Alexander Hamilton & the Knickerbockers
*Highlights from “Law Practice of Alexander Hamilton, Volume 3”*

Bryan Knickerbocker
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The book summarizes some of Alexander Hamilton’s court cases. The book mentions the Knickerbockers approximately 200 times.

Alexander Hamilton was one of the founding fathers of the United States. He served on George Washington’s staff, fought in the Revolutionary War, helped ratify the Constitution, authored several chapters of the Federalist Papers, and served as the first Treasury Secretary.

In the mid 1780’s, Alexander Hamilton had a law practice in New York State. Two of his cases involved property that had once been owned by Harmen Janse Knickerbocker.

This report is divided into three sections.

Section 1 focuses on genealogical information that is found in the court records. Key facts are:
- In the years around 1708, Harmen Janse was living just to the north of today’s town of Tivoli, in Dutchess County.
- Harmen Janse died in 1714.
- Peter Knickerbocker, son of Harmen Janse, was born in about 1702.
- Harmonen Knickerbocker, grandson of Harmen Janse, was born in about 1712.
- Benjamin Knickerbocker, grandson of Harmon Janse, was born in about 1728.
- During his later years, Harmen Janse was known as Harmen Bourtie (Harmen the Farmer).

Section 2 discusses the fact that the court records describe the Knickerbockers as “poor.” We believe that “poor” was a relative term, and was only true when comparing the Knickerbockers to families such as the Livingstons, Schuylers, Rensselaers, and Van Schaicks.

Section 3 focuses on two court cases. During these cases, Alexander Hamilton made a strong case that “Livingston Manor” should never have existed. Hamilton accused Robert Livingston Senior of fraud. It appears that the Knickerbockers were among the victims of Livingston’s fraud.

The appendix of this report includes excerpts from Alexander Hamilton’s legal notes.
Our focus here is on the set of books known as the *Law Practice of Alexander Hamilton*. The full set has 5 volumes totaling about 3,000 pages.

We are concerned with Volume 3, which mentioned the Knickerbockers. Volume 3 has 843 pages, including the index. It has two main sections:

1. The Colonial Patents in New York
2. The Massachusetts Western Lands

Section 1 of Volume 3 is where the Knickerbockers were discussed.

For the remainder of this report, we will use *LPAH* as shorthand to refer to Volume 3.

*LPAH* contains background and commentary by the authors, and also contains transcripts of legal documents and lawyer’s notes.

The book was written by attorneys, for other attorneys. The book focuses on legal issues.

Since we are not attorneys, we will skip over most of the legal details. Instead, our focus is on some of the court testimony, and on Alexander Hamilton’s notes. We will also add genealogical details that were not covered in *LPAH*.

The background for the Colonial Patents section of *LPAH* says:

A major part of the lands involved in Hamilton’s patent cases was located in what is today Columbia County in the State of New York. The titles stemmed from grants made early in the colonial period to the “first families” of the Hudson Valley – the Livingstons, the Schuylers, and the Van Rensselaers. *[LPAH p2]  …

Hamilton’s briefs, opinions, and notes reveal that he was concerned with three aspects of this hodgepodge [of vague and overlapping patents].

First was a dispute between the two branches of the Livingston family.

Secondly, a controversy between the Clairmont branch of the Livingston family and its neighbors to the south, claimants under the Schuyler Patent;

Thirdly, a settlement, after many years of controversy, between the heirs of the Van Rensselaers of Claverick and their one-time tenants and the immigrant occupants from Massachusetts. *[LPAH p6].

Harmen Janse Knickerbocker and his descendants were among the “neighbors to the south.”
Overview of the Area

This report includes several maps of the area north of Tivoli, New York. We will start with an overview. We have highlighted a few key items.

- On the west side of the Hudson is the town of Saugerties. Just north of Saugerties is the mouth of the Sawyer’s Kill creek. This is point A.
- We have added a blue line that runs east/west, across the Hudson River. On the east bank of the Hudson, opposite from the mouth of Sawyer’s Creek, is point B.
- Point C is a bit lower down the Hudson. This was the western end of a surveyor’s line that was drawn in 1708. The survey was initiated by Robert Livingston Senior.
- Point D is near the town of Mount Ross, several miles off the southeast corner of this map. This was the other end of the surveyor’s line, at the southernmost bend of the Roeliff Jansen Kill creek. The Livingstons claimed they owned all of the land north of the red dashed line connecting point C and point D, based on a survey done in 1708.
- The orange dashed line at E represents the approximate location of today’s boundary between Dutchess County and Columbia County. Notice that today’s boundary (the orange line) does not correspond to the 1708 surveyor’s line (the red line).
- The point F was the location of a grist mill that was originally built by the Livingston family, on land that the Livingstons claimed to own. After several lawsuits, this land was awarded to the Hoffman family. The mill became known as Hoffman’s Mill.

The diagonal red line is critical to our story. The western end of that line (point C) was supposed to be opposite from Sawyer’s Creek, and was also supposed to be the location of an old canoe landing used by the Native Americans.

There were several lawsuits disputing whether the red dashed line from C to D was, in fact, the correct boundary of the Livingston’s property.

In the end, the Livingston family surrendered the land along the red diagonal line. The settlement of the lawsuits became the basis for the line that now defines the border between Dutchess and Columbia Counties.
Along the western bank of the Hudson is a town called Saugerties. There are two important points related to this town.

The first key point is the existence of the Sawyer’s Creek. The Dutch called the creek the Zager Kill.

Sawyer’s Creek was the site of one of the earliest sawmills on the Hudson River. The mill provided lumber for the early Dutch settlements. As a result, this small creek was well known to early Dutch settlers. The mouth of Sawyer’s Creek was often used as a landmark.

The second key point is the origin of the name Saugerties. This is a unique name, and its origin goes back to the sawmill.

