by far as great a revenue as it had anticipated. (3) The cost for the preservation of the territory was great and the colonists who had been sent out were not a profit but a loss to the company. (4)

1. Brodhead 137.

2. Bancroft II-39

3. Docum. Relat. to CoY. Hist of N. Y. I-39-40

4. Doc. Rel. to Col. Hist. N. Y. I-84.

Colonization on a large scale had not been actualized, and the families already located in the province clustered closely around Fort Amsterdam. (1). Such was the tenor of the reports sent from New Netherland by the company's officials. It is evident that the company, flushed as it was with the easy, and yet enormous, spoils of the Spanish fleet could not feel satisfied with the meager returns derived from its new colony.

But what, we may ask, were the reasons that the people of Holland did not emigrate in greater number from their old homes to take possession of this luxuriant Canaan across the ocean? A fair answer to this seems to be near at hand: Because Holland itself was at this time not an unbearable Egypt, but a free and prosperous country.

The inhabitants of Holland are described by Grøtius, as quoted by Brodehead, as being early divided into three classes, (2) nobles, well born, and common people, but without any

1. Doc. Rel. to Col. Hist of N. Y. I. 40.

2. Brodehead Hist, of N. Y. P.196.

mention of serfs as having ever existed. When compared with the social conditions of the people of the towns, that of the rural population was, perhaps, less secure and happy and was less fitted to develop the self-relying spirit of the nation. Yet if the landlord attempted oppression, the tenant had but to fly to the next town, where he would be sure to find abundant employment, shelter and protection. (1) Accustomed to bear arms for the common defence, the peasants of Holland had learned to use them for their own. Dutch feudalism was thus shorn of many attributes which rendered it repulsive to other lands. Though the rustic tenantry certainly enjoyed much less political influence than the inhabitants of towns, they still possessed a large measure of popular freedom. They were happy and contented in tilling their lands and in freely worshiping their God according to their own conscience. No religious persecution drew them from the Fatherland which they loved to veneration.

1. Doc. Rel. to. Col. Hist of N.Y. I. 65.

It is evident that these people needed strong inducements before they would sacrifice their security and contentment at home and throw themselves into new and uncertain ventures in a far off uncivilized country.

To encourage emigration, however, plans for the systematic and extended colonization of the whole province began to be earnestly considered by members of the company. (1)

The framing of such a plan was entrusted to De Rasi^u~~s~~, at one time Secretary of the Province. (2). After much deliberation the conclusion was reached that the manifold resources of the country could be best developed by the establishment of distinct and independent colonies at various points on the North and South Rivers (3). These colonies were to resemble the lordships of Netherland and to be in general

1. Brodehead Hist. of N. Y. 186.

2. Brodehead Hist. of N. Y. 187.

3. Brodehead 187.

subordinate to the company. (1)) It was thought that their success could be best secured by apportioning tracts of land to private enterprise, as the company had already too much of other business on hand in connection with the Spanish War and with the fur trade among the Indians.

According to these considerations the College of XIX adopted a draft of a charter which should confer certain special privileges upon such members of the company as should at their own expense and risk plant colonies in New Netherland.

After this disproportionally long consideration of the conditions which led in 1629 to the adopting of the charter known as the "Charter of Freedom and Exemption" we are ready to notice its provisions and how the system which is introduced succeeded.

The charter provides that such persons should be acknowledged Lords and Patroons of New Netherland as would within four years undertake to plant in New Netherland, except

on the Island of Manhattan, a colony of fifty adults. They should have the privilege to select the land for each colony, which might extend sixteen miles in length if lying on the side of a navigable river, or eight miles on each side, if both banks were occupied, and so deep landward as the situation of the occupiers would permit. And they should forever and always possess all the land situate within their limit, together with all the fruits, minerals, rivers and fountains thereof.

Should a proportionate number of additional emigrants be settled, the limits of the colonies might be proportionally enlarged.

