The Burning of the Whorekill, 1673

It is one of the strange enigmas of history that the town of Lewes, Delaware, with its Harbor of Refuge and its citizens who are ever ready to help those wrecked at sea, should itself have struggled so hard for its very existence during the colonial period and the early days of this Republic. The first settlement at this site was made in the spring of 1631 by Captain Pieter Heyes and twenty-eight colonists who sailed from Texel, Holland, under a patroonship granted by the Dutch West India Company to Samuel Godyn, Samuel Bloemaert, David Pieterssen de Vries and others. Along the Hoorn Kill (Whorekill), now called Lewes Creek, they established their settlement of Zwaanendael, or Valley of Swans, building a brick house surrounded by a palisade. In December, 1632, Captain de Vries visited the colony only to find that it had been burned and the settlers murdered by the Indians.

Not until 1658 did the Dutch attempt to reoccupy this place when they established there a small trading post. It was augmented in July, 1663, by Pieter Cornelis Plockhoy and his forty-one Mennonite followers who established their settlement at Zwaanendael. During the ensuing war between the Dutch and the English, the expedition of the Duke of York captured all of New Netherland, and Sir Robert Carr in making his report stated that his forces had "destroyed the quaking society of Plockhoy to a naile."¹ This was the beginning of a long series of depredations upon Lewes by the privateers of France and Spain, with whom England was at war on the Continent. In July, 1672, the magistrates at the Hoorn Kill requested that a tax be levied on liquor to pay for the damages of the previous winter by privateers.² It was in this same year that Lord Baltimore sent Captain

¹ Leland Harder, "Plockhoy and His Settlement At Zwaanendael 1663," Delaware History, III (1949), 150.
Thomas Jones to plunder the Whorekill.\textsuperscript{3} During King William's War, in 1698, the Town of Lewes was plundered by the crew of a French sloop,\textsuperscript{4} and frequent appearances of French privateers and two attempted landings in August, 1703, and August, 1709, during Queen Anne's War, greatly alarmed the people of the town.\textsuperscript{5} Upon the advent of the intercolonial struggle known as the War of Jenkins's Ear, 1739–1742, the apprehension of the townspeople of Lewes can readily be understood when they formed a militia and other defenses against the Spanish privateers and pleaded their defenseless condition to the Pennsylvania Proprietary Council.\textsuperscript{6} Since British war vessels were frequently sighted off Lewes during the Revolutionary War, the town was kept in a defensive condition throughout the conflict lest a landing be attempted. The pilots of Lewes were forbidden to guide enemy vessels up the Delaware River and Bay, and a constant watch was maintained at nearby Cape Henlopen to alert post riders destined for Philadelphia to warn Congress of the approach of enemy sea forces. Many raids were made by the crews of British ships for fresh water and other supplies in the vicinity of Lewes, and it was on one of these forays that the lantern in old Cape Henlopen lighthouse was reputed to have been destroyed by the raiders.\textsuperscript{7} The War of 1812 witnessed the same defensive precautions and attempted raids by privateers as well as by English warships. These culminated in the unsuccessful attack and bombardment of Lewes by the naval forces of Commodore Beresford in April, 1813.\textsuperscript{8} With each succeeding war in which the United States has been engaged, including World War II, Lewes, in its exposed position, has been apprehensive of armed frigates, blockade runners, men-of-war and even hostile submarines.