In English, a sawyer is someone who works at a sawmill. The corresponding Dutch word is zager.

The sawmill apparently wasn’t very large, so the Dutch added the suffix “–tje.” Thus, the Dutch name for the creek and the surrounding area was Zagertje.

Some sources claim that zager–tje meant that the creek was small. Others say the sawmill was small. Still others say that the man who ran the sawmill was small. We don’t care which theory was true.

The Dutch pronunciation of zagertje would have been something like zager-tya or sager-tya.

Somehow the Dutch name Zagertje was transformed into the English word Saugertie. A linguist could probably describe the reason for this. For now, we only care that the Dutch suffix “tje” could transform into the English version “tie”.

The Alexander Hamilton court records – written entirely in English – frequently mention two strange words: Killtie and Boartie.

We believe that there is an analogy between the origin of the word Saugertie and the words Killtie and Boartie.

<table>
<thead>
<tr>
<th>Dutch root</th>
<th>Small (-tje)</th>
<th>Evolved into English?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sawyer</td>
<td>Zager</td>
<td>Zagertje</td>
</tr>
<tr>
<td>Creek</td>
<td>Kill</td>
<td>Kiltje</td>
</tr>
<tr>
<td>Farmer</td>
<td>Boer</td>
<td>Boertje</td>
</tr>
</tbody>
</table>

We believe that Killtie referred to a small creek.

We believe that Boartie referred to a farmer who owned a small farm. (The Dutch word Boer can refer either to a small farm or a large ranch. The suffix –tje makes it clear that either the farm was small, or the farmer was small.)
Section 1: Genealogical Information from Court Testimony

During trials in 1784 and 1785, three of the witnesses were Knickerbockers. The witnesses are shown in red in this partial family tree. Their testimony – as summarized in LPAH – is shown below.

Before jumping into the Knickerbocker’s testimony, we will provide a few pieces of background information. Each of these points is discussed again later:

- Harmen Janse Knickerbocker is also referred to as Harmen Bourtie.
- There are multiple mentions of the Schuylers, who co-owned land with the Knickerbockers.
- There are several references to trees and stumps. These are related to the marks that surveyors might have made.
- There is discussion about the areas where the Native Americans dried and ate their clams and mussels.
- There are several references to landings or clearings along the Hudson (Susquehampa, the Killtie, and so on).

We should also point out that the notes that we are showing were taken by rich and powerful men. John Lansing and Alexander Hamilton were high-powered lawyers who helped finalize the U.S. Constitution.

Robert Livingston, who also took notes at the trials, was Chancellor of New York, and later gave the oath of office to President George Washington. His full name was Robert Robert Livingston. In most history books, he is called Robert R. Livingston, or Chancellor Livingston. Here, we will call him Robert Livingston 4th, to differentiate him from his great grandfather, Robert Livingston Senior. (Robert Senior founded Livingston Manor, and plays a key role in our story.)

Benjamin Knickerbocker (son of Lawrence)

The key detail about Benjamin Knickerbocker is that he was 56 years old in 1784. This means that he was born about 1718. This matches the tombstone for the Benjamin Knickerbocker who was buried in the Knickerbocker Burial Ground in Pine Plains.

Benjamin’s testimony in one trial was summarized in notes taken by two of the lawyers.

John Lansing’s notes, 23 Oct 1784 (LPAH, page 149)

Benjamin Knickebacker – 56 years of age – lives three Miles from Chancellor – Christiain Dedrick first possession in Albany County – south bounds of Dedrick bounds of Manor – Lived with his father who held under Schuyler’s patent – never heard of any dispute till the action commenced – his father never claimed.
X'd stump shown remains of marked tree last trial on south side of path – heard them talk of muscle shells – but the whole like a dream

Alexander Hamilton’s notes, October 1784 (LPAH, page 176)

Benjamin Knickerbacker 56 years old – his father lived about 3 miles from plaintiff’s house – was a boy playing about the time of the trials – shewed a stump which had been a marked tree – abt 200 yd – like a dream had then

At the next trial, Benjamin testified again.

Robert Livingston 4th notes, 10 Oct 1785 (LPAH, page 268)

Benj Knickerbocker, 57, was born at Red Hook, is a son of Lawrence a son of Herma Boertie, never heard of claim till Mr L began to build the mill sometime before the last tryal; Mr. Huffman had a mill lower down on the Hudson; he lived with his father

Alexander Hamilton’s notes, 7 October 1785 (LPAH, page 277)

Benjamin Knickerbacker, 57 years old. His father Lawrence Knickerbacker, never heared of a claim till Mr Livingston began to build the mills – sometime before the former trial; does not know how long

Harmen Knickerbocker (son of Lawrence)

Lawrence’s son Harmen was a witness at the trials in 1784 and 1785:

John Lansing’s notes, 23 Oct 1784 (LPAH, page 158)

Harme Knickebacker – Voire dire – in Chief. 71 years of age – first time boards and timbers were brought for mill little brought there which lay and rotted – mill wrights came from Jersey to build mill – his father’s name was Lowrence who was son of Harme Boertie – cannot tell how long before trial but heard father uncles & Hoffman talk on the subject – his father sold his share to Hoffman – his father prevented him from purchasing – does not recollect the sum his father sold it for – reason why he did not purchase because it was a risk to go to Law

Robert Livingston 4th notes, 7 Oct 1785 (LPAH, page 285)

Harman Knickebaker – 72 years old – born at RJ; kill manor of L: – as long as he can remember heard claim by Knickebackers – assisted riding timber to 1st mill

Notice that Harmen offered to buy out his father Lawrence, but was turned down. This suggests that neither Lawrence nor his son considered themselves to be poor.

Peter Knickerbocker (son of Harmen Janse)

Peter Knickerbocker was a major witness at the 1784 trial.