Each patroon was entitled to *venia testandi* or the right to dispose of his estate by will. He was to have "The chief command and lower jurisdiction" and exclusive privilege of fishing, fowling and grinding within his own domain.

Should cities arise in a colony the patroon thereof should have authority to appoint officers and magistrates therein, enact law and police, and make use of the titles and arms

of their colonies according to their own will and pleasure. The patroons were to furnish their colonies with proper instruction. From all judgments in the manorial courts of the patroons ^a effecting life and ^{limb} ~~trust~~ for upward of fifty guilders an appeal might lie to the director and council in New Amsterdam.

For the space of ten years the colonists under the patroons were to be entirely exempt from customs, taxes, excise imports, or any other contributions; but none of these colonists should be allowed to leave the service of their patroon during the period for which they might be bound to remain, except by the written consent of such patroon, and the company pledged itself to do everything in its power to apprehend and deliver up such colonist as should leave their service and enter into the service of another or should contrary to contract leave their service.

The patroons might trade along the coast from Florida to New Foundland, provided the cargoes procured were brought to Manhattan; whence they might be sent to Holland after paying

a duty of five per cent to the company.

They should also have freedom of trade and traffic all along the coast of New Netherland and places circumjacent in any kind of merchandise, except beavers, otters, minks, and all sorts of peltry, which the company reserved to itself. The fur trade, however, was permitted to the patroons at such places where the company had no factories, upon condition that all peltries thus procured should be brought to Manhattan and delivered to the director for shipment to Holland.

All the colonists, whether independent or under patroons, were positively forbidden to make any woollen, linen or cotton cloth or weave any stuffs there on pain of being punished and as perjurers to be arbitrarily punished. On the other hand the company promised to protect and defend all the colonists against all outlandish and inlandish wars and powers. It likewise agreed to finish the post on the Island of Manhattan and put it in a position of defence without delay; also to supply the colonists with as many blocks as it conveniently could, but it was not to be bound to do this for

a longer time than it should think proper. The charter also ordered that all land for the purpose of colonization should be bought from the Indians.

The patroons and colonists were likewise enjoined to make prompt provision for the support of a minister and school master, that thus the service of God and zeal for religion may not grow cold and be neglected among them.

Each separate colony might appoint a deputy to confer upon its affairs with the director and council of New Netherland, and every colony was especially required to make an annual and exact report of its situation, to the authorities at Manhattan for transmission to the company at Amsterdam. (2)

These, are, in brief, the provisions of the West Indian Company's famous charter for the agricultural colonization of its American Province.

"The introduction of this very aristocratic system" says Roosevelt, "was another evidence of the unwisdom of the governing powers." (1)

1. Roosevelt Hist. Of N. Y. 43.

2. Brodehead 195-197. Bancroft II.42.

The transplanting of the feudal system into the New Netherland is held to be the most unfortunate result of the charter. In the distant Province (~~which had been under the rule of commercial corporation~~), the system was less under restraint than in the old country. Before there had been exactions by an avaricious monopoly, now another force was added, namely feudal exactions. (3)

The power granted to the patroons was not limited sufficiently especially in the matter of land appropriations, which power was shamefully abused as we shall see. On the other hand their privileges were much curtailed in other directions, particularly in that they were forbidden to enter into the lucrative fur trade, the chief source of profit to the company, and which prohibition led continually to bitter quarrels between the patroons and the company. The reservation of all manufacture to the company and the support it pledged to the slave trade were also undesirable provisions.

Still the charter had some redeeming features. It forbade the acquisition of land from the aborigenes without proper purchase of the same. The system provided for the good government of the subordinate colonies and for the right of appeal from the manorial courts. It provided protection and defence to all the colonists and encouraged religion and learning by enjoining the support of churches and schools.