\textsuperscript{3} \textit{Ibid.}, II, 678, 679; William H. Browne, ed., \textit{Archives of Maryland} (Baltimore, 1887), V, 106, 107, 110, 111, 114.
\textsuperscript{4} Leon deValinger, Jr., \textit{Colonial Military Organization in Delaware, 1638–1776} (Wilmington, 1938), 27.
\textsuperscript{5} \textit{Ibid.}, 28–30.
\textsuperscript{6} \textit{Ibid.}, 31–35.
\textsuperscript{8} C. H. B. Turner, comp., \textit{Rodney's Diary and Other Delaware Records} (Philadelphia, 1911), 4–7 passim.
Of all these destructive attacks the crudest and least expected was the raid made by Captain Thomas Howell in December, 1673, on orders from Lord Baltimore. The published historical documents for the colonial period of Maryland, Delaware, Pennsylvania and New York all contain disconnected or fragmentary allusions to this incident. Within recent years, there has been discovered in the Cadwalader Collection of The Historical Society of Pennsylvania five heretofore unknown and unpublished depositions relating to the episode. These documents recount so fully the details given by the survivors of the raid that it has been deemed advisable to publish them in their entirety.

Whereas William Penn Proprietary & Governor of the Provence of Pensilvania; and the Countys of New Castle Kent & Sussex formerly called the W[h]oore Kills there unto Annexed; Hath told us sume of the Ancient Inhabitents of the County of Sussex That the Lord Baltimore hath Told him that he did take the Whoore Kill; And enquiring of us how and in what manner he took it; In Answer therunto wee solmonly [sic] declare in the presence of Allmighty God upon our Corporeal oaths the manner of the Lord Baltimore taking this place as followeth;

Imprimisse, this place belonged to the Government of New York in the year 1672; Governor Loveliss [Francis Lovelace] being then the Duke of Yorks Governor at New York; And before that time the Lord Baltimore had never no Government; nor was he ever possessed of this place; but sumtime that year the Lord Baltimore sent one Cap' Thomas Jones with a party of about thirty horsemen under his Command to this place, then Called the Whoore Kills upon Delaware Bay; And plundered severall of the Inhabitents and Carried away there goods. And at that time Administred the oath of fidility to the Inhabitents and Caused them to take it to the Lord Baltimore and Left surne Comisoners of their owne party to Govern soon After the Dutch took New York and sent to the Inhabitents of this place and other parts of this River and Bay that belonged to New York to demand the Inhabitents to yield obedience to the Dutch Government; upon which one of the Lord Baltimore's Commissioner namly Francis Jenkinson took a coppie of the Dutch demands And
sent it to the Lord Baltimore but no Answer was returned to the Inhabitents of this place but Francis Jenkinson did tell them that he had no orders what to doe in it; but he and the rest of the Lord Baltimore['s] men went a way and left the place. And about Two Months After the Dutch Governor sent againe to hear what Answer the Lord Baltimore had sent; And there being none that the Dutch possessed them selves of this place and swore the Inhabitents to be true to that Government.

