

THE
NEW-YORK CONSPIRACY,
OR
HISTORY OF THE NEGRO PLOT,
WITH THE
JOURNAL OF THE PROCEEDINGS
AGAINST THE
CONSPIRATORS AT NEW-YORK IN THE YEARS
1741-2.

TOGETHER WITH
SEVERAL INTERESTING TABLES,

Containing the Names of the White and Black Persons arrested on
account of the Conspiracy—the times of their Trials—their
Sentences—their Executions by Burning and
Hanging--Names of those Transport-
ed, and those Discharged.

With a variety of other useful and highly interesting matter.

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PREFACE TO THE SECOND EDITION.

THE History of the Great Negro Plot in 1741, has always been a subject of curiosity, and highly interesting to the citizens of New-York: Never having been republished, the work had become so extremely scarce, that it was with the utmost difficulty a perfect copy could be obtained for the present edition.

After a lapse of nearly three quarters of a century, we look back with astonishment on the panic occasioned by the negro plot, and the rancorous hatred that prevailed against the Roman catholics. To judge from tradition, and the "Journal of the Proceedings against the Conspirators," no doubt can be had of the actual existence of a plot; but its extent could never have been so great as the terror of those times depicted. The very mode adopted to discover abettors, by mutual criminations and confessions, tended, in the progress of the trials, to inculcate every negro slave in the city. We accordingly find that the number of conspirators daily increased. As it was impossible to prove all equally guilty, the ringleaders only were executed, and those who, to save their lives, plead guilty and threw themselves on the mercy of the court, were transported.

The city of New-York, at this period, contained a population of about 12,000 souls, of which one-sixth were, in all probability, negro slaves. Insurrections and conspiracies were, at this juncture, frequent in the West-India islands, and great apprehensions were entertained of an invasion by the French and Spaniards. These circumstances aggravated the horrors of a domestic plot to such a degree, that the white inhabitants, regarding every negro slave as an incendiary and an assassin, carried their apprehensions and resentments beyond all bounds.

A holy hatred of the Roman catholics was inculcated by church and state. Our Dutch forefathers, glowing with all the zeal of the early reformers, emigrated to this country, shortly after the emancipation of the United Netherlands from the Spanish yoke, and fostered all the rancour of their race against papists and Spaniards. It was the policy of the English government, after the conquest, to cherish this animosity, and those of our readers, who were born and educated before the American revolution, will recollect how religiously they were taught to abhor the Pope, Devil and Pretender. The act of our provincial assembly against Jesuits and popish priests, passed II William and Mary, and which continued in full

PREFACE TO THE SECOND EDITION.

force until our independence, was owing, not only to these prejudices, but to the exposed situation of the colony, the northern frontier of which was bounded by Canada, at that time in possession of France, the natural and ever-during enemy of England. The predominating influence of the French over the aborigines of this country, was principally ascribed to their priests. The pomp and pageantry of the Romish church powerfully appealed to the senses of the rude savage, who could not so easily comprehend the abstract truths of the protestant religion. To counteract this influence, and prevent the Indians from being seduced from their obedience to the English crown, this law was enacted against "every Jesuit, seminary, priest, missionary, or other spiritual or ecclesiastical person, made or ordained by any authority, power, or jurisdiction, derived, challenged or pretended, from the pope or see of Rome, or that shall profess himself, or otherwise appear to be such, by practising or teaching of others, to say any popish prayers, by celebrating of masses, granting of absolutions, or using any other of the Romish ceremonies, or rites of worship, by what name, title or degree soever such person shall be called or known, who shall continue, abide or come into this province, or any part thereof, after the first day of November aforesaid; shall be deemed and accounted an incendiary, and disturber of the public peace and safety, and a disturber of the true christian religion, and shall be adjudged to suffer perpetual imprisonment. And if any person, being so sentenced and actually imprisoned, shall break prison, and make his escape, and be afterwards retaken; he shall suffer such pains of death, penalties and forfeitures, as in cases of felony."

The intolerant spirit of this act shows the horror and detestation in which the Roman catholics were held, and will account, why so few of this profession existed in this city and colony before the revolution.

In estimating this singular event in our colonial history, the circumstances of the times should be duly considered, before we too hastily condemn the bigotry and cruelty of our predecessors. The advantages of a liberal, indeed of the plainest education, was the happy lot of very few. Intercourse between the colonies and the mother country, and between province and province, was very rare. Ignorance and illiberal prejudices universally prevailed. Their more favoured and enlightened posterity will, therefore, draw the veil of filial affection over the involuntary errors of their forefathers, and emulating their simple virtues, endeavour to transmit a brighter example to their successors.

New-York, April 5th, 1810.

ORIGINAL PREFACE.

THE reader must not expect in the following sheets, a particular and minute relation of every formality, question and answer, that passed upon the trials, it may suffice, if he be assured he has the substance ; for indeed more cannot be expected, when it is considered, that we have no one here, as in our mother country, who make it a business to take notes upon such occasions, or any others, that we know of, who are so dexterous at short-hand, as to be sufficiently qualified for such a purpose ; but he will be sure to have all that could be collected from the notes that were taken by the court, and gentlemen at the bar ; with all which the compiler has been furnished.

Upon a review of the proceedings, in order for this undertaking, the bulk of them, which was the product of about *six months inquiry*, seemed somewhat discouraging : No doubt they might have been contracted, if this work had been proceeded upon in the method of an historical relation only, wherein the compiler would have been more at liberty to abstract the several originals ; but it was concluded, a *journal* would give more satisfaction, inasmuch as in such a kind of process, the depositions and examinations themselves, which were the ground-work of the proceedings, would appear at large ; which most probably would afford conviction, to such as have a disposition to be convinced, and have *in reality* doubted whether any particular convicts had justice done them or not, notwithstanding they had the opportunity of *seeing* and *hearing* a great deal concerning them ; and others, who had no such opportunities, who

were prejudiced at a distance in their disfavour, by frivolous reports, might the reader be undeceived: for as the proceedings are set forth in the order of time they were produced, the reader will thereby be furnished with the most natural view of the whole, and be better enabled to conceive the design and dangerous depth of this *hellish project*, as well as the justice of the several prosecutions.

Thus far, however, the compiler thinks proper to premise, that as he found it convenient to divide the originals into numbered sections, for the more ready reference to the several parts of them, as occasion should offer, he took the liberty also of lopping off from them, what, in print, he thought would be a superfluous formality, such as, *the deponent further saith*, and such like, which he thought would have been a needless incumbrance to the book.

The parties accused of the conspiracy were numerous, and business by degrees multiplied so fast upon the grand jury, *which bore the burthen of this inquiry*, that there would have been an immediate necessity for others to have lent a helping hand in taking examinations *from the beginning*, if the judges had not found it expedient to examine the persons accused, upon their first taking into custody, whereby it seemed most likely the truth would bolt out, before they had time to cool, or opportunity of discoursing in the jail with their confederates, who were before committed.

The examinations thus taken by the judges, were soon after laid before the grand jury, who interrogated the parties therefrom in such manner, as generally produced from them the substance of the same matter, and often something more, by which means there accrued no small advantage; for though where the last examination brought to light new discovery, yet it will be seldom found, there is any thing in such further examinations contradictory to the former, but generally a confirmation of them; and in such case, the setting forth the same at large, may not be thought a useless tautology; not that this will happen often, and where it does,

it will be chiefly found in the examinations and confessions of negroes, who, in ordinary cases, are seldom found to hold twice in the same story; which, for its rarity therefore, if it carried not with it the additional weight of the greater appearance of truth, may make this particular the more excusable; and further, this is a *diary* of the proceedings, that is to be exhibited, therefore, in conformity to that plan, nothing should be omitted, which may be of any use.

All proper precautions were taken by the judges, that the criminals should be kept separate; and they were so, as much as the scanty room in the jail would admit of; and new apartments were fitted up for their reception: but more particular care was taken, that such negroes as had made confession and discovery, and were to be made use of as witnesses, should be kept apart from the rest, and as much from each other, as the accommodations would allow of, in order to prevent their caballing together; and the witnesses were always examined apart from each other first, as well upon the trials, as otherwise, and then generally confronted with the persons they accused, who were usually sent for and taken into custody upon such examinations, if they were to be met with; which was the means of bringing many others to a confession, as well such as were newly taken up, as those who had long before been committed, perhaps upon slighter grounds, and had insisted upon their innocence; for they had generally the cunning not to own their guilt, till they knew their accusers. But notwithstanding this was the ordinary method taken, both by the judges and grand jury, to send for the parties as soon as impeached, (which however might sometimes through hurry be omitted) yet several who happened then to be out of the way, were afterwards forgot, and slipped through our fingers, from the multiplicity of business in hand, as will hereafter appear; which *therefore* is particularly recommended to the notice of their owners.