Peter provided a sworn affidavit before the trial started. He also testified in person. The LPAH book contains his affidavit, and also includes lawyer’s notes from his testimony.

Peter Knickerbocker Affidavit (LPAH, page 179)
Dutchess County ss: the part of the defendant –

Peter Knickebacker being duly sworn saith that he is upwards of 82 years old, and about 57 years ago he was preparing to build on Lot No. 1 in Schuyler’s Patent; that he then lived in the house where his father lived, which Mr Nicholas Hoffman Junr now occupies; and that the north boundary of the aforesaid lot was at the Killitie upon the Hudson’s River; and that he never heard any name for the Killitie. The Killitie he means is a steep rocky place.

When he sold the Lot No 1, he sold with it his right in the commons, which were the same as now, except that they did not run over the old Manor line; and at that time he knew not that he any further right or claim; that he has known the landing place of Mr Livingston called by the name of Susquehampa ever since he was a boy of thirteen or fourteen years old; that the highland Indians going to Albany to pay their Tribute to the old Mohawks made it their landing place; that Col Schuyler before the Dependent’s Father’s death run from the southernmost end of Slipsteen’s Island east into the woods, and where he run further he knows not; That Nicholas Schuyler was his surveyor, who run the said line East till he came to the south of Captain Klum’s, where he stoped as he was informed Livingston [Manor to be], and that the deponent was then twelve of thirteen years old; that he remembers two marked trees at the Killitie before mentioned; that they were marked long before he owned the lot, and were Chesnut oak standing on the bank to the north of the Killitie; and that he remembers no other marked trees upon any other line; and that Gilbert Livingston told him in running from the southernmost bought of Roelf Jansen’s Kill they crossed the said Kill seven times.

He being cross examined further said that Betty (the surveyor) laid out several lots for Robert Livingston [senior] of the manor; that Dedrick’s was the southernmost, Jacob Best’s was the next, Snider the next, Isaak Minkler’s the next, and several other lots extending to the Camp line; and that they were laid out about sixty years ago, but he does not recollect the exact time.

Betty must have run from the Killitie the manor line three or four times as he judged from the marked trees & from what he hears; and that Col Schuyler had got James Livingston to run out his Patent about sixty years ago; that he then laid out a part of his Patent into lots, and that the northernmost lot [was lot] No. 1, bounded on the Killitie; and the never understood that James Livingston ran across the old Manor line, by which he means the line from the Killitie, and the deponent and his brother were with James Livingston when he made those surveys’ and that his father Hermanse Knickebacker died in the year 1714; and that he remembers no marked trees at the landing place of Mr Livingston, although he has been there above one hundred times, but he never examined for them; that he heard at New York (at the time of the last tryal) that a line that a line had been run from the Bought to the aforesaid landing many years before the above mentioned tryal; and that Nicholas Smith & Cornelius Vanwormer were the chain bearers, but does not know by whom this line was run; and that he never heard it before that time at Court; nor did he ever hear of a line being run from the landing to the bought at any time.

Sworn 18 Aug 1784
Before me
– Anthy Hoffman

Rob R Livingston [the 4th] Lessor of Pf

In this affidavit, Peter gave his father’s date of death as 1714. This fits with other records. For example, Harman Janse was recorded in the first county census in 1714 but it was Harmen’s widow who paid the newly-instituted property tax in January 1718. (See the History of Duchess County, 1882, by J Smith, p.60, and the Book of the Supervisors of Duchess County 1718-1722, p. 3.)
Alexander Hamilton and the Knickerbockers

Notice that this affidavit doesn’t say anything about the family being “poor.” We will return to this topic later in this report.

In October of 1784, Peter testified in person. *LPAH* includes notes from one of the lawyers:

John Lansing’s notes, 23 Oct 1784 (*LPAH*, page 156)

Peter Knickebacker – aged 82 years – his father died in 13 – Livingston asked his father’s leave to draw turpentine for the Germans – his father said no, you have the most part of my land already, he shall not have it all – his father said so because he [Livingston] came so far below Suskahampa – his father was poor & had no money, that was the reason he did not go to Law – family made no claim before lands were divided – & before Hoffman ejected – all before that time was peace and quietness

He his brothers and sisters did not go to Law because they had no money – this conversation was in year 1710 – he was then 8 years old

Line was run before year 1710 from dry gully. It was ___ chains from Landing to Sukahampa – he always run from thence to South Bocht – never was at South Bocht

Chesnut oak at gully – trees being to the northward

No 1 bounded by Killetie along Livingston’s line – James Livingston laid out lots

He together with his brother Evert & Jan Vosburgh were present – the marked trees on the north side of the gully – gully abt 100 yard to the north of Shavers – Livingston in laying out No 1 stop’d at the south side of the gully

He knows a line run from landing at the time of law suit – he knows of no marked trees along a line but that run by James Livingston

Been 100 times at the landing – never saw any marked trees there

Col Schuyler has frequently been at his house – Schuyler run a line due east from Slipsteen Island 2 or 3 miles then left off – after his father deed

He & Vosburgh & Evert went with Livingston to gully – name of landing Suskahampa – has known it by that name 72 years – the Indians used to resort to it & dry their muscles – Suskamka signifies a canoe place – never saw Indians there himself – knows it by talking with Indians – Landing not cleared when he first knew of it.

These lawyer’s notes say that Peter’s father died in 1713. We know that this is wrong, because we know that Harmen Janse paid taxes in 1714. The lawyer probably scribbled the wrong date as he was taking notes. (The lawyer’s notes say 1713, but the affidavit showed earlier said 1714.)

These lawyer’s notes also say that Peter described the Knickerbockers as being poor.

Harmen Janse “Boartie”

The *LPAH* book mentions Harmen Janse Knickerbocker many times, and frequently mentions the fact that he also went by the name Harmen Bourtie.