In the Moneth of December in the year 1673 the Lord Baltimore sent a Company of horsemen in number about fortye under the Command of Cap\(^1\) Thomas Howell whoe came into the Whoore Kill Towne with swords drawn; And threatened & Terrified the Inhabitents whoe being frighted thereby submitted to them. After that they kild many of the Inhabitents Cattle; and when they had bene here about forteeene days Cap\(^1\) Howell went to the Lord Baltimore as he pretended to Aquaint him that the Inhabitents of this place was poor and not able to maintaine soe many souldgers; And when he came back again he Caused all the Inhabitents of the County or provents [province] to be warned to Come to the Whoore Kill Towne to Muster with order to bring all their Arms and Amunison; And when the Inhabitents ware Come together the said Cap\(^1\) Howell Told them that he must tell them with Greife that his orders from the Lord Baltimore was that he must burne all their houses and that he must not Leave one stick standing; and that he Could not be Excused from soe doeing; And that he was to give but one quarter of an hour warning before he did it. Soe Immediatly the houses ware by them sett on fire and Burnt downe to the Ground; but before the houses ware all sett on fir[e] sume women very big with Child and others made their Addrass to Cap\(^1\) Howell and Intreated him to spare one hous for their Releife in distrasse; the said Cap\(^1\) Howell Answered that he must obsarve his orders and that he could spare non; But said that if God would save them one they should have it and not Else. And the good providence of God was that day sene in that peticoler; for A Thatch Barne standing in the Middle or betweene A Boorded Barne of Alexander Moulston that had about Two hundred Bushell of wheate unthrash[ed] in it. A dwelling house and severall other out houses standing betwene the said Thatch
Barne ware sett on fir[e]; And the said Capt Howell said that if the Thatch Barne would not Burne it should be saft; the flame of the other barne and houses flying over the Thatch Barne sett it on fir[e] three times and it went out Again. Upon that Cap’ Howell said that God had saft the Thatch Barne; And that he did not dare to meddle anymore with it. After this the Lord Baltimores party went away Left the place and Carried away with them all the boats that ware in the Creeke and also the Arms belonging to the Inhabitents; soe that they ware left without Arms to defend themselves from the Indians being about sixty miles from any Inhabitents to goe to for Releife. Sume of the distresed Inhabitents Traviling sume Toward New York and sume to Another place. Two ware Muthered namly John Roades Sen’r and Thomas Tilley by the Indians that did not know them as was subposed. Sence that time the Lord Baltimore never by himselfe or others by his order or Authority never did settle any Government here or had any possession of this place; but it did Continoue in the possession of the Dutch untill it was surrendered by the Dutch to the King of England upon Articles of peace and after that it hath bene Governed by his Royall Highness James Duke of York and Allbany Governor, untill the Arrivall of Governor Penn sence which it hath bene upon the pet[it]ion of the Ancent and present Inhabitents of this River and Bay by An Act of Generall Assembly Annexed unto the provience of Pensilvania. Whilst the house[s] ware Burning sune of the Inhabitents ware by the Lord Baltimore[s] party kept prissoner not being Admited to goe to presarve any part of there goods; and Many were Barbours Cruelityes the Lord Baltimore party used to the Inhabitents of these parts; in soe much as the Indians that Lived here about wept when they saw the spile [spoil] that the Inhabitents had suffered by there owne native Country men. And this was the Manner of the Lord Baltimore[s] taking the Whoor Kill now Called the County of Sussex. But now the Government and proprietary of this place is through the Greate marcy and good providence of God And the great goodness of his Royall Highness James Duke of York Invested in soe Honorable A person wee doubt not but that wee shall onely Live peaceably and Hapily under your honnors Government, But wee also Humbly pray that your Honnor being thus made senseable of our Greate
Loses and damidges that wee have suffered and sustayned by [t]he Lord Baltimore [t]hat he may make us satisfacon for the same And wee shall all wayes pray for your Honnors prosperity.

The substance of what is above Expressed was sworn unto by the said Halmainas Wiltbanck John Kiphaven Alexander Moulston Harmon Cornelison Anthony Inlose & Attested by Elizabeth Roades to be the truth; Before us William Clark and John Roades Two of the Kings Justices of the peace for the County of Sussex formerly Called the Whoore Kill the sixteenth day of May 1683.

Wm: Clark
John Roades

[Endorsed]
Affidavit how y*L* S-iZa
Eoades
Baltimore took y*e Whorekills.

Helm[anu]s Wiltbanck
John K Kiphaven
his mark
his mark
Alexander M Moulston
his mark
Harmon H Cornelison
his mark
Anthony h Inlose
her mark
Elizabeth E Roades
the widdow of John Roades Senť that was Murthered:

In the Year of Our Lord 1671 in the Month of June Capt. Thomas Jones did come up in this place called Whorekill wth 7 or 8 horsemen with force of Arms, and came to the House of Helmanius Wiltbank and tyed him, and rid to the rest of his Neighbours and tyed them and kept a Guard over them, and Plundered the Housing & carried the Goods away and left us.