The provisions of the charter were well calculated to be attractive to the rich merchants of Holland. Without the acquisition of wealth an aristocratic sentiment had naturally grown up among them. This sentiment, of course, led to the desire of "putting on style", as it is called. This could be best satisfied by the merchant's becoming the lord of some grand estate. But in Holland almost all the land was held already by old and noble families and it was not to be expected that they would ever part with any portion of their hereditary possessions. But now immense tracts of land might be easily acquired on the beautiful rivers of New Netherland.

Here, indeed, was a most welcome opportunity.(1)

Soon after its adoption the charter was printed and circulated throughout the United Provinces. The stock-holders of the company as well as all persons of all classes who might be disposed to emigrate from their homes were invited to the temperate climate, fertile soil, varied resources and advantageous commercial situation of New Netherland. (2)

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The most prompt in action were Samuel Godyn and Samuel Blommaert, both members of the Amsterdam Chamber. They had sent two men to the South River to examine into the situation of the adjoining quarters and to purchase a tract of land from the savages while the charter was yet under advisement and its proposed contents known to but a few. ~~At~~ the first meeting subsequent to the grant, Godyn was therefore ready to notify his associates directors that as patroon he had un-

1. Brodehead Hist of N. Y. 199

2. Brodehead 199.

undertaken to occupy the Bay of the South River and its neighborhood. (1) A tract extending from Cape Henlopen to the mouth of the Delaware, more than thirty miles long, (and two miles broad) (2) had actually been purchased from the Indians before the adoption of the charter. (3)

Another director of the Amsterdam Chamber, Kiliaen Van Rensselaer, selected a region adjacent to Fort Orange on the North River. His land ~~lay~~ on the west side of the river and extended northward from Beeren Island to Smack Island and extended two days journey to the interior. Subsequently he bought from several Indian chiefs lands on the west side of the North River, south and north of Fort Orange near the Mohawk. The territory called "Semesseck", lying on the east side of the river opposite Fort Orange also came into the

1. Docs. Rel. to Col. Hist of N. Y. I 43.
2. Bancroft II. 43.
2. Bancroft II. 43.
3. Brodehead Hist. N. Y. 202.

possession of this shrewd director. (1). His territory thus extended above and below Fort Orange for twenty-four miles on each side of the river, and forty-eight miles into the interior (2). Near Fort Orange the historic colony of Rensselaerswyck^{was} ~~Legan~~. (3).

Adjoining Manhattan was an inviting region which became the property of Michael Pavonia, also a director in the Amsterdam Chamber. From its Indian owners he secured the whole of the Staten Island and also extended his previously acquired territory along the Hudson River. His colony became known as Pavonia. (4) Thus the most important points on the North and South Rivers were seized by a few sharp men.

1. Doc. Rel. to Col. Hist. of N. Y. I. 44.

Brodehead 201.

2. Bancroft II. 43.

3. Brodehead Hist of N. Y. 202.

4. Bancroft II. 43.

Brodehead 202.

As was natural, ^{bitter} ~~little~~ jealousies and quarrels arose among the directors.

Those who had been so completely deprived of an opportunity to gain anything by the company's liberality were much aroused. This feeling was shared in general by the stockholders who were much averse to such unfair acquisition of land by only a few. Furthermore the patroons had acquired a title to all the important points where the natives resorted for traffic, thus injuring the company's trade. (1)

To allay the ill feeling of disappointed, ex-prospective landlords as well as to secure more capital and more general activity in colonization, the greedy directors were made to receive other directors into partnership with themselves. (2)

Rensselaer's estate near Fort Orange came under the management of six patroons, among whom were included Godyn and Blommaert, but Rensselaer retained as much power as the

1. Bancroft II. 43.
 2. Hol. Doc. II. 100-103.
- Brodehead 204.

others together (1) Godyn and Blommaert also divided their lands on the South River. ~~(Besides)~~ Furthermore, a company of nine, each one ^{has} acknowledged a patroon, was formed, and took possession of a tract of land in the present Delaware, belonging to Rensselaer. By these arrangements the discontented were somewhat appeased.