We have already shown testimony where Harmen Janse was referred to as Boertie. For example:

John Lansing’s notes, 23 Oct 1784 (*LPAH*, page 158)

Harme Knickebacker … his father’s name was Lowrence who was son of Harme Boertie
The court records include many other references to Harmen Boertie. For example, consider the following testimony from a woman who knew the Knickerbockers very well:

John Lansing’s notes, 23 Oct 1784 (LPAH, page 149)

Elizabeth Bender – 67 years of age – daughter of Hugh Benn – never heard other name for landing before the action than Hugh Benn’s Landing – father lived at landing – never knew a place called Suskamapa till the action brought

Sisters married 2 of the Knickenbakers, Cornelius and Petrus – was intimate in Knickenbacker’s family – never heard they had any pretentions – sons of Lowrence Knickenbacker & Grandsons of Harme Bourtie

Lowrence Knickebacker lived next to Loudert – Never knew any Indian settlements in the neighborhood – Dedrick settled under Manor, so did Best – her father was at last trial a witness

Elizabeth Benn was born in about 1717, and therefore never met Harmen Janse. Why would she have referred to Harmen by his nickname of Bourtie? Also, why would she differentiate between the last names of Lawrence Knickerbocker and Harmen Bourtie?

Also consider the testimony of another neighbor, Simon Cole. We suspect that Simon Cole was a distant relative, by marriage, of the Knickerbockers. This was via Johanna Schut, who married Harmen Janse’s son Cornelius.

We will only show a few key excerpts from Simon’s affidavit:

Simon Cole Affidavit, 5 Aug 1784 (LPAH, page 177)

Simon Cole, duly sworn, saith that he is now ninety two years of age
… his brother in law was William Shut …
… one of the Indians who was with Col Schuyler [during the surveys] was named Kakaqua … Kakaqua had his plantation on the White Clay Kill, a little below where the Defendant now lives …
… the deponent remembers when Herma Knickerbacker came to live there and the he the deponent was then about eight or ten years of age …
That Cornlius, one of the sons of the said Herma was with Schuyler at the same time Shuyler run the lines of his patent…
That the above Herma Knickerbacker was called Herma Janse Knickerbacker and was also called Herma Boertie…
That he was intimately aqented with the said Herma Knickerbacker and his sons …

Simon Cole was old enough to know Harmen Janse, and made a clear statement that Harmen Janse went by both Knickerbocker and Boertie.

Why did all of these people remember that Harmen Janse used a nickname?
This might be a clue about Harmen Janse’ long-lost tombstone.

We know from land records that Harmen Janse was buried in a small Knickerbocker burial ground set aside by his son Cornelius. We also know that Lawrence Knickerbocker was originally buried in what later became known as the Farmer’s Hotel burial ground on a bluff.
overlooking the Hudson. It is very likely that Harmen and Lawrence were buried next to each other.

Lawrence’s tombstone still exists, and includes his last name, Knickerbacker.

We believe that Harmen Janse’ tombstone must have included the word Boartie. This would explain why people who lived near the burial ground, in 1785, would still be referring to Harmen Janse by his nickname.

(In the late 1800’s, an elderly man named Andris Knickerbocker dictated his recollections regarding Knickerbocker genealogy. Andris stated that Harmen Janse was known as “Harmen the Farmer.” How could Andris have known that Harmen Janse used a nickname? Once again, this is consistent with “Boartie” appearing on Harmen Janse' tombstone.)

Harmen Janse Knickerbocker’s House

There have been various claims over the years that Harmen Janse Knickerbocker eventually moved to Schaghticoke. Those claims are wrong.

The house of Harmen Janse is mentioned multiple times in LPAH. Unfortunately, though, the references to his location are vague. For example, the surveyor’s notes say that they crossed a path to Harmen Janse’s house, and also a “waggon” road to Harmen Janse’ house.

Harmen Janse’ house was near where the disputed diagonal border (our “dashed red line”) crossed the White Clay Kill.

We suspect that Harmen Janse’ house was near today’s Route 9G. His house was probably about a half-mile southwest of the intersection of Route 9G with Lasher and Stoneybrook roads.

Since Harmen Janse owned a half-interest in the entire area, we know that his farm would have been on a nice piece of land.

There are a handful of nice properties in the vicinity where Harmen Janse might have lived. So far, there is no way to figure out his exact location.
Section 2: Poor and Illiterate?

The LPAH book contains several instances where Harmen Janse is described as poor, and one instance where he is described as illiterate.

It is hard to evaluate whether the Knickerbockers were illiterate. We know that some of the Knickerbockers signed their wills and deeds, while others used simple marks such as an “X”. For this report, we will skip the debate about literacy.

Instead, our focus here is on whether the Knickerbockers were really poor. Most of the materials in this section are not from the LPAH book. However, these materials lay the groundwork for Section 3, which discusses the lawsuits that involved Alexander Hamilton.

After careful consideration, we do not believe that Harmen Janse or his children were poor.

Harmen Janse Land Purchases

We know of three land purchases by Harmen Janse. These land purchases seem to contradict any claim that Harmen Janse was a poor man.

Here, we will focus on two of Harmen Janse’s purchases. These illustrate that Harmen Janse’s friends and neighbors included three of the richest men in New York State: Anthony Van Schaick, Pieter Schuyler, and Robert Livingston.

Harmen Janse’ first land purchase was in 1686, on the west side of the Hudson, a few miles north of the Mohawk River. He bought the land from Anthony Van Schaick. Ironically, the deed for Harmen Janse’ land purchase was written by the clerk of Albany County, Robert Livingston, Senior. This is the same Robert Livingston who later founded and owned Livingston Manor.

Anthony Van Schaick was an acquaintance of Harmen Janse. The two men were probably friends. In 1686, Anthony Van Schaick and his wife were the sponsors at the baptism of Harmen’s son Lawrence.