The trouble of examining criminals in general, may be easily guessed at; but the fatigue in that of negroes, is not to be conceived, but by those that have undergone

the drudgery. The difficulty of bringing and holding them to the truth, if by chance it starts through them, is not to be surmounted, but by the closest attention; many of them have a great deal of craft; their unintelligible jargon stands them in great stead, to conceal their meaning; so that an examiner must expect to encounter with much perplexity, grope through a maze of obscurity, be obliged to lay hold of broken hints, lay them carefully together, and thoroughly weigh and compare them with each other, before he can be able to see the light, or fix those creatures to any certain determinate meaning.

Though for the reasons before mentioned, all the trials could not be set forth at large; yet on the principal trials, such as, *the Hughsons, Ury the Priest, Quack,* and *Cuffee*, (the two first negroes executed for the conspiracy) and that of *the five Spanish slaves*, the court and gentlemen at the bar took notes more largely; but as to the rest, though there were here and there some minutes taken, (which are also set forth in their proper places) yet they did not think them equally worth the pains; therefore upon other trials, the paragraphs or sections of the depositions of whites, and the examinations and confessions of slaves, taken by the judges, grand jury, or others, upon the credit whereof such slaves were indicted, are referred to upon their respective trials: which method, if any should object to, as subject to uncertainty, and say, the witnesses might not declare exactly the same things, and in the same words, or the substance of them, before the court, as are contained in those depositions, examinations and confessions referred to, the answer is,

1st. It is most likely they did not, (nor could it be expected they should) deliver themselves precisely in the same words: but abstracts were taken of those evidences, and briefs prepared for the counsel concerned in each trial, pointing out the several articles affecting each criminal, whereby the counsel were readily led to ask a witness such questions as would naturally draw out the substance of the same matter in answer, as if it

were the truth; and it was observed by those more immediately concerned in these affairs, and whose province it was to give close attention to them, that the witnesses both whites and blacks, generally kept close to the text, and delivered in court the substance of the evidence they had before given in their depositions, examinations and confessions.

2dly. That what the witnesses did actually declare in court upon the trials, was sufficient to convince *twelve* honest men upon their oaths, that the accused were guilty; and there is no other way to furnish the reader with the grounds which gave such conviction to the juries.

For the further *enlightening* the masters and owners of slaves accused, convicted upon their own confessions, and transported, and of others who were discharged from confinement, (*for want of sufficient evidence, as it was said, before the second grand jury, who were charged to continue the inquiry concerning this infernal scheme*) the evidence affecting each, is referred to under every such negroes confession, excepting as to such of them as were made use of as witnesses, which was thought needless; for their testimony having gained sufficient credit, it can scarce be supposed there will be any doubt of their own guilt: but if there should be any who hesitate concerning it, all that can be said is, it will behove such to give the closer attention to the several depositions, examinations and confessions, which impeach them.

The evidence likewise affecting each white person apprehended upon the account of this conspiracy, that was afterwards discharged for want of prosecution, is referred to under their respective names, that it may appear what reason there was for their commitment and accusation, though they were discharged for want of indictment.

It has been thought proper to add, at the end of this journal, lists of all the whites and blacks accused of this conspiracy, those who were executed, and those who were pardoned upon condition of transportation, or

otherwise discharged from jail, shewing the respective times of their commitment, arraignment, conviction, execution or discharge; whereby the reader will be enabled to turn to almost any part of the journal to satisfy his curiosity, as to what most materially concerns each respective conspirator; and with a view also to shew to what places such of them as were transported (according to information received) were shipped; which is premised, as a modest hint to our brethren in the *West Indies*, and the more neighbouring English colonies, that they may see how tender we have been of *their* peace and security, by using all the precaution in our power, *that none of our rogues should be imposed upon them*; for it was made an express condition in the several pardons, and likewise the recognizances entered into by the securities for slaves transported, "that the persons pardoned should be transported to the dominion of some foreign prince or state, or the island of *Newfoundland*, [by a time therein limited] and if any of the negroes or slaves [pardoned by the letters patent] should at any time after [the day therein limited] *be found in any of his majesty's dominions, except Newfoundland*, the letters patent as to all and every the person and persons so found, should be null, void, and of no force or effect;" which terms have been strictly pursued and complied with, some few instances only excepted.

Many, it seems, have wondered that this journal has not made its appearance long ago; for, say they, the thing dies away, and is almost forgotten (the more is the pity) and now people will hardly take the pains to give it a perusal.

To which it is answered, that it was some time before the compiler could submit himself to undergo a drudgery of this kind, for several reasons; the task was not very inviting, and he had borne a sufficient fatigue, under an ill state of health, in the share he had in the proceedings themselves, for a course of six months daily attendance, and it was some time before he could absolutely determine to undertake it, and did set about it in earnest; and since that, the duties of his offices and

profession have occasioned many interruptions; and when the attention is withdrawn for a time from a subject, it may not always suit the humour to reassume it, especially a matter of this nature; nor perhaps can the thoughts concerning it be easily collected again; not that this business required much intention, but recollection and care were necessary to introduce every matter properly, and give it connexion in its due order of time, towards which the compiler had the advantage of being all along privy to the proceedings, and all the motions concerning them.

There were reasons indeed, for making these matters public, which could not be withstood.

There had been some wanton, wrong-headed persons amongst us, who took the liberty to arraign the justice of the proceedings, and set up their private opinions in superiority to the court and grand jury; though God knows (and all men of sense know) they could not be judges of such matters; but nevertheless, they declared with no small assurance (notwithstanding what we *saw* with our eyes, and *heard* with our ears, and every one might have judged of by his intellects, that had any) *that there was no plot at all!* The inference *such* would have drawn from thence, is too obvious to need mentioning; however this moved very little: It was not to *convince* (for that would have been a vain undertaking; *the Ethiopian might as soon change his skin*) much less was it to gratify *such*.

But there were two motives which weighed much; the *one*, that those who had not the opportunity of *seeing* and *hearing*, might judge of the justice of the proceedings, from the state of the case being laid before them; the *other*, that from thence, the people in general, might be persuaded of the necessity there is, for every one that has negroes, to keep a very watchful eye over them, and not to indulge them with too great liberties, which we find they make use of to the worst purposes, caballing and confederating together in mischief, in great numbers, when they may, from the accounts in the ensuing sheets, from what they *see* has happened,

feel the consequence of giving them so great a latitude, as has been customary in this city and province, and thereby be warned to keep themselves upon a strict guard against *these enemies of their own household*, since we know what they are capable of; for it was notorious, that those among them, who had the kindest masters, who fared best, and had the most liberty, nay, that those in whom their masters placed the greatest confidence, insomuch, that they would even have put their own swords into their hands, in expectation of being defended by them against their own colour, did nevertheless turn out the greatest villains. It even appeared that these *head fellows* boasted of *their superiority* over the more harmless and inoffensive; that they held them in an inferiority and dependence, a kind of subjection, as if they had got such dominion over them, *that they durst not, at any time, or upon any occasion, but do as they would have them*; from whence it may be guessed, how likely the defection was to be general.

The principal inducement, therefore, to this undertaking was, *the public benefit*; that those who have property in slaves, might have a lasting memento concerning the nature of them; that they may be thence warned to keep a constant guard over them; since what they have done, they may one time or other act over again, especially if there should in future times, appear *such monsters in nature*, as the *Hughsons, Ury the priest, and such like*, who dare be so wicked as to attempt the seducing them to such execrable purposes: and if any should think it not worth their while to learn from the ensuing sheets (what by others perhaps may be esteemed) *a useful lesson*, the fault will be their own; and really it was thought *necessary*, for these and other reasons needless here to mention, that there should be a standing memorial of so unprecedented a scheme of villainy.