In the Month of September following came up the said Capt. Jones with a Troop of Horse with force of Armes and made forcible Entry in this Place, and called a Court of their own Men, and made us come to their Court and Demanded the Oath of Allegiance wherein we were not willing, whereupon the Court did commit us to Prison and kept us untill the next Day without meat or Drink, and threatened to carry us for Maryland and confiscate our Estate, so that we were forced to take the Oath of Allegiance to be true to my Lord Baltemore, and so we remained untill the next Year. 1672 in the Month of August the Dutch recovering New York did send Boat &
men for to surrender this Place, whereupon our Commissioner Francis Jenkins did take [to] them Papers that were sent by the Dutch Governour and went to my Lord into MerryLand and promised to bring speedy Answer again which . . . [torn] again for surrendering, if not w[e] should nothing expect but fire and sword: so that the Inhabitants for fear did surrender being the Commissioner was fled away, and my Lord in all this time never sent word nor Answer nor protection.

In the Month of December next following Capt. Howell did come with a troop of Souldiers and demanded this Place and we Replyed we had been my Lords Tenants before, we will not or can Defend the Place. Capt. Howell answered we are come now to Defend you, and if it cost the Province of Merry-Land a million in Tobacco we will protect you and marched in the Place, and did eat and Drinke with us eighteen Dayes, and then set our Housing on fire upon Christmas Eave. What was not spended they Burned & marched away and left us in [an] unberable Condition, so that all ye Inhabitants (except a few) were forced to leave the Place for want of provisions and them that were left in [the] Place could not goe because their Wives were bigg with Child, and some men were famished at ye Murder Creek in this Bay.

Helm[anu]s Wiltbanck

Sworen Before us Three of
the Justices of the peace of
Sussex County formerly Called the
Whoore Kills the 5th day of May
1683: by the said Halmanis Wiltbanck,
John Roades Wm: Clark Edward Southrin

[Endorsed by Thomas Lloyd]  
Deposition of
Helmannus Wiltbank
about ye Ld. B* takes
the Whoorekill,
in 71. 72.

W P.
[initialed by Penn]
dat. 5 May 83.
Penn & Baltimore
Harmon Cornelison Aged fortye Two years or there Abouts Came this day before us And deposed upon his Corproall oath that on or about the Moneth of December 1673 Captain Thomas Howell Came to the Whorekill with a party of horse and possessed himselfe of this place by Command of the Lord Baltamore as he said and after he had bene here about forteen days the said Capt. Howell Caused a burning match to be held to this deponants fingers and there kept it untill he this deponent did confess whare his peltrey Beaver & ferr [fur] was; and after he this deponent had Confessed whare it was they took it all a way and brook [sic] open this deponants Chest and took out of it what they pleased; and much more Cruelty they the sd Capt Howell and his party did use to the Inhabitents of this place and to the utter Ruin of this deponent whoe was at that time a Marchant of a Considerable Estate & Trade and never Could recover himselfe againe sence

his marke
Harmon Cornelison

Sworen Before us Two of the Justices of the peace of Sussex County formerly Called the WhoreKill the 5th day of May 1683; by the sd Harmon Cornelison;
Wm: Clark
John Roades

[Endorsed by William Clark]
N° 14.
Harmon Cornelison deposition; as to his lose by the Lord Baltamore party plundering the Whoore Kill; in 1673. 5. May 83.
W P.
[initialed by Penn]