We will pause momentarily to show a partial family tree for Anthony Van Schaick. It is interesting that Anthony Van Schaick had connections to both Peter Schuyler and the Livingston family.

Anthony Van Schaick was the brother-in-law of Pieter Schuyler.

Pieter Schuyler was the first mayor of Albany.
The Van Schaick and Schuyler families were closely linked. For example, Goosen Van Schaick (Anthony’s father) once shared ownership of Half Moon with Philip Schuyler (Pieter’s father). Thus, Harmen Janse Knickerbocker might have known Pieter Schuyler when Anthony, Pieter, and Harmen were all still living in the Rensselaerswyck area.

Shown below is a partial family tree for the Schuylers. The Schuylers were linked, by marriage, to both Anthony Van Schaick and Robert Livingston Senior. Many years later the Schuylers were connected by marriage to Alexander Hamilton.

There were many connections between the people that are mentioned in this report. There were also connections with other well-known people. For example, consider the events in this short timeline:

1770’s  Philip Schuyler (son of Johannes) was a soldier during the Revolutionary War
        John Lansing was one of Philip Schuyler’s assistants
        Alexander Hamilton served on George Washington’s staff
        Robert Livingston 4th was appointed the first chancellor of NY

1780’s  Alexander Hamilton married Philip Schuyler’s daughter
        Alexander Hamilton represented the Hoffman family in lawsuits vs. the Livingstons
        John Lansing represented the Robert Livingston 4th in the same lawsuits
        Hamilton & Lansing helped frame the US Constitution.
        Robert Livingston 4th administered oath of office to President George Washington

1790’s  Philip Schuyler retired from the U.S. Senate. He was succeeded by Aaron Burr

1800’s  John Lansing became the second Chancellor of NY, succeeding R. Livingston 4th
        Aaron Burr killed Alexander Hamilton in a duel

During roughly this same span of years, Pieter Schuyler, Johannes Schuyler Senior, Johannes Schuyler Junior, and John Lansing all served terms as mayor of Albany.
The close connection between all of these families may have influenced the events we are discussing here. The close link between John Lansing and the Schuylers may also be important.

Harmen Janse’ third land purchase was on the east side of the Hudson, and involved Pieter Schuyler.

The sequence of events for Pieter Schuyler is as follows.

In June of 1688, Pieter Schuyler, the first mayor of Albany, received a large land grant along the Hudson River in the area that we now call Dutchess County. Schuyler never lived on his land, and did not hold on to the full property for very long. He soon sold off the southern pieces outright. He only retained the northern piece.

It is this northern piece of Schuyler’s Patent that affects our story.

In 1689, Schuyler sold a half-interest in the northern piece to Harmen Gansevort, who was a wealthy brewer and tavern owner in Albany. In 1704, Harmen Janse bought out Harmen Gansevort. This made Harmen Janse a 50-50 partner with Pieter Schuyler.

A rough map of Schuyler’s Patent can be found in the *History of Rhinebeck* (1881) by Edward M. Smith. We are showing a portion of that map here.

In this snapshot, we have focused on the northern piece of Schuyler’s patent – the piece eventually co-owned by Harmen Janse.

Notice that the top border of Schuyler’s Patent was an east-west line that crossed the Hudson at the point opposite from Sawyer’s Creek. This is confirmed by the text of Schuyler’s Patent. The patent describes land that runs “northerly so far till upon a due east and west line it reaches over against Sawyer’s Creek; from thence due west to the Hudson’s River.” (*History of Duchess County* (1882) by James H. Smith, p. 50.)

Based on the original description of this property, the quadrangle of land included roughly 9,000 acres. This estimate of the acreage is new. It appears that prior histories, such as the one by Edward Smith, avoided providing a specific estimate. This might be due to the shenanigans discussed below.

(We do not know how Harmen Janse became involved in this land purchase. At the time, Harmen Janse was living about 65 miles up-river, in Half Moon. It is possible that the Van Schaick / Schuyler and Van Schaick / Knickerbocker connections were the reason that Harmen Janse knew about the availability of the land.)

By the 1730’s, the Knickerbockers had sold off their land within Schuyler’s Patent. The Hoffman family bought most of the land.
The lawsuits over the property lines didn’t start until the 1740’s. The lawsuits involved in the Hoffmans vs. the Livingstons.

Court records describing the Knickerbockers as “poor”

The *LPAH* book contains multiple instances where the Knickerbockers were described as poor. Most of these instances of the word “poor” were part of lawyer’s notes rather than actual court testimony.

It appears that Alexander Hamilton and Hoffman’s other lawyers tried to make it appear that the Knickerbockers were poor. This helped the lawyers explain why the Knickerbockers didn’t sue when the Livingstons apparently encroached on Knickerbocker land.

Shown here is a highly simplified map that illustrates why the Knickerbockers might have wanted to sue the Livingstons.

The original upper border of Schuyler’s patent was supposed to be an east-west line. However, the Livingstons claimed that their property line was diagonal, and that the Livingstons were the true owners of about half of the Knickerbocker / Schuyler quadrangle.

(More details about the disputed lands can be found in Section 3 of this report.)

The Knickerbockers never challenged the Livingstons about the diagonal line. The Knickerbockers sold their lands to the Hoffmans in the 1720’s and 1730’s. The lawsuits regarding the disputed property (the red triangle) began twelve years later, in 1745.

During the Hoffman vs. Livingston lawsuits, lawyers for the Hoffman family claimed that the Livingstons had encroached on land that the Hoffmans had purchased from the Knickerbockers.

The Hoffman’s lawyers had to explain to the jury why the lawsuits were so slow in developing. For example, why didn’t the Knickerbockers sue the Livingstons?