But though the compiler was willing to make an offering of his *own time*, to the public service, by laying these matters in order for the press, yet being under no other influence so to do, than his inclination and

readiness to oblige the public, he was at liberty, however, to suit his own convenience; and therefore, considering the multiplicity of the proceedings, it may, *after all*, rather be thought *matter of wonder*, that it makes its appearance so soon.

Perhaps it may not come forth *unseasonably* at this *juncture*, if the distractions occasioned by this *mystery of iniquity*, may be thereby so revived in our memories, as to awaken us from that supine security, which again too generally prevails, and put us upon our guard, lest the enemy should be yet within our doors.

City of New-York, 12th April, 1744.



INTRODUCTION.

AS a robbery committed at Mr. Hogg's, paved the way to the discovery of the conspiracy, it may not be improper to introduce the ensuing journal and narrative, with an account of that felony, as well as the many fires which alarmed this city, close upon the heels of each other, within less than three weeks, occasioned by this infernal scheme, till they both came under the inquiry and examination of the grand jury, at the Supreme Court: and indeed there is such a close connexion between this felony and the conspiracy, as will appear by the several steps and examinations taken by occasion of the former, that the narrative of the robbery could not well be omitted; for the inquiry concerning that, was the means of drawing out the first hint concerning the other; nay, this felony and such like, were actually ingredients of the conspiracy, as will appear by the sequel.

On Saturday night the 28th February, 1740-1, a robbery was committed at the house of Mr. Robert Hogg, in the city of New-York, merchant, from whence were taken divers pieces of linen and other goods, and several silver coins, chiefly Spanish, and medals, and wrought silver, &c. to the value in the whole, of sixty pounds and upwards.

The occasion of this robbery, as was discovered, and will appear more fully hereafter, was one Wilson, a lad of about seventeen or eighteen years of age, belonging to the Flamborough man of war, on this station, who having acquaintance with two white servants belonging to gentlemen who lodged at Mr. Hogg's house, Wilson used frequently to come thither on that pretence, which gained him easy admittance: but Wilson, it seems, had a more familiar acquaintance with some negroes of very suspicious characters, particularly Caesar, belonging to John Vaarek, baker; Prince, to Mr. John Auboyneau, merchant, and Cuffee, to Adolph Philipse, Esq.

“ The Thursday before this robbery was committed, Wilson came to Mr. Hogg's shop, with one of the man of war's people,

to buy some check linen, and having bargained for some, part of the money offered in payment, was of Spanish coin, and Mrs. Hogg opening her bureau to change the money, pulled out a drawer in the view of Wilson, wherein were a considerable quantity of milled Spanish pieces of eight; she soon reflected that she had done wrong in exposing her money to an idle boy in that manner, who came so frequently to her house, and immediately shut up the bureau again, and made a pretence of sending the money out to a neighbour's to be weighed."

Mrs. Hogg's apprehensions happened to be right; for this boy having a sight of the money, was charmed with it, and, as it seems, wanted to be fingering of it. He told his comrades of the black guard, the beforenamed Cæsar, Prince and Cuffee, where they might have a fine booty, if they could manage cleverly to come at it; he said it was at Hogg's house in the Broad-street; his wife kept a shop of goods, and sold candles, rum, molasses, &c.

The negroes caught at the proposal, and the scheme was communicated by them to John Hughson, who kept a public house by the North River, in this city, a place where numbers of negroes used to resort, and be entertained privately (in defiance of the laws) at all hours, as appeared afterwards, and will be shewn at large in the ensuing sheets. Thither they used to bring such goods as they stole from their masters or others, and Hughson, his wife and family, received them: there they held a consultation with Hughson and his family, how they should act, in order to compass the attainment of this booty.

The boy (Wilson) told them the situation of the house and shop; that the front was towards Broad-street, and there was a side door out of the shop into an alley, commonly called the Jews-Alley, and if they could make an errand thither to buy rum, they might get an opportunity to shove back the bolt of the door facing the alley, for there was no lock to it, and then they could come in the night afterwards, and accomplish their designs.(a)

At Hughson's lodged one Margaret Sorubiero, alias Salingburgh, alias Kerry, commonly called Peggy, or the Newfoundland Irish beauty, a young woman about one or two and twenty; she pretended to be married, but no husband appeared; she was a person of infamous character, a notorious prostitute, and also of the worst sort, a prostitute to negroes; she was here lodged and

(a) At nights they usually let people in at the front door, in another street, and went through the parlour into the kitchen, which Wilson well knew.

supported by Cæsar (Vaarck's) before mentioned, and took share (in common with Hughson's family) of the spoils and plunder, the effects of Cæsar's thefts, which he brought to Hughson's; and she may be supposed to have been in most of their wicked secrets; for she had lodged there the summer before, and removed from thence to a house by the new battery, near one John Romme's, a shoemaker, and was well acquainted with him and his wife: thither also Cæsar used frequently to resort, with many other negroes; thither he also conveyed stolen goods, and some part of Hogg's goods, of which John Romme had his choice, if what Cæsar said, after his condemnation, be true; and by what will appear hereafter against Romme, and from his intimacy with Hughson, his merits may be concluded to fall little short of his companions.

With this Peggy, as she will be hereafter commonly called, Cæsar used frequently to sleep at Hughson's, with the knowledge and permission of the family; and Cæsar bargained with and paid Hughson for her board; she came there to lodge a second time in the fall, not long before Christmas, 1740, big with child by Cæsar, as was supposed, and brought to bed there not many days before the robbery at Hogg's, of a babe largely partaking of a dark complexion.

Here is laid the foundation of the characters of Hughson and his family, Peggy and John Romme, which will afford frequent occasion of enlarging upon; and from such an hopeful earnest the reader may well expect a plentiful harvest.

Wilson coming to Mrs. Hogg's on Sunday morning, to see his acquaintance as usual, she complained to him, that she had been robbed the night before, that she had lost all the goods out of the shop, a great deal of silver Spanish coins, medals and other silver things, little suspecting that he had been the occasion of it, notwithstanding what she apprehended upon pulling out the drawer of money before him, as above; but as she knew he belonged to the man of war, and that several of those sailors frequented idle houses in the Jews-Alley, it happened that her suspicions inclined towards them; she imagined he might be able to give her some intelligence about it, and therefore described to him some things that she had missed, viz. snuff-boxes, silver medals, one a remarkable eight square piece, &c. Whereupon Wilson said, he had been that morning at Hughson's house, and there saw one John Gwin, who pulled out of his pocket a worsted cap full of pieces of coined silver; and that Mr. Philipse's Cuffee, who was there, seeing John Gwin have this money, he asked him to give him some, and John Gwin counted him out half a

crown in pennies, and asked him if he would have any more ; and then pulled out a handful of silver coin, amongst which, Wilson said, he saw the eight square piece described by Mrs. Hogg.

SUNDAY, MARCH 1.

This morning search was made for John Gwin at Hughson's, supposing him to have been a soldier of that name, a fellow of suspicious character, as Mrs. Hogg conceived ; and the officers making inquiry accordingly for a soldier, they were answered, there was no such soldier used that house ; but it fell out, that Cæsar, the real person wanted, was at the same time before their faces in the Chimney corner : the officers returned without suspecting him to be the person meant, but the mistake being discovered by the boy (Wilson) that the negro Cæsar before mentioned went by that name, he was apprehended in the afternoon, and being brought before Wilson, he declared that he was the person he meant by John Gwin.

Cæsar was committed to prison.

MONDAY, MARCH 2.

Cæsar (Vaarck's negro) was examined by the justices, and denied every thing laid to his charge concerning Hogg's robbery, but was remanded.

Prince (Mr. Auboyneau's negro) was this day also apprehended upon account of the same felony : upon examination he denied knowing any thing of it. He was also committed.

Upon information that Cæsar had shewn a great deal of silver at Hughson's, it was much suspected that Hughson knew something of the matter, and therefore search was made several times at his house, yesterday and this day, but none of the goods or silver were discovered.

Hughson and his wife were sent for, and were present while the negroes were examined by the justices, and were also examined themselves, touching the things stolen, but discovered nothing ; and they were dismissed.

TUESDAY, MARCH 3.