On December 16, 1672, Harman Cornellinson, merchant, received a commission from Lord Baltimore to trade with any of the Indian or Christian inhabitants of Somerset, Dorchester, and Worcester Counties. Archives of Maryland, V, 116.
This day came before us Richard Patte an English Man Aged fourty Eight years or there abouts & deposed upon his Corporall oath that on or about the Month of December 1673 Cap\(^4\) Thomas Howell came to the Whorekills, now called the Town of Lewis in ye Territories of ye Province of Pensilvania upon Delaware Bay in America, with a Party of Horse by the Comand of ye Lord Baltimore & after there being here about three Weeks & in that time killed many of the inhabitants stocks of Cattell the sd Cap\(^4\) Howell caused the inhabitants of the Town & County to be summoned to meet altogether at the sd Town to traine, & when the Inhabitants were come together the said Cap\(^4\) Howell tould us that he was commanded by the Lord Baltimore to burn down all our houses & that he did not dare to doe otherwaies, & immediately he caused near all the Houses both in the Town & Whole County to be Burnt to Ashes, not giveing us time to take our goods out of the Houses, but his party tooke what they pleased themselves & left the rest to be consumed by the fire. This Deponant had three houses Burnt by them & did desire the favour of Cap\(^4\) Howell that he might have leave to build a small Thatch shed or Cabbin to shelter himself Wife & small Children from the extream bad & Could Weather; to which Cap\(^4\) Howell answered that it was death for any to build anything their upon which answer this deponant desired him to knock them on the Head & end there days but Howell answered that his Commission did not reach so far; after that Cap\(^4\) Howell & his party went away and left all the inhabitants naked to the marcy of the Heathen & this deponent doth further depose that two of his houses that were burnt ware full of Tobaco & Corn & that his dwelling house & housell [household] goods were allso burnt, before which he was in a very good way to live happily but being thus destroyed by plunder & fire through the Barbarous Cruelty of ye Lord Baltimore have been kept under & could never since recover himself to the like condition again & further this deponent sayeth y\(^t\) all the Cruelties afore mentioned was acted & done where & when no opposition was or ever had been
made by any of this County against the Lord Baltimore nor his
Agents officers or Men.

This was Sworne unto by
the said Richard Patte the
31\textsuperscript{th} day of Aug: 1683:
Before us William Markham
& William Clark two of the
Kings Justices of the peace
for the said County
Wm Markham
Wm: Clark

[\textit{Endorsed}]
\textbf{No 16}
Richard Patty Affidavit about
burning Hoare Kills (of 73.)
W P.
[initialied by Penn]

John Roads Junr. Aged 30 years or their abouts an English man
deposeth upon his Corporall oath that the night before Capt. Thomas
Howell & the party und\[e\]r his Command fired the Whorekill Town
& precincts by the Command of ye Lord Baltimore; one of Capt.
Howell[\textapos;s] Souldgers gave private notice of their intention of Fiering
the Houses to him but Caused this deponant to Swear that he would
not make it known for fear that he should be hanged for discovering
their dissigne, the said John Roads liveing at that time about Eight
Miles from ye Town called the Whorekills. The next morning a party
of the souldgers came to the said John Roads house & within one
quarter of an Hauer after they fired his Tobaco house which was
seaventy Foot long & Twenty Foote wide full of Tobaco & consumed
it all; & then they sett the dwelling house on fire; & whilst this de-
ponent was beating down the Gaball [gable] end of the dwelling house
to throw out his Corn, the Souldgers cutt the Meat with their swords
as it was roasting to the great Terror of the family; & that they might
destroy the house ye sooner they took Wheat sheaves & carried
[them] up [to] the Chambers & sett them on Fier & by that Means
quickly burnt the dwelling house, as also one Milk house of fifteen foot long & another out house of the said John Roads, this deponent by the Lord Baltimores party did loose to the Value of two Hundred Pounds Sterling besides the Death of his Father that was also a very great sufferer and afterwards Murthered.

John Roades

The above was Sworn unto by the said John Roades before us William Clark & Luke Wattson Two of the Kings Justices of the peace for the County of Sussex formerly called the Whoorekill this first day of September 1683:

Wm: Clark
Luke Wattson

[Endorsed]
Jo" Roades his aphydavit about burning the Whorekils 73 1 Sept. 83 W P.
[initialed by Penn]

Captain Howell's action in destroying the Whorekill is somewhat surprising, but ostensibly it was done on the orders of the Governor of Maryland, Charles Calvert, who, on October 1, 1673, had commissioned Howell to raise forty men to retake the settlement from the Dutch. Having reacquired it, he was "to keepe and Defend the said place by force or otherwise, against all psons untill I shall signify my will & pleasure therein." 10