It did not take long before difficulties arose between the company and the patroon^s in regard to the much coveted fur trade. Pleading that the company had no factories at certain points, the patroons held that at such places they had an undeniable right to trade. (2) But the company, now thoroughly dissatisfied with the patroons, strenuously objected, and even proposed to limit the privileges which the lords already had. (3) It therefore issued a proclamation forbidding all "private" persons in New Netherland from dealing in any way in sewan, peltries of maize. (4) The patroons immediately protested against this decided action and insisted that according to the charter they were not private but privileged persons. (5)

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| 1. Hol.Doc. V. 298 | 3. Brodehead 213. |
| VI. 303 | |
| Brodehead 204. | 4. " 218 |
| 2. Brodehead 213. | |
| 5. Brodehead 218 | |

But the company was firm in its determination to keep the fur trade as its exclusive right. The result was that both parties appealed to the States General. The patroons submitted a lengthy complaint against the company claiming that the colonization had been of an immense expense to them, but that their privileges were repeatedly called in question. The inland fur trade, it was argued, was not included in the reservation of the company's monopoly and the patroons were not bound to pay any recognition on peltries. (4) The protection which the company had promised to the settlers had not been rendered. Damages were therefore demanded. (1)

The company consented to refer the dispute to the States General, (2) and abide by its decision, but that body never did more than postpone the matter in order to enable the parties to come to an agreement. (3) But the constant quarrels between the patroons and the company ^{was} found to be detrimental to the prosperity of all, and to rid the colony of these obnoxious

1. Doc. Rel. to Co~~X~~. Hist of N.Y. I 85-91.
2. Idem. I. 89.
3. Idem I. 91.
4. Doc. Rel. to Col. Hist. of N. Y. I. 87

Strifes the College XIX commissioned some of the directors to treat and transaction with all the patroons in New Netherland for the purchase of all their rights and property. An agreement was accordingly made with the South River patroons and the heirs of Godyn for the purchase of their two colonies for 1635 the sum of six hundred guilders or nearly six thousand dollars.

(4) The territory of ~~Pavonia~~ was purchased for twenty-six 1637 thousand guilders or in the neighborhood of ten thousand dollars. Thus Pavonia and Staten Island became once again the property of the company and much annoyance was avoided. (1)

Still the trouble did not end. Other men acquired land and formed colonies? In 1637 Van Twiller bought great tracts of land and became a mighty patroon. (3)

(And this time (in 1638.) An investigation was made into the conditions of the Province by the College of XIX and the disclosures made were discouraging indeed. (2) Foreigners were encroaching upon the Company's territory. Settlers of the company returned home taking nothing with them except a little

1. Hol. Doc. V. 400
Brodehead 268.
2. Doc. Rec. IV. 107

3. Brodehead 267
4. " 249.

money in their purses and a bad name for the country.

Private persons dared not emigrate. The directors looked more to their own immediate interest than to the welfare of the Province which their bad government threatened with ruin.

The States General then determined upon a new policy, namely to grant free trade to the internal commerce of New Netherland, that is, the right of traffic was extended to all the inhabitants of the United Provinces and of friendly countries. (1) This measure gave to the Province a greater prosperity than it had before enjoyed, but it did not go to the root of the evil.

It was the restrictive feudal system which caused so much depression. Besides its political evils it also fostered gross dishonesty on the part of the colonists in their relation to the patroons.