Hughson's house having been searched several times over by Mr. Mills, the under-sheriff, and several constables, in quest of Hogg's goods, without effect, it happened this evening, that Mary Burton^(b) came to to the house of James Kannady, one of the searching constables, to fetch a pound of candles for her master; Kannady's wife knew the girl by sight, and who she belonged to, living in the neighbourhood near them, and having heard of the robbery, and the several searches at Hughson's, she took upon her to examine Mary, "whether she knew any thing of those goods, and admonished her to discover if she did, lest she herself should be brought into trouble, and gave her motherly good advice, and said if she knew any thing of it, and would tell, she would get her freed from her master." Whereupon at parting, the girl said, "she could not tell her then, she would tell her tomorrow; but that her husband was not cute enough, for that he had trod upon them," and so went away. This alarmed Kannady and his wife, and the same evening Ann Kannady went to Mr. Mills, the under-sheriff, and told him what had passed between her and Mary Burton. "Whereupon Mills and his wife, Mr. Hogg and his wife, and several constables, went with Ann Kannady and her husband, down to Hughson's house; and Ann Kannady desired the under-sheriff to go in first, and bring Mary Burton out to her; but he staying a long time, Ann Kannady went into Hughson's house, and found the under-sheriff and his wife, and Mary Burton, in the parlour, and she then denied what she had before said to Ann Kannady, as above; till Ann Kannady charged her home with it; till at length, Mary Burton said she could not tell them any thing there, she was afraid of her life; that they would kill her. Whereupon they took the girl out of the house, and when they had got a little way from thence, she put her hand in her pocket, and pulled out a piece of silver money, which she said was part of Hogg's money, which the negro had given her. They all went to Alderman Bancker's with her, and Ann Kannady informing the Alderman, that she had promised Mary Burton to get her freed from her master; he directed that she should lodge that night with the under-sheriff at the City-Hall for safety; and she was left there accordingly." For Mary Burton declared also, before the alderman, her apprehensions and fears, that she should be murdered

(b) An indented servant to John Hughson, came to him about midsummer, 1740.

or poisoned by the Hughsons and the negroes, for what she should discover.

The alderman sent for John Hughson, and examined him closely, whether he knew any thing of the matter? but he denied that he did at first, until the aldermen pressed him very home and admonished him (if it was in his power) to discover those who had committed this piece of villainy; little suspecting him to have been previously concerned; he was at last prevailed with to acknowledge he knew where some of the things were hid, and he went home, fetched and delivered them.

WEDNESDAY, MARCH 4.

This day the mayor having summoned the Justices to meet at the City-Hall, several aldermen met him accordingly, and sent for Mary Burton and John Hughson and his wife; and Mary Burton, after examination, made the following deposition before them.

“ Mary Burton, of the city of New-York, Spinster, aged about sixteen years, being sworn, deposed,

1. “ That about two o'clock on Sunday morning last, a negro man who goes by the name of John Gwin (or Quin) came to the house of John Hughson, the deponent's master, and went in at the window where one Peggy lodges, where he lay all night.

2. “ That in the morning she saw some speckled linen in the said Peggy's room; that the said negro then gave the deponent two pieces of silver, and bid Peggy cut off an apron of the linen and give to the deponent, which she did accordingly.

3. “ That at the same time the said negro bought a pair of white stockings from her master, for which he was to give six shillings; that the said negro had two mugs of punch, for which, and the stockings, he gave her master a lump of silver.

4. “ That her master and mistress saw the linen the same morning.

5. “ That soon after Mr. Mills came to inquire for one John Quin, a soldier, who he said, had robbed Mr. Hogg of some speckled linen, silver, and other things.

6. “ That after Mr. Mills was gone, her mistress hid the linen in the garret; and soon after some officers came and searched the house; and when they were gone and found

nothing, her mistress took the linen from the place she had before hid it in, and hid it under the stairs.

7. "That the night before last, her master and mistress gave the said linen to her mistress's mother,(c) who carried it away.

8. "That yesterday morning, one John Romme was at her master's house, and she heard him say to her master, if you will be true to me, I will be true to you" and her master answered, I will, and will never betray you.(d)

9. "That the said negro usually slept with the said Peggy, which her master and mistress knew of."

Upon this occasion, it seems, Hughson and his wife, finding that Mary Burton was inclinable to discover them in their villainy, touching this robbery, thought proper to say something to blacken her character, in order to take off from the credit of her testimony, and declared, that she was a vile, good-for-nothing girl, or words to that purpose; that she had been got with child by her former master, &c. the truth whereof, however, was never made out. But at length Hughson finding that he was near going to jail, and as fearing the consequence of provoking her, changed his note, and said she was a very good girl, and had been a trusty servant to them: that in the hard weather the last winter, she used to dress herself in man's clothes, put on boots, and went with him in his sleigh, in the deep snows into the commons, to help him fetch firewood for his family, &c.

The deputy town clerk, when Mary Burton was under examination, as he was taking her deposition, exhorted her to speak the truth, and all she knew of the matter; she answered him, that she hardly dared to speak, she was so much afraid she should be murdered by them; or words to that purpose. Whereupon the clerk moved the justices, that she might be taken care of, not knowing that she had been removed from her master's the night before, by order of a magistrate.

After Mary Burton, John Hughson and his wife, and Peggy, were examined: Peggy denied every thing, and spoke in favour of Hughson and his wife: Peggy was committed, and John Hughson confessed as followeth.

Examination.—1. John Hughson said, "That on Monday evening last, after Mr. Mills had been to search his house for goods which had been stolen from Mr. Hogg, one Peggy, who lodged at his house, told him that John Quin had left some

(c) Elizabeth Luckstead.

(d) Romme had received part of Hogg's goods from Cæsar, alias John Gwin, or Quin, as before.

checked linen and other things with her; that she delivered to the examinant the said checked linen, which he delivered to the mother-in-law Elizabeth Luckstead, with directions to hide them: that soon after the said Peggy delivered him sundry silver things in a little bag; which he carried into the cellar, and put behind a barrel, and put a broad stone upon them, where they remained till last night about ten or eleven o'clock, when he delivered them to alderman Johnson and alderman Bancker.

2. "That while the said silver things lay concealed in his cellar, the constables came and searched his house for the said stolen goods, but did not find them.

3. "That this morning the said Peggy gave him a little bundle with several silver pieces in it; which he soon afterwards brought into court, and delivered it to the justices then present."

Hughson absolutely refused to sign the examination, after it was read over to him; and thereupon the deputy town clerk asked him if it was not true as he had penned it; he answered, yes, it was, but he thought there was no occasion for him to sign it. He was admitted to bail, and his wife Sarah likewise; and recognizances were entered into with two sureties each, for their appearance in the Supreme Court on the first day of the next term.

Cæsar and Prince were likewise again examined, but would confess nothing concerning the robbery; Cæsar was remanded, and Prince admitted to bail upon his master's entering into recognizance in ten pounds penalty, for his appearance at the next Supreme Court.

But Cæsar acknowledged, that what Mary Burton had deposed concerning him and Peggy, as to his sleeping with her, was true.

Deposition.—John Vaarck, of the city of New-York, baker, being duly sworn and examined, saith,

1. "That about two o'clock this afternoon, his negro boy told him, there were some things hid under the floor of his kitchen: that thereupon he went to look, and found the linen and plates, now shewn him, which he took out, and carried to the mayor.

2. "That his said kitchen adjoins to the yard of John Romme, is a framed building, and the said linen and plates could easily be put there from the said Romme's yard, but could not be put there from his house, without taking up a board of the floor."

These were supposed to be part of the goods stolen from Mr. Hogg, and carried to Romme's, by Cæsar, alias John Gwin.

Upon Vaarck's deposition, orders were given for the apprehending John Romme, but he absconded.

WEDNESDAY, MARCH 18.