Peter Knickerbocker’s testimony seemed to be the spark for the claims that the Knickerbockers were poor. When Peter testified, he apparently was questioned about why the Knickerbockers had never sued the Livingstons. Here is what we have, from a lawyer’s notes:

> John Lansing’s notes, 23 Oct 1784 (*LPAH*, page 156)

> Peter Knickebacker: **his father was poor & had no money**, that was the reason he did not go to Law ... **He his brothers and sisters did not go to Law because they had no money** – this conversation was in year 1710 – he was then 8 years old

We don’t have a full court transcript, so we also don’t know exactly what Peter said.
Alexander Hamilton and the Knickerbockers

In the end, we don’t believe that Harmen Janse Knickerbocker was poor.

For example, consider the first Dutchess County property tax assessment, in 1718. There were 64 families in the Upper Ward who paid taxes. Two Knickerbockers were among the top 8 taxpayers.

This seems to refute any claim that the Knickerbockers were poor.

Also consider what happened after Harmen Janse died. Harmen’s heirs eventually sold off the land near Tivoli, and bought land elsewhere. For example, Lawrence Knickerbocker’s five sons each bought land over the following years. Lawrence’s son John bought properties in Connecticut; Benjamin bought land in Pine Plains; Harmon bought land in Wassaic; Peter bought land in Milan; and Cornelius bought land in Milan and in Pine Plains.

Most immigrant families would be proud if the third generation was able to buy so many pieces of land. This appears to be a success story, rather than the story of a poor family.

There are two possible explanations for why Peter Knickerbocker described his family as being “poor.”

The first explanation might be that the Knickerbockers had too many fixed assets (such as land) and not enough disposable assets (such as cash money). Taxes were becoming more common, so cash money was becoming more important.

However, Harmen Janse’ will, he mentioned “money” and also “gold and silver coined and uncoined.”

This does not sound like the will of a poor man.

We don’t know how much money, gold, or silver was involved. Perhaps Peter’s recollection stemmed from a shortage of cash that could be used to pay taxes. (An interesting observation: So far, we haven’t found any records that show that the Knickerbockers collected rent on the lands that they co-owned with Peter Schuyler. Thus, perhaps the Knickerbockers were not good businessmen, and therefore had a shortage of cash.)

The second – and more likely – explanation is that the Knickerbockers viewed themselves as being poor in comparison to their rich friends and neighbors.

It is interesting that Harmen Janse interacted with so many wealthy people.

Some of this might have been coincidence. There were very few European settlers along the Hudson River. It was inevitable that many of the settlers knew each other, knew their landlords,

**1718 Tax Assessments in Upper Ward of Dutchess County**

<table>
<thead>
<tr>
<th>Rank</th>
<th>Name</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Jacob Kip</td>
<td>60</td>
</tr>
<tr>
<td>2</td>
<td>Henricus Beekman</td>
<td>40</td>
</tr>
<tr>
<td>3</td>
<td>Wedwen Van [widow of] Harmen Kneckerbaker</td>
<td>20</td>
</tr>
<tr>
<td>4</td>
<td>Evert Van Wagenen</td>
<td>20</td>
</tr>
<tr>
<td>5</td>
<td>Mathys Sleght</td>
<td>15</td>
</tr>
<tr>
<td>6</td>
<td>Wellem Trophage</td>
<td>12</td>
</tr>
<tr>
<td>7</td>
<td>Hendrick Kip</td>
<td>12</td>
</tr>
<tr>
<td>8</td>
<td>Lowerense Knickerbaker</td>
<td>10</td>
</tr>
<tr>
<td>...</td>
<td>...</td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>Philip Ffeller</td>
<td>1</td>
</tr>
</tbody>
</table>

*Book of Supervisors of Dutchess County NY, 1718-1722*
and knew the county clerks. Thus, for example, the Rensselaer family and Robert Livingston probably knew most of the adult men in the areas around Albany and Rensselaerswyck.

<table>
<thead>
<tr>
<th>Rich Friend / Neighbor</th>
<th>Interactions with Harmen Janse</th>
<th>How did they meet?</th>
</tr>
</thead>
</table>
| Anthony Van Schaick    | • Neighbor of HJK in Rensselaerswyck  
• Sold land to HJK in Half Moon  
• Witness for Lawrence Knickerbocker baptism | Unclear |
| Pieter Schuyler        | • Co-owner of land in Dutchess County  
• Frequent visitor to HJK’s house near Tivoli | Via the Van Schaicks? |
| Robert Livingston Sr   | • Wrote the deed when HJK bought land from Van Schaicks  
• Was northern neighbor when HJK lived near Tivoli | Livingston was county clerk in Albany, and thus probably met every landowner |

It appears that Harmen Janse was closest to Anthony Van Schaick. We do not know how the two men originally met. The connection between the Van Schaicks and the Knickerbockers is worthy of more research. Were the families somehow related?

The lawyers – particularly Alexander Hamilton – had ulterior motives for referring to the Knickerbockers as poor.

Hamilton claimed that the Livingstons got away with encroaching on land they didn’t own for several reasons, including:

- Encroachment easy by reason of Schuyler’s distance, public engagements, etc
- Gansewort brewer in Albany
- Knickerbackers poor & illiterate
- Livingstons wealthy & cunning [LPAH, page 219]

Hamilton seemed to believe that the Hoffmans – who were educated and rich – were in better position to realize that the Livingstons had broken the law.

According to Hamilton, the Livingstons were wealthy and cunning. The Knickerbockers were too poor and illiterate to do anything about it. Schuyler, on the other hand, was apparently so busy with his public service that he didn’t have time to sue.

By bashing the Knickerbockers, Hamilton was killing two birds with one stone.

Hamilton was putting his clients, the Hoffmans, in the best possible position to win the lawsuits.

Hamilton was also defending his in-laws, the Schuylers, by treating them with kid gloves.

It seems clear in retrospect that the Schuylers were complicit in the land grab by the Livingstons, but you’d never know this from reading the notes of Alexander Hamilton (a Schuyler in-law) or John Lansing (a Schuyler protégé).