Baltimore's interest in Delaware had been actively expressed some years earlier. On June 19, 1662, Lord Baltimore had issued a warrant for the erection of Worcester County to comprise "... the Sea Board side on the Eastern Shore the Whore Kill and Delaware Bay to the fortieth degree of Northerly Latitude." This action was apparently taken because he had been informed that several persons

10 Archives of Maryland, XV, 27-29. Thomas Howell, who had served as a burgess from Baltimore County in 1665, 1666, and in 1671, received in 1674 two thousand pounds of tobacco for his march to the Whorekill and additional allowances for his lieutenant, ensign, and sergeant, as well as provisions for the expedition and six pounds of tobacco "for his attendance upon a prisoner at warr." Ibid., II, 9, 10, 239, 416.
were settled there without his permission. On October 22, 1669, Lord Baltimore prepared Instructions for his son, Charles Calvert, the third item of which enjoined him to use all means possible to seat settlers on the Eastern Shore, on the Delaware Bay, and particularly at the Whorekill. The Council on the same day took action to erect the territory from the Whorekill to the fortieth degree of north latitude into the County of Durham. The sheriffs of Somerset, Dorchester, Talbot and Baltimore Counties were to urge persons to settle in this new county and, as an encouragement, such settlers were to pay only one shilling sterling annual rent for each fifty acres of land taken up or seated. In the next month on November 26, 1669, Jerome White, the Surveyor General of Maryland, wrote to Governor Francis Lovelace of New York making a claim to the Town of New Castle on the basis of an observation of latitude made on board a ship in the Delaware River, which indicated that New Castle came within the bounds of Lord Baltimore's province that extended north to the fortieth parallel. As further evidence of the carrying out of Lord Baltimore's Instructions and at a time prior to the reoccupation by the Dutch, we find that on December 23, 1670, William Talbot, the Provincial Secretary, wrote to William Stevens and James Weedon of Somerset County appointing them deputies to prove rights to land and to issue warrants. Weedon at the same time was appointed a deputy surveyor. Further steps in the fulfillment of the Instructions were the commission issued by Governor Charles Calvert on June 20, 1672, to Thomas Jones of Worcester County to be captain of all military forces in that county, and an order to Captain Paul Marsh of Somerset County to muster military forces to join those of Captain Jones to subdue “. . . all Enemies that shall be shewed you by the said Captain Jones to encounter fight with Overcome and destroy or take Prisoners. . . .”

Apparently little notice was being taken of these aggressive actions by the Duke of York’s officials in the Delaware counties. The magis-

12 Ibid., 55, 63.
13 Ibid., 57.
14 Ibid., 58.
15 Ibid., 80, 81.
16 Ibid., 110.
17 Ibid., 111.
trates at New Castle sent a certificate under date of April 27, 1672, to Governor Lovelace stating that Harman Cornelison and John Kiphaven\(^{18}\) reported that Francis Jenkins from Maryland came to the Whorekill, surveyed land under a commission from Lord Baltimore, and threatened the inhabitants.\(^{19}\) On May 17 the magistrates were thanked for sending this certificate,\(^{20}\) and on the same day instructions were sent from Governor Lovelace and the Council that the officers on the Delaware were to take care that the interests of his Majesty and the Duke of York were not to be infringed upon, and that they were not to acknowledge any other government unless ordered to do so.\(^{21}\) Richard Perrot, who later suffered in Captain Howell’s raid, wrote to Governor Lovelace on June 21, 1672, that he had led a group of settlers from Virginia to settle near the Whorekill. He had applied for land from the deputies of Governor Lovelace in May of that year, but the men from Maryland had since surveyed the same land for Lord Baltimore.\(^{22}\) Measures were taken by the authorities in New York to strengthen the defenses at New Castle, and probably in anticipation of impending trouble at the Whorekill, they appointed the following men, on August 1, 1672, to be in authority there: Hermanus Fredrick Wiltbank to be schout,\(^{23}\) Otto Wolgast, William Claesan, and Isaack Savoy to be commissaries.\(^{24}\) Then on August 12, 1672, Governor Lovelace sent a vigorously worded protest to Philip Calvert, Governor of Maryland,\(^{25}\) about the unwarranted attack by Jones, “... who wth a Party as dissolute as himselfe took ye paines to ride to ye Whore-Kill, where in Derision and Contempt of the Dukes Authority bound ye Magistrates, and Inhabitants despitefully treated them, rifled & plunder’d them of their Goods. ...” On the 27th of the next month, Captain John Carr