About one o'clock this day a fire broke out of the roof of his majesty's house at fort George, within this city, near the chapel; when the alarm of fire was first given, it was observed from the town, that the middle of the roof was in a great smoke, but not a spark of fire appeared on the outside for a considerable time; and when it first broke out it was on the east side, about twenty feet from the end next the chapel, and in a short time afterwards it made its way through the roof in several places, at a distance from the first and each other. Upon the chapel bell's ringing, great numbers of people, gentlemen and others, came to the assistance of the lieutenant governor and his family; and as the people of this city, to do them justice, are very active and diligent upon these occasions, most of the household goods, &c. were removed out and saved, and the fire engines were in a little time brought thither; but the wind blowing a violent gale at S. E. soon as the fire appeared in different places of the roof, it was judged impossible to save the house and chapel, so that endeavours were used to save the secretary's office over the fort gate, where the records of the colony were deposited; and also the barracks which stood on the side of the quadrangle opposite to the house; such diligence was used in removing the records, books and papers from the former, many of which for despatch were thrown out of the windows next the town, that most of them were preserved; and though from the violence of the wind the papers were blown about the streets, we do not hear that any very material writings were lost; but the fire had got hold of the roof of the office soon after they began to remove the records, and though the engines played some time upon it and afterwards upon the barracks, they were of little service, the wind blowing very hard and the flames of the house being so near them, all seemed to be at their mercy; and an alarm being given that there was gun powder in the fort, whether through fear and an apprehension that there was, or whether the hint was given by some of the conspirators themselves, with artful design to intimidate the people, and frighten them from giving further assistance, we cannot say; though the lieutenant governor declared to every body that there was none there, yet they had not the courage to depend upon his honour's assurance: but however, it happened most of them deserted it, until they found that many gentlemen remained upon the spot; though, had they all stayed, it was thought it would have been to little purpose; for such was the violence of the wind, and the

flames spread so fast, that in about an hour and a quarter's time the house was burnt down to the ground, and the chapel and other buildings beyond human power of saving any material part of them: at length the fire got to the stables without the fort, and the wind blew, fired shingles upon the houses in the town next the North river, so that there was the utmost danger of its spreading further, which occasioned many families to remove their goods; but at last it was stopped at the governor's stables, with very little damage to the houses in the town.

While the records were removing from the secretary's office, there fell a moderate shower of rain, which was of some small service; and when the buildings were down to the ground floor, some hand-grenade shells, which had lain so long as to be forgotten, took fire, and went off, which few or none but the officers of the fort, could account for, or imagine what was the matter, nor would it have been worth while to have attempted their removal, if they had been thought of; for the buildings in the fort were at that time all given over for lost: but this served to confirm the generality of the people, in the notion that there was powder in the fort, and if they could have done any good, this would probably have prevented them.

But though the floors of the several buildings soon tumbled in, there were many pieces of timber which were laid in the walls of the house, chapel steeple, and other buildings, which continued burning almost all the night after; so that we could not think the town quite out of danger of further mischief, till those timbers were entirely consumed; for it was apprehended, as the fort stood upon an eminence, that the wind, according as it should have happened to change, might have blown some of the fire upon the houses in the town, which, for the most part, have shingled roofs: therefore, care was taken to keep a watchful guard all the night, to prevent further damage.

Mr. Cornelius Van Horne, a captain of one of the companies of the militia, very providentially beat to arms in the evening, and drew out his men with all expedition; had seventy odd of them under arms all night, and parties of them continually going the rounds of the city until day light. This incident, from what will appear hereafter, may be thought to have been a very fortunate one, and deserving of a more particular remark, though at that time *some people were so infatuated, as to reproach that gentleman for it, as a madman.*

The only way of accounting for this misfortune at this time was, the lieutenant governor had ordered a plumber that morning to mend a leak in the gutter between the house and the cha-

pel which joined upon one another, and the man carrying his fire-pot with coals to keep his soddering-iron hot, to perform his work ; and the wind setting into the gutter, it was thought some sparks had been blown out upon the shingles of the house ; but some people having observed, that upon the first alarm, as before, near half the roof, as they guessed, was covered with smoke, and that no spark of fire appeared without, nor could any be seen, but within ; it was by them concluded, that the reason assigned was not likely to be the right one, especially when it was considered, that at length the fire broke out in several places of the roof, distant from each other , but no one imagined it was done on purpose.

FRIDAY, MARCH 20.

Prince, the negro of Mr. Auboyneau, who was bailed out of prison, as before mentioned, was recommitted by the mayor, and alderman Bancker.

WEDNESDAY, MARCH 25.

A week after the fire at the fort, another broke out between 11 and 12 o'clock at the house belonging to captain Warren, near the long bridge, at the S. W. end of the town ; the roof was in flames, supposed at that time to have been occasioned by the accidental firing of a chimney ; but when the matter came afterwards to be canvassed, it was not altogether clear of grounds of suspicion, that it was done designedly ; but the fire engines were soon brought thither, and they played so successfully, though the fire had got to a considerable head on an old shingled roof, that by their aid, and the assistance and activity of the people, it was soon extinguished, without doing much damage to the house.

WEDNESDAY, APRIL 1.

Another week from the last, a fire broke out at the storehouse of Mr. Van Zant, towards the east end of the town. It was an

old wooden building, stored with deal boards, and hay at one end of it ; the fire was said to be occasioned by a man's smoking a pipe there, which set fire to the hay : but it is said, the fire was first discovered in the N. E. side of the roof, before it had taken the hay : this house was near the river, and by the side of a slip out of it, convenient for handing water to the engines ; it was thought morally impossible to hinder its spreading further, there being many wooden buildings adjoining ; but the people exerted their usual diligence, handed out the boards into the slip, all in flames, played the engines, and handed and threw the buckets of water, with such extraordinary activity, it stopped the progress of the fire so successfully, that it ended with little more damage than the entire consumption of the warehouse and most of the goods in it.

SATURDAY, APRIL 4.

This evening there was an alarm of a fire at the house of one Quick, or Vergereau, (for they both lived under one roof) in the Fly : Upon inquiry, the fire was found to be in a cow-stable near the houses ; the hay was on fire in the middle of it ; but by timely assistance, it was suppressed.

As the people were returning from Quick's fire, that was succeeded with a second cry of fire, at the house of one Ben Thomas, next door to captain Sarly, on the west side ; this was in the dusk of the evening. It began in the loft of the kitchen, was discovered by the smoke before the fire had got any head, and was soon extinguished. Upon examination, it was found that the fire had been put between a straw and another bed laid together, whereon a negro slept, but who did it, or how the fire happened at Quick's, remained to be accounted for.

SUNDAY, APRIL 5.

A discovery was made in the morning early, that some coals had been put under a haystack, standing near the coach-house and stables of Joseph Murray, Esq. in the Broadway, and near some dwelling-houses, which had it taken fire, would have been in great danger, but the coals went out of themselves, as supposed, having only singed some part of the hay. It was said there

were coals and ashes traced along from the fence to a neighbouring house next adjoining the stables, which caused a suspicion of the negro that lived there.

The *five* several fires, viz. at the fort, captain Warren's house, Van Zant's store-house, Quick's stable, and Ben Thomas's kitchen, having happened in so short a time succeeding each other; and the attempt made of a sixth on Mr. Murray's haystack; it was natural for people of any reflection, to conclude that the fire was set on purpose by a combination of villains, and therefore occasioned great uneasiness to every one that had thought; but upon this supposition nobody imagined there could be any further design, than for some wicked wretches to have the opportunity of making a prey of their neighbours' goods, under pretence of assistance in removing them for security from the danger of flames; for upon these late instances, many of the sufferers had complained of great losses of their goods and furniture, which had been removed from their houses upon these occasions.

This Sunday as three negroes were walking up the Broadway towards the English church, about service time, Mrs. Earle looking out of her window, overheard one of them saying to his companions, with a vapping sort of an air, "*Fire, Fire, Scorch, Scorch, A LITTLE, damn it, BY-AND-BY,*" and then threw up his hands and laughed; the woman conceived great jealousy at these words, and thought it very odd behaviour at that juncture, considering what had so lately happened; and she putting the natural construction upon them, her apprehensions made her uneasy, and she immediately spoke of it to her next neighbour Mrs. George, but said she did not know any of the negroes.

About an hour after, when church was out, Mrs. Earle saw the same negroes coming down the Broadway again, and pointed out to Mrs. George the person who had spoke the words, and Mrs. George knew him, and said that it is Mr. Walter's Quaco.

These words, and the airs and graces given them by Quaco when he uttered them, were made known to a neighbouring alderman, who informed the rest of the justices thereof at their meeting the next day.

MONDAY, APRIL 6.

About ten o'clock in the morning, there was an alarm of a fire at the house of serjeant Burns, opposite fort Garden. This,

it was said, was only a chimney ; which, upon inquiry, the man declared, had been swept the Friday before ; but from the great smother in the house, and some other circumstances, there were grounds to suspect a villainous design in it.