The cry for reform was heeded, and in 1640 a new charter was adopted which (2) besides modifying the privileges of the patroons created a new class of proprietors. Whoever should convey himself and five grown persons over fifteen years of age to New Netherland was to be acknowledged "master of col-

1. Brodehead Hist. of N.Y. 286. Doc. rel. to Col. his. I 112
2. Doc. rel. to Col. Hist. 119-123.

colonies" and entitled to claim two hundred acres of land with privilege of hunting and fishing on the public possessions. Thus ^{mere} ~~now~~ removed the impossible barriers which the company had set up against the colonization of the province by the people in general. All free colonists and all the stockholders in the company received the right to trade, subject, however, to duties laid on their goods. The prohibition of manufactures within the province was abolished. Many of the feudal rights which the patroons had enjoyed were retained. The director of the province and a council should administer law and justice.. After this the Province could expect to experience better times. The quarrels between the patroons and the civil government of New Netherland did not cease entirely until the province passed from the possession of the Dutch to that of England. (1)

The patroon system was not changed under the English. (3)

By many manors were established after the English had possession and mostly before the close of the seventeenth century. Thus we find that Gov. Dongan in 1686 gave a patent for the great

1. Harpers Encyclopedia 1056.

3. Johnston Hist. of U.S.

Livingston manor, and three years previous he had given a charter for the erection of a manor on Gardiners Island. (2)

The Earl of Bellamont, in a letter to the Lords of Trade, dated New York, Jan. 2, 1700 states that in all seven millions acres had been granted away in thirteen grants. (1) (Mostly under Fletchers adm.) One grant to Mr. Dellius was for fourteen hundred thousand acres.

The colony of Rensselaers-wyck was the most important and lasting. Of all the original manors it alone survived. It owed its existance mainly to its management, but largely to situation, remote from the seat of government and convenient for the Indian fur trade. By 1638 it equaled in population the rest of the province. (3) This colony may serve as a type to illustrate the political and judicial aspect of the patroon system.

The patroon was empowered to administrate civil and criminal justice in person or by deputy within his colony, to appoint local officers and magistrates, to erect courts and

2. Doc. Hist. of N. Y. IV. 616.

1. Doc. Rel. to Col. Hist. of N.Y. IV. 322-3

2. Harpers Cyclopedia 1196.

to take cognizance of all crimes committed within his limits.

We have seen that by the charter an appeal lay from the manorial court to the Director General and council at Fort Amsterdam, in cases affecting life or limb, or where the amount in controversy was over twenty dollars; but this right of appeal was rendered for the most part worthless by the exactions of a promise from the colonists at the time of settlement that they would not resort to the higher Tribunal. Who can wonder at the poor colonist if he sometimes felt aggrieved, and going home took with him a bad name for the country.

For besides being subject to the laws prevailing elsewhere in New Netherland, the Civil Code and the Province of Holland and of the United Netherland, the edicts of the West Indian Company, and of the Director and Council of Manhattan he was also subject to such laws as the patroons or his deputy might establish. (1) The government of the colony was administered by a court composed of two commissioners and two schepens assisted by the Colonial secretary and the schout. (2) The patroons have the expense of preparing the land for occupancy.

1. Brodehead 305.

2. Brodehead 305.

He set off farms, erected farm buildings, stocked them with tools and cattle, and so brought the farmer to his work unhampered by want of capital. In return for these outlays the Civil Code gave the patroon many of the rights incident to lordship under the feudal system. He was not only entitled to the rent, which was usually in kind, but also to a portion of the increase of stock and of the produce of the farm. Even to the remainder he had the first right and the farmer was not allowed to sell any of his produce elsewhere until it had been refused by his patroon.

He required all the colonists to grind all their grain at his mill, to obtain license from him to fish or hunt within the domain, and as lord of the manor he was the legal heir of all who died intestate within the colony (1)

The restrictions were naturally very distasteful to the people who had enjoyed a greater freedom at home, and it is not surprising that the colonies failed to increase rapidly.