Now that we have set the scene, we will return to the works of Alexander Hamilton.
Section 3: Livingston's Fraud

You – the reader of this report – might find the following discussion to be too superficial. You might not be convinced that Robert Livingston committed fraud. That is fair. The LPAH book devoted 257 pages to these court cases. We are only presenting a short summary.

For more details, refer directly to the Law Practice of Alexander Hamilton, Volume 3, and to the other references that are listed at the end of this report.

In court, Alexander Hamilton made a very strong case that Robert Livingston Senior committed fraud, and that Livingston never had a legal right to what became known as “Livingston Manor.” Thanks to modern technology, we can use color-coded maps to illustrate the key points that are mentioned in Hamilton’s notes. This gives us a big advantage over the authors of the LPAH book, and over Hamilton himself, who didn’t have an easy way to illustrate the various claims about boundaries.

Background, from a Knickerbocker perspective

For the next few paragraphs, we will describe Hamilton’s tactics as they would be viewed by a member of the Knickerbocker family. We will explain why it seems like Harmen Janse got the short end of the stick.

We have already shown Peter Knickerbocker’s court testimony in full. Here is a brief excerpt, highlighting the most interesting passages:

Livingston asked his father’s leave to draw turpentine for the Germans – his father [Harmen Janse] said no, you have the most part of my land already, he shall not have it all – his father said so because he [Livingston] came so far below Suskahampa. He his brothers and sisters did not go to Law because they had no money. This conversation was in year 1710 – he [Peter] was then 8 years old.

Peter was only a boy when the key events happened, but remembered his father’s strong statement: “You have the most part of my land already.” [Emphasis added.]

Peter also said that his father was unhappy that Livingston came so far below the landing at Suskahampa.

Harmen Janse Knickerbocker bought his land in 1704. As already described, his land was part of Schuyler’s Patent. The land ran along the Hudson from the southern end of Slipsteen Island to the landing opposite from Sawyer’s Creek. The original boundaries of Schuyler’s Patent ran due east-west from the Hudson. There wasn’t any diagonal line involved in Schuyler’s patent.
Here is a map that we showed early in this report. We labelled two points along the Hudson (points B and C). The exact location of these points along the Hudson was the focus of the initial court cases.

There are two diagonal lines on this map. The red diagonal line is from a survey done by the Livingston family. The orange diagonal line is today’s boundary between Dutchess and Columbia counties.

As we will show, Alexander Hamilton eventually realized that the diagonal line from the Hudson River to Mount Ross never should have existed.

It wasn’t a question of the red diagonal line vs. the orange diagonal line. There never should have been a diagonal line in the first place.

We will illustrate Alexander Hamilton’s logic using a sequence of maps. (The details can be found in Hamilton’s notes in the appendix of this report.)

Robert Livingston Senior’s initial land grant from 1684 contained 2,000 acres of land along the Hudson. The second grant, in 1685, was for 600 acres. The smaller parcel was about 20 miles to the east, near the Massachusetts border.

This map shows the approximate location of Livingston’s 2,000 acres along the Hudson.

Notice on this map that the land granted to Robert Livingston came nowhere near the White Clay Creek, and nowhere near the eventual location of Livingston’s Mill.

Also notice there is no diagonal line from the Hudson down towards Mount Ross.
As part of each grant, Livingston was required to pay “quit rent.” This was an annual fee paid to the King. Livingston’s quit-rent was 20 pounds for the larger parcel, and 8 pounds for the smaller parcel. Thus, the total quit-rent was 28 pounds per year.

At the time of this initial grant – 1684 – the area now called Columbia County was a wilderness. Nobody had ever published a map, and nobody knew exactly locations of the various streams.

At some point around 1685, Robert Livingston Senior must have initiated a survey of the area. This must have been an “ex parte” survey, to use the Latin phrase favored by Alexander Hamilton. “Ex parte” refers to an action taken by one party, without any involvement from other interested parties. In this case, Livingston didn’t ask for any help from his neighbors, nor did he ever share the results.

Robert Livingston was a powerful man with strong connections to the Governor of New York. Livingston found a way that he could take advantage of his friendship with the governor, and also take advantage of the general ignorance about the geography of the area.

In 1686, the Governor of New York issued a “confirmation” to Robert Livingston. This was supposedly a simple confirmation of the two original grants. However, the Governor’s “confirmation” in 1686 described a different and much larger property than either of the first two grants.

The quit rent listed for the “confirmation” was 28 pounds per year – exactly the sum that would be expected if the land consisted of 2,000 acres plus 600 acres.

And yet: Robert Livingston Senior now controlled 160,000 acres (250 square miles), instead of the original 2,600 acres.

The map below illustrates what happened.

This map again shows Livingston’s Hudson River grant, in green.

Also shown, in blue, is the adjacent quadrangle of land that was part of Schuyler’s patent. The upper boundary of the quadrangle is the one described in the original Schuyler patent: an east-west line.

The extra land that Robert Livingston acquired as part of the “confirmation” is in pink.
There had never been a diagonal line in the description of the Schuyler Patent. However, there was some language saying that Schuyler’s Patent should not interfere with Livingston’s Patent. At the time, nobody realized that Robert Livingston claimed that his borders were far larger than those given in his original patent.

There is no record of any complaint from Pieter Schuyler when his brother-in-law, Robert Livingston, changed the boundary between the Schuylers and the Livingstons.

Now we go back to Harmen Janse’ view of all of this.
Alexander Hamilton described Harmen Janse as poor and illiterate. Mr. Hamilton implied that Harmen Janse was ignorant of the events around him.

We would prefer to believe that our ancestor was reasonably intelligent, and that he was aware of his own best interests.