Towards noon a fire broke out in the roof of Mrs. Hilton's house, at the corner of the buildings next the Fly-Market, adjoining on the East side of captain Sarly's house : it first broke out on that side next Sarly's, but being timely discovered, was soon prevented doing much mischief, more than burning part of the shingles of the roof. Upon view, it was plain that the fire must have been purposely laid on the wall-plate adjoining to the shingle roof ; for a hole had been burnt deep in it, next that part of the roof where the fire had taken hold of the shingles ; and it was suspected that the fire had been wrapped up in a bundle of tow, for some was found near the place : thus the fact was plain, but who did it, was a question remained to be determined : But there was a cry among the people, *the Spanish negroes ; the Spanish negroes ; take up the Spanish negroes.* The occasion of this was the two fires (Thomas's and Hilton's) happening so closely together, only one day intervening, on each side of captain Sarly's house ; and it being known that Sarly had purchased a Spanish negro, some time before brought into this port, among several others, in a prize taken by captain Lush ; all which negroes were condemned as slaves, in the court of Admiralty, and sold accordingly at vendue ; and that they afterwards pretending to have been free men in their own country, began to grumble at their hard usage, of being sold as slaves. This probably gave rise to the suspicion, that this negro, out of revenge, had been the instrument of these two fires ; and he behaving himself insolently upon some people's asking him questions concerning them, which signified their distrust : it was told to a magistrate who was near, and he ordered him to gaol, and also gave direction to the constables to commit all the rest of that cargo, in order for their safe custody and examination.

In the afternoon the magistrates met at the City-Hall, with intent to examine them ; and while the justices were proceeding to examination, about four o'clock there was another alarm of fire. Upon inquiry, and looking out of the hall windows, it was seen from thence, and found to be at col. Philipse's storehouse. Upon the view of it, there was a small streak of fire running up the shingles, like wildfire, from near the bottom to the top of the roof, on the side directly *against the wind as it then blew.* It not being far from the engines, they were instantly brought to the place ; and the fire, to one's great surprise, almost as soon extinguished.

This was the middlemost of three large storehouses next each other in a row, old timber buildings, and the shingles burnt like tinder. These storehouses were not inhabited, nor had they a chimney in them, but were at a great distance from any. The fire upon examination, must have begun within side; for between the side of those storehouses and the houses nearest them, opposite to the wind, there was a large space of garden ground; so that no spark from these chimneys could have occasioned this mischief, had the wind blown the contrary way; but to discover by whom the fire was put, was the difficulty.

While the people were extinguishing the fire at this storehouse, and had almost mastered it, there was another cry of fire, which diverted the people attending the storehouse, to the new alarm, very few remaining behind; but a man who had been on the top of the house, assisting in extinguishing the fire, saw a negro leap out at the end window of one of them, from thence making over several garden fences in great haste; which occasioned him to cry out, *a negro; a negro;* and that was soon improved into an alarm, *that the negroes were rising:* The negro made very good speed home to his master's; he was generally known, and the swiftness of his flight occasioned his being remarked, though scarce any knew the reason, but a few which remained at the storehouse, why the word was given, *a negro, a negro;* it was immediately changed into *Cuff Philipse, Cuff Philipse:* The people ran to Mr. Philipse's house in quest of him; he was got in at the back door; and being found, was dragged out of the house, and carried to jail, borne upon the people's shoulders. He was a fellow of general ill character; his master being a single man, and little at home, Cuff had a great deal of idle time, which, it seems, he employed to very ill purposes, and had acquired a general bad fame.

Many people had such terrible apprehensions upon this occasion, and indeed there was cause sufficient, that several negroes (and many had been assisting at the fire at the storehouse, and many perhaps that only seemed to be so) who were met in the streets, after the alarm of their rising, were hurried away to jail; and when they were there, they were continued some time in confinement, before the magistrates could spare time to examine into their several cases, how and for what they came there, many others first coming under consideration before them, against whom there seemed to be more direct cause of suspicion; but in a few days, those against whom nothing in particular was alleged, were discharged.

It was said, there was like to have been another fire this day, though it has by some been supposed to have been an accident. The cellar of a baker near Coenties market, was all of a smother, and the chips in a blaze, but was soon suppressed. This also occasioned some alarm.

Quack (Walter's) was sent for and committed; he remained in confinement some days without examination, from the hurry the magistrates were in; but at length, Mrs. Earle and Mrs. George being sent for by the justices, they declared concerning him to the effect before mentioned (e) and Quack being brought before them, and examined, by his excuse admitted he had spoken the words he was charged with; but it being soon after we had the news of admiral Vernon's taking Porto Bello, he had contrived a cunning excuse, or some abler heads for him, to account for the occasion of them, and brought two of his own complexion to give their words for it also, that they were talking of admiral Vernon's taking Porto Bello; and that he thereupon signified to his companions, that he thought that was but a small feat to what this brave officer would do by-and-by, to annoy the Spaniards, or words tantamount; so that it happened Quack was enlarged from his confinement for some time.

Others considering that it was but eighteen days after the fort was laid in ashes, that these words were uttered; and that several other fires had intervened, as before related, and but the next day after Quick's stable and Ben Thomas's house were on fire; and the attempt upon Mr. Murray's haystack discovered that very morning; they were apt to put a different construction upon Quack's words and behaviour; that he thereby meant, "that the fires which we had seen already, were nothing to what we should have by-and-by, for that then we should have all the city in flames, and he would rejoice at it;" for it was said he lifted up his hands, and spread them with a circular sweep over his head, after he had pronounced the words [by-and-by] and then concluded with a loud laugh. Whether these figures are thus more properly applied, the reader will hereafter be better able to judge; but the construction of them at that time confirmed many in the notion of a conspiracy; though they could not suspect one of so black a dye, as there were afterwards flagrant proofs of, and will appear by and by.

His honour the lieutenant governor was pleased to order a military watch to be kept this evening, and the same was continued all the summer after.

(e) Sunday, 5th April.

WEDNESDAY, APRIL 8.

John Hughson and Sarah his wife were committed to jail by the mayor and three aldermen, being charged as accessories to divers felonies and misdemeanors.

SATURDAY, APRIL 11.

At a common council, held this day at the city of New-York, present, John Cruger, esq. mayor—the recorder—Gerardus Stuyvesant, William Romme, Simon Johnston, John Moore, Christopher Bancker, John Pintard, John Marshall, esquires, aldermen—Henry Bogert, Isaac Stoutenbergh, Philip Minthorne, George Brinkerhoff, Robert Benson, and Samuel Lawrence, assistants.—The recorder taking notice of the several fires which had lately happened in this city, and the manner of them, which had put the inhabitants into the utmost consternation; that every one that reflected on the circumstances attending them, the frequency of them, and the causes being yet undiscovered; must necessarily conclude, that they were occasioned and set on foot by some villainous confederacy of latent enemies amongst us; but with what intent or purpose, time must discover; that it could not be doubted, but the lieutenant governor and his majesty's council had taken the alarm at this time of danger, and were watchful, and anxious for the safety of the city; and though they were of opinion, that it was highly proper and necessary that a proclamation should be issued by the government, promising proper rewards to such person and persons as should make such discovery of the incendiaries, their confederates and accomplices, as that they should be convicted thereof; yet it was well known that the governor and council had not the liberty of drawing upon the colony treasury for any sum of money whatsoever, upon any emergency—and it could not be reasonably expected the governor should subject himself to pay such rewards out of his own pocket, for the use and necessities of the public; that as the safety of the city, so immediately concerned, seemed absolutely to require such a measure to be taken; so the public, who were also interested in the preservation of it, would reap the benefit in common with them, by the corporation's laudable resolution, should they determine to engage to pay proper rewards, and request the governor to issue a proclamation agreeable thereto; which, he was persuaded, the governor was well inclined to do, and the

gentlemen of the council to advise thereto: he therefore moved, " that the board should come to a resolution to pay such rewards as should by them be thought a proper and sufficient temptation to induce any party or parties concerned to make such discovery."