\(^{18}\) These two men were later victims of Capt. Thomas Howell and made the depositions previously cited for Penn.

\(^{19}\) Minutes of the Executive Council of N. Y., II, 669.

\(^{20}\) Ibid., I, 124-125.

\(^{21}\) Ibid., II, 670-671.

\(^{22}\) Ibid., 671-672.

\(^{23}\) The office of schout was introduced into the local governmental structure of the Dutch settlements on the South or Delaware River during their occupancy, 1655-1664, and in 1673. The duties of this public official combined those of chief law enforcement officer and public prosecutor. Later under English rule the law enforcement duties were fulfilled by the sheriff.

\(^{24}\) Minutes of the Executive Council of N. Y., II, 677.

\(^{25}\) The letter is so addressed. Ibid., 678-679.
wrote from New Castle to Governor Lovelace that from the news he had recently learned from Maryland, they had levied a large force to seize New Castle and the settlements along the Delaware River up to the fortieth parallel. To this message the Governor replied that he had informed the Duke of York of Maryland’s action, and he urged the defense of the settlements. Although war was declared with Holland on April 3, 1672, no action as a result of it was taken along the Delaware until early in 1673 when the Dutch seized their former colonies. It therefore becomes evident that since 1662 the Proprietors of Maryland had planned to annex the Delaware territory to their colony, and that Captain Howell’s infamous raid was against native or naturalized English subjects who had seated their land and exercised authority under the Duke of York.

Even though little has been written about Captain Howell’s raid or the events preliminary to it, the episode was not unknown. As early as 1676, a disgruntled anonymous inhabitant of Maryland addressed an appeal to the King and Parliament to take over the government of Maryland. His accusations included an account of this raid which was made “... by force and violence, contrary to the liberties and privileges of the King’s Maj’ free born Subjects of England.” Less fruitful, but supplemental information on the plundering and burning of the Whorekill by Captain Howell is contained in the depositions of the nineteen witnesses who testified in the breviate of the boundary dispute between Pennsylvania and Maryland, dated 1736. A few of the witnesses knew of the episode at firsthand, others learned of it from their parents, and others heard of it from older inhabitants.

When William Penn received from the Duke of York in 1682 the Lower Counties on the Delaware to be annexed to the Province of Pennsylvania, he also acquired all of the boundary difficulties. It was in connection with these difficulties that Penn gathered documents

26 Ibid., 679-680.
27 Ibid., 680-682.
28 Ibid., 737-739.
29 Archives of Maryland, V, 136.
30 Pennsylvania Archives, Second Series (Harrisburg, 1890), XVI, 691–699.
31 The original deeds and leases from the Duke of York to Penn, together with the royal charter from King Charles II to the Duke of York, are in the Delaware State Archives, Hall of Records, Dover.
to show that Baltimore had not seated certain lands, but had in some instances temporarily acquired them by force. The episode of the Whorekill was one with which Baltimore could be properly reproached, and one which would tend to reflect against his activities in the Lower Counties.

As far as is known, however, Penn and his descendants did not publicly use these depositions as evidence during the long course of the boundary dispute. Why they were not used remains unanswered.

*Dover, Del.*

*Leon deValinger, Jr.*