1. Brodehead 305.

Some manors had for a long time hardly any occupants to till the soil. The letter of the Earl of Bellamont before quoted, says, "Mr. Livingston has on his great grant of sixteen miles long and twenty-four miles~~s~~ broad but four of five cottages, as I am told, men that live in vassalage under him, and work for him having not where-with-all to buy cattle to stock a farm. ~~Call~~^{onal} Courtland has also on his great grants four or five of these poor families." Like conditions are mentioned as existing in numerous other colonies. (1)

From what has been seen it appears that the beginnings of governmental and industrial life in New Netherland were unfortunate. It has been said, ^{and} ~~that~~ truly it seems, that monopoly in trade, in land, and in government seemed to be the foundation on which the settlers must build their state. (2)

1. Doc. Rel. to Col. Hist IV. 822-3.

2. J. H. U. St. 4. P.14.

Thus Mr. Fernon holds that "the object of the patroons had been at first when they obtained their privileges in 1629 rather a participation in the Indian trade than the colonization of the country" and this opinion appears very plausible when we recollect that the patroons appropriated the very places to which the Indians were accustomed to resort for trade. "Their new plan (I quote from Mr. Fernor again) was to divide the province into manors for a privileged class to the exclusion of the hardy and industrious pioneers and sturdy and independent yeoman." (1) To gain their rights these latter had to make many and persistent efforts.'

One obnoxious result of the manorial system was of course the aristocratic class which it introduced. It shaped a class distinction for which we, believing that all men are equal, have a great aversion. Social lines were very strongly

1. Introduction to Vol. XIII Doc. Rel.

to Col. Hist of N. Y.

marked. The feudal lords built great manorial residences in which an extravagant luxury abounded. When the great lords ornamented with powdered wigs and cocked hats, scarlet or somber velvet coats and silver swords traveled in their fine coaches drawn by four Flemish horses preceded by liveried postillions and outriders, as we are told they did, (1) then, indeed, the much boasted of American simplicity of manners appeared to be yet far off.

Let us briefly glance at the manorial system as it existed in Maryland. The institution of manors in Maryland by the charter of Lord Baltimore in 1632 is greatly analogous to the New Netherland plan. (Bozeman Vol. I. Translation of Charter.)

The charter, ^{granted} to Lord Baltimore and his heirs the right "to erect and parcel land within the province into manors, to have and to hold a court baron and all things which to a court baron do belong, and to have and to keep view of frankpledge

for the conservation of peace and better government of those parts by themselves and their stewarts or by the lords for the time being."

A manor should be made up ~~of~~ 2000 acres for each person transporting any number of men between sixteen and sixty as laid down in 1642 (1). By a later provision (1648) all people were given privilege to accept these offers. But in Maryland the manorial system took on rather the patriarchal than the feudal type of society. One sixth of the land in one place was set apart for the demesne lands of the lord. Lease for these lands could not be for more than seven years. At the expiration of a leasehold it might be renewed but the leaseholds were subject to annual rents payable to the lord.

In the courts all matters pertaining to the manor were adjudicated. Suffrage was extended to all freemen, but not to all free holders.

1. Bozeman II. Note XVIII.

THE END OF THE FEUDAL SYSTEM IN NEW NETHERLAND.

The manorial courts continued in existence till the time of the Revolution and the adoption of the Constitution. ¹⁷⁷⁷ As population increased other courts were instituted and there was a gradual abolition of the old courts. The constitution of 1777 fails entirely to recognize these courts and their jurisdiction came to an end. (1)

The movement known in history as Anti-rentism must be briefly considered. The agitation which had long been carried on (2) against the payment of feudal rents led in 1839 to the formation of an association of farmers, the purpose of which was to devise a scheme for relief from the burdens. Attempts were made to have the matter settled by arbitration, & ~~that this~~ failed, and in 1845 the county of Delaware had become so disturbed that it was declared as being in a state of insurrection.

1. *History* II 57

2. Harpers Cyclopedia 51.

In 1846 a clause was inserted into the revised constitution of the State abolishing all feudal tenure and incidences and prohibiting the leasing of agricultural lands for longer terms than twelve years.

The last proprietor of the Rensselaer manor sold his interest in his lands a few years ago to a judicious person who made amicable arrangements with all the tenants, rents, sale and purchase of the farms.