Upon consideration whereof, it was "*ordered*, That this board request his honour the lieutenant governor to issue a proclamation, offering a reward to any white person that should discover any person or persons lately concerned in setting fire to any dwelling-house or storehouse in this city (so that such person or persons be convicted thereof,) the sum of *one hundred pounds*, current money of this province; and that such person shall be pardoned, if concerned therein. And any slave that should make discovery, to be manumitted, or made free; and the master of such slave to receive *twenty-five pounds* therefor; and the slave to receive, besides his freedom, the sum of *twenty pounds*, and to be pardoned; and if a free negro, mulatto, or Indian, to receive *forty-five pounds*, and also to be pardoned, if concerned therein. And that this board will issue their warrant to the chamberlain, or treasurer of this corporation for the payment of such sum as any person, by virtue of such proclamation, shall be entitled unto. And that the mayor and recorder wait on his honour the lieutenant governor, and acquaint him with the resolution of this board."

The mayor and recorder waited on his honour accordingly, and a copy of the order was also delivered to him.

Many persons in the neighbourhood of the several fires before mentioned, thought it necessary to remove their household goods for safety; and in their consternation, as was natural, suffered any body who offered their assistance, to take them away; by which means, some villains had the cruelty to make prey of them; for there were great complaints of losses upon those occasions, which the magistrates took this day into their consideration: and it being much suspected that there were some strangers lurking about the city, who had been the wicked instruments and occasion of these fires; but upon the supposition only, that by those means, they might have opportunities of pilfering and plundering. A scheme was proposed, that there should be a general search of all houses throughout the town, whereby it was thought probable discoveries might be made, not only of stolen goods, but likewise of lodgers, that were strangers, and suspicious persons. The proposal was approved of, and each alderman and his common council-man, with constables attending them, undertook to search his respective ward on the south side of the fresh water

pond; and the Monday following was the day fixed upon for making the experiment.

The scheme was communicated to the governor, and his honour thought fit to order the militia out that day in aid of the magistrates, who were to be dispersed through the city, and sentries of them posted at the ends of the streets to guard all avenues, with orders to stop all suspected persons that should be observed carrying bags or bundles, or removing goods from house to house, in order for their examination; and all this was to be kept very secret till the project was putting in execution.

MONDAY, APRIL 13.

Pursuant to the scheme concerted on Saturday last, the *general search* was made; but there were not any goods discovered which were said to have been lost, nor was there any strange lodger or suspicious persons detected. But some things were found in the custody of Robin, Mr. Chamber's negro, and Cuba his wife, which the alderman thought improper for, and unbecoming the condition of slaves, which made him suspect they were not come honestly by; and therefore ordered the constable to take them in possession, to be reserved for further inquiry: and these two negroes were committed.

FRIDAY, APRIL 17.

The lieutenant governor, by and with the advice of his majesty's council, issued a proclamation, therein reciting the before mentioned order and resolution of the common council, promising the rewards agreeable thereto.

In the mean while, between the sixth and seventeenth instant, a great deal of time had been spent by the magistrates in the examination of the negroes in custody, upon account of these fires, but nothing could be got out of them.

Cuff (Philipse's) was closely interrogated, but he absolutely denied knowing any thing of the matter. He said he had been at home all that afternoon, from the time he returned from Hilton's fire, where he had been to assist and carry buckets. That he was at home when the bell rung for the fire at Col. Philipse's storehouse. It appeared, upon inquiry and examination of

witnesses, that he, according to his master's orders, had been sawing wood that afternoon with a white boy ; and that when his master came home from dinner, he took him off from that work, and set him to sew on a vane upon a board for his sloop ; the white boy testified, " that he stood by him to see him sew it, and that he left him but a little before the bell rung for the fire." And when the alarm of the fire was, and that it was supposed to be at his master's storehouse, it was said, Cuff was asked whether he would go out with the buckets, and that he should answer, he had enough of being out, in the morning. Some of the neighbours also declared, that they had seen him looking over his master's door but a little before the bell rung ; but an old man who had known Cuffee for several years, deposed, that he had seen him at the fire at the storehouse, and that he stood next him : there seemed to be some objection against the man's evidence ; it was thought he might be mistaken, being very near sighted. Upon examination, it was found he could distinguish colours, and he described the clothes he had on, and moreover declared, he spoke to him, and asked him, why he did not hand the buckets ; and that thereupon he answered him, and did hand water, and that he knew his voice.

There was very strong proof that he was the negro that leaped out of the window of one of the storehouses as the fire was extinguished, and most of the people drawn away upon the new alarm of a fire ; that he was seen to leap over several garden fences, and to run home in great haste.

Upon the whole, it was thought proper Cuff should remain in confinement, to await further discovery.

JOURNAL
OF THE
PROCEEDINGS AGAINST THE CONSPIRATORS,
AT
NEW-YORK IN 1741.

AT a supreme court of judicature held for the province of New-York, at the city-hall of the city of New-York, on Tuesday, April 21, 1741—Present, Frederick Philipse, esq. second justice; Daniel Horsmanden, esq. third justice.

The grand jury were called. The following persons appeared, and were sworn—viz.

Mr. Robert Watts, merchant, foreman; Messrs. Jeremiah Latouche, Joseph Read, Anthony Rutgers, John McEvers, John Cruger, jun. John Merritt, Adoniah Schuyler, Isaac De Peyster, Abraham Keteltass, David Provoost, Rene Hett, Henry Beekman, jun. David Van Horne, George Spencer, Thomas Duncan, Winant Van Zant, merchants.

Mr. Justice Philipse gave the charge to the grand jury, as followeth.

“Gentlemen of the grand jury,

It is not without some concern, that I am obliged at this time to be more particular in your charge, than for many preceding terms there hath been occasion. The many frights and terrors which the good people of this city have of late been put into, by repeated and unusual fires, and burning of houses, give us too much room to suspect, that some of them at least, did not proceed from mere chance, or common accidents; but on the contrary, from the premeditated malice and wicked purposes of evil

and designing persons ; and therefore, it greatly behoves us to use our utmost diligence, by all lawful ways and means, to discover the contrivers and perpetrators of such daring and flagitious undertakings : that, upon conviction, they may receive condign punishment ; for although we have the happiness of living under a government which exceeds all others in the excellency of its constitution and laws, yet if those to whom the execution of them (which my lord Coke calls the life and soul of the law) is committed, do not exert themselves in a conscientious discharge of their respective duties, such laws which were intended for a terror to the evil-doer, and a protection to the good, will become a dead letter, and our most excellent constitution turned into anarchy and confusion ; every one practising what he listeth, and doing what shall seem good in his own eyes : to prevent which, it is the duty of all grand juries to inquire into the conduct and behaviour of the people in their respective counties ; and if, upon examination, they find any to have transgressed the laws of the land, to present them, that so they may by the court be put upon their trial, and then either to be discharged or punished according to their demerits.

“ I am told there are several prisoners now in jail, who have been committed by the city magistrates, upon suspicion of having been concerned in some of the late fires ; and others, who under pretence of assisting the unhappy sufferers, by saving their goods from the flames, for stealing, or receiving them. This indeed, is adding affliction to the afflicted, and is a very great aggravation of such crime, and therefore deserves a narrow inquiry : that so the exemplary punishment of the guilty (if any such should be so found) may deter others from committing the like villainies ; for this kind of stealing, I think, has not been often practised among us.

“ *Gentlemen,*

“ Arson, or the malicious and voluntary burning, not only a mansion house, but also any other house, and the out buildings, or barns, and stables adjoining thereto, by night or by day, is felony at common law ; and if any part of the house be burned, the offender is guilty of felony, notwithstanding the fire afterwards be put out, or go out of itself.

“ This crime is of so shocking a nature, that if we have any in this city, who, having been guilty thereof, should escape, who can say he is safe, or tell where it will end ?

“ *Gentlemen,*

“ Another Thing which I cannot omit recommending to your

serious and diligent inquiry, is to find out and present all such persons who sell rum, and other strong liquor to negroes. It must be obvious to every one, that there are too many of them in this city; who, under pretence of selling what they call a penny dram to a negro, will sell to him as many quarts or gallons of rum, as he can steal money or goods to pay for.

“How this notion of its being lawful to sell a penny dram, or a pennyworth of rum to a slave, without the consent or direction of his master, has prevailed, I know not; but this I am sure of, that there is not only no such law, but that the doing of it is directly contrary to an act of assembly now in force, *for the better regulating of slaves*. The many fatal consequences flowing from this prevailing and wicked practice, are so notorious, and so nearly concern us all, that one would be almost surprised, to think there should be a necessity for a court to recommend a suppressing of such pernicious houses: thus much in particular; now in general.

“My charge, gentlemen, further is, to present all conspiracies, combinations, and other offences, from treasons down to trespasses; and in your inquiries, the oath you, and each of you have just now taken, will, I am persuaded, be your guide, and I pray God to direct and assist you in the discharge of your duty.”

Court adjourned until to-morrow morning ten o'clock.

SUPREME COURT.

WEDNESDAY, APRIL 22.

Present, the second justice. The court opened, and adjourned until ten o'clock to-morrow morning.

The grand jury having been informed, that Mary Burton could give them some account concerning the goods stolen from Mr. Hogg's, sent for her this morning, and ordered she should be sworn; the constable returned and acquainted them, that *she said she would not be sworn, nor give evidence*; whereupon they ordered the constable to get a warrant from a magistrate, to bring her before them. The constable was some time gone, but at length returned, and brought her with him; and being asked why she would not be sworn, and give her evidence? she told the grand jury she would not be sworn; and seemed to

be under some great uneasiness, or terrible apprehensions ; which gave suspicion that she knew something concerning the fires that had lately happened : and being asked a question to that purpose, she gave no answer ; which increased the jealousy that she was privy to them ; and as it was thought a matter of the utmost concern, the grand jury was very importunate, and used many arguments with her, in public and private, to persuade her to speak the truth, and tell all she knew about it. To this end, the lieutenant governor's proclamation was read to her, promising indemnity, and the reward of one hundred pounds to any person, confederate or not, who should make discovery, &c. She seemed to despise it, nor could the grand jury by any means, either threats or promises, prevail upon her, though they assured her withal, that she should have the protection of the magistrates, and her person be safe and secure from harm ; but hitherto all was in vain : therefore the grand jury desired alderman Bancker to commit her ; and the constable was charged with her accordingly ; but before he had got her to jail, she considered better of it, and resolved to be sworn, and give her evidence in the afternoon.

Accordingly, she being sworn, came before the grand jury ; but as they were proceeding to her examination, and before they asked her any questions, she told them she would acquaint them with what she knew relating to the goods stolen from Mr. Hogg's, but wou'd say nothing about the fires.

This expression thus, as it were providentially, slipping from the evidence, much alarmed the grand jury ; for, as they naturally concluded, it did by construction amount to an affirmative, that she could give an account of the occasion of the several fires ; and therefore, as it highly became those gentlemen in the discharge of their trust, they determined to use their utmost diligence to sift out the discovery, but still she remained inflexible, till at length, having recourse to religious topics, representing to her the heinousness of the crime which she would be guilty of, if she was privy to, and could discover so wicked a design, as the firing houses about our ears ; whereby not only people's estates would be destroyed, but many persons might lose their lives in the flames : this she would have to answer for at the day of judgment, as much as any person immediately concerned, because she might have prevented this destruction, and would not ; so that a most damnable sin would lie at her door ; and what need she fear from her divulging it ; she was sure of the protection of the magistrates ? or the grand jury expressed themselves in words to the same purpose ; which arguments at

last prevailed, and she gave the following evidence, which however, notwithstanding what had been said, came from her, as if still under some terrible apprehensions or restraints.

Deposition, No. 1.—Mary Burton, being sworn, deposesh,

1. “That Prince(*a*) and Cæsar(*b*) brought the things of which they had robbed Mr. Hogg, to her master, John Hughson’s house, and that they were handed in through the window, Hughson, his wife, and Peggy receiving them, about two or three o’clock on a Sunday morning.*(c)*

2. “That Cæsar, prince, and Mr. Philipse’s negro man (Cuffee) used to meet frequently at her master’s house, and that she had heard them (the negroes) talk frequently of burning the fort ; and that they would go down to the fly(*d*) and burn the whole town ; and that her master and mistress said, they would aid and assist them as much as they could.

3. “That in their common conversation they used to say, that when all this was done, Cæsar should be governor, and Hughson, her master, should be king.

4. “That Cuffee used to say, that a great many people had too much, and others too little ; that his old master had a great deal of money, but that, in a short time, he should have less, and that he (Cuffee) should have more.

5. “That at the same time when the things of which Mr. Hogg was robbed, were brought to her master’s house, they brought some indigo and bees wax, which was likewise received by her master and mistress.

6. “That at the meetings of the three aforesaid negroes, Cæsar, Prince, and Cuffee, at her master’s house, they used to say, in their conversation, that when they set fire to the town, they would do it in the night, and as the white people came to extinguish it, they would kill and destroy them.

7. “That she has known at times, seven or eight guns in her master’s house, and some swords, and that she has seen twenty or thirty negroes at one time in her master’s house ; and that at such large meetings, the three aforesaid negroes, Cuffee, Prince, and Cæsar, were generally present, and most active, and that they used to say, that the other negroes durst not refuse to do what they commanded them, and they were sure that they had a number sufficient to stand by them.

8. “That Hughson (her master) and her mistress used to threaten, that if she, the deponent, ever made mention of the

(*a*) Mr. Auboyneau’s negro.

(*b*) Vaarck’s negro.

(*c*) 1st March, 1740, 1.

(*d*) The east end of the city.

goods stolen from Mr. Hogg, they would poison her; and the negroes swore, if ever she published, or discovered the design of burning the town, they would burn her whenever they met her.

9. "That she never saw any white person in company when they talked of burning the town, but her master, her mistress, and Peggy."

This evidence of a conspiracy, not only to burn the city, but also destroy and murder the people, was most astonishing to the grand jury, and that any white people should become so abandoned as to confederate with slaves in such an execrable and detestable purpose, could not but be very amazing to every one that heard it; what could scarce be credited; but that the several fires had been occasioned by some combination of villains, was, at the time of them, naturally to be collected from the manner and circumstances attending them.

The grand jury therefore, as it was a matter of the utmost consequence, thought it necessary to inform the judges concerning it, in order that the most effectual measures might be concerted, for discovering the confederates; and the judges were acquainted with it accordingly.

SUPREME COURT.

THURSDAY, APRIL 23.

Present, the second and third justices.

The grand jury came into court and were called over.

The foreman desiring that Margaret Sorubiero, alias Kerry, a prisoner might be brought before them, Ordered, that the sheriff do carry the said Margaret Sorubiero, alias Kerry, before the grand jury, and see her safe returned again.

The court adjourned until to-morrow morning, ten o'clock.

This morning the judges summoned all the gentlemen of the law in town, to meet them in the afternoon, in order to consult with them, and determine upon such measures as on the result of their deliberations should be judged most proper to be taken upon this emergency; and Mr. Murray, Mr. Alexander, Mr. Smith, Mr. Chambers, Mr. Nicholls, Mr. Lodge, and Mr. Jamison, met them accordingly; the attorney general being indisposed, could not attend.

It was considered, that though there was an act of the province for trying negroes, as in other colonies, for all manner of offences by the justices, &c. in a summary way; yet as this was a scheme of villainy in which white people were confederated with them, and most probably were the first movers and seducers of the slaves; from the nature of such a conjunction, there was reason to apprehend there was a conspiracy of deeper design and more dangerous contrivance than the slaves themselves were capable of; it was thought a matter that required great secrecy, as well as the utmost diligence, in the conduct of the inquiry concerning it: and upon the whole, it was judged most adviseable, as there was an absolute necessity that a matter of this nature and consequence should be fathomed as soon as possible, that it should be taken under the care of the supreme court; and for that purpose, that application should be made to his honour the lieutenant governor, for an ordinance to enlarge the term for the sitting of that court, which in the ordinary method would determinate on the Tuesday following.

The gentlemen of the law generously and unanimously offered to give their assistance on every trial in their turns, as this was conceived to be a matter that not only affected the city, but the whole province.

Margaret Kerry, commonly called Peggy, committed for Hogg's Robbery, being impeached by Mary Burton, as one of the conspirators, the judges examined her in prison in the evening; they exhorted her to make an ingenuous confession and discovery of what she knew of it, and gave her hopes of their recommendation to the governor for a pardon, if they could be of opinion that she deserved it, assuring her (as the case was) that they had his honour's permission to give hopes of mercy to such criminals as should confess their guilt, and they should think proper to recommend to him as fit and proper objects; but she withstood it, and positively denied that she knew any thing of the matter; and said, that if she should accuse any body of any such thing, she must accuse innocent persons, and wrong her own soul. She had this day been examined by the grand jury, and positively denied knowing any thing about the fires.