According to Peter Knickerbocker, Harmen Janse’ claimed that Robert Livingston had taken “the most part” of Knickerbocker land. [Emphasis added.] This seems to be a legitimate complaint from a well-informed man.

It appears that Robert Livingston really did take about half of Harmen Janse’ land, via the claim that his property extended down the diagonal line from the Hudson to Mount Ross.

Harmen Janse also thought that Robert Livingston had no right to any property below the Suskahampa landing. This might have referred to the fact that Robert Livingston claimed ownership of land all the way down to Mount Ross, which is four miles below the east-west line from Sawyer’s Creek.

These court records suggest that Harmen Janse was well aware of what was going on around him.

**Background, from a Hoffman perspective**

The Hoffman family began buying land from the Schuylers and Knickerbockers in about 1723. The Hoffmans eventually owned most of the Schuyler and Knickerbocker land near Tivoli.

There were many years between Harmen Janse’ death and the sale of his lands to the Hoffmans. Harmen Janse died in 1714. Land records suggest that not much happened in the years immediately following his death.

In 1723, Pieter Schuyler – apparently with approval from the Knickerbocker heirs – subdivided their large property. He hired a surveyor to create 13 lots, and awarded seven of those lots to the heirs of Harmen Janse. There was also still some “common land” that was shared 50-50 between the Schuylers and the Knickerbockers.

The Hoffmans then began to acquire the properties one piece at a time.

There is no doubt that the Hoffmans only purchased land in what is now Dutchess County. The deeds acquired by the Hoffman family were specific. The Hoffmans never had any claim to the lands above the diagonal line. The Hoffmans could only argue about the exact location of the diagonal line.
The prior sections explained the sequence of events using several maps. Now we will tell the same story, as viewed through the eyes of Alexander Hamilton.

The next three pages present a high-level summary of Hamilton’s views. More details can be found in the appendix of this report.

Alexander Hamilton worked for the Hoffman family for about 3 years. He represented them in two court cases involving the Livingstons.

When Hamilton first took the case, the arguments in court focused on the smaller issue of exactly where the diagonal line should be drawn. The early court records include varying opinions about the exact location of landing along the Hudson, the accuracy of using a compass, the change in magnetic north over time, and so on.

Hamilton’s initial efforts were unsuccessful. Hamilton lost the first case that he argued against the Livingstons. This first case was decided in 1784.

In 1785, Hamilton filed a motion for a new trial. Hamilton had completely changed his tactics, and launched a full frontal assault against the Livingstons.

Here is how Alexander Hamilton’s tactics were described in *LPAH*:

**Hamilton’s Arguments on a Motion for A New Trial (1785)**

*as summarized in LPAH, starting on page 106*

The manuscripts of Hamilton and Livingston in these causes most deserving of comment are those relating to the motion for a new trial. …

Assuming Hamilton was able to convince the court to accept his major premise – that the court had authority to grant a new trial – he still had to show that the verdict in Hoffman was in fact against the weight of the evidence.

Hamilton attached the verdict with a double-pronged argument.

In the first place, he attempted to discredit the Livingston claim to the lands by virtue of the patents granted to the first lord of the manor. …

To show that the patents did not contain the land in controversy, Hamilton’s assault focused on the “confirmatory” letters of 1686. The first two patents, granted in 1684 and 1685, were for noncontiguous parcels of modest size: one on the Roeloff Jansen Kill at the Hudson River, and the other in the Taghkanick Hills twenty miles to the east.

A prayer for a confirmation of these two grants and for their consolidation into a manor – with boundary descriptions that did not conform to the prior Indian deeds, with no further purchases from the Indians shown, and with the quitrent in the 1686 confirmation set at no more than the combined quitrents of the two prior grants – was a manifest fraud on the King, thus rendering the 1686 patent void.

The other evidence that the boundary contended by Livingston was the correct one was, Hamilton argued, not persuasive. The Act of 1717, making the south bounds of
Livingston Manor the boundary line between Albany and Dutchess counties and describing Saskahampka as “lying opposite” to the Sawyer’s Creek (the terminus of Albany County on the other side of the Hudson) was of little weight because the act was self-serving, having been introduced by Robert Livingston himself at the very first session of the Provincial Assembly in which he was empowered to sit.

The “ancient surveys” made by or for the Livingstons were also of little weight because they were made ex parte, “without evidence” and “evidently on false principle.” …

Hamilton questioned the weight to be given to the evidence showing the acquiescence of Schuyler, the Knickerbacker family, and Hoffmann in the possession by the Livingstons for the thirty years from 1714 to 1744. In an old and settled country possession could support a strong presumption in favor of title, but this presumption lost its efficacy in a young, sparsely settled area such as the Hudson Valley. …

Furthermore, Hamilton argued, Livingston’s evidence to show acquiescence were not convincing; the early conveyances from Schuyler to Gansevoort and from Gansevoort to Knickerbacker in which the lands of Schuyler’s patent were described as running to the south bounds of the manor and not to infringe thereon, were not conclusive evidence. Subsequent deeds had all simply copied these original descriptions.

Hamilton’s assault was successful. The Livingstons soon capitulated. The Livingstons gave all of the contested lands to the Hoffmans. (See the appendix for more details about the exact sequence of events.)

Shown here, in dark red, is the slice of land that the Livingstons gave back to the Hoffmans.

From the Livingston’s point of view, this was a wise decision.

The Livingstons gave the Hoffmans about 1,000 acres of land, as shown here by a dark red quadrangle.

(The Livingstons also gave up any claims to the narrower triangle of land, in between our orange and red dashed lines, that stretched from the Hoffman boundary all the way to Mount Ross.)

By capitulating, the Livingstons headed off any larger attacks on the validity of the entire 160,000 acres of the Livingston patent. Further attacks could have severely damaged the Livingston fortune, given that those attacks were being made by Alexander Hamilton.
By the summer of 1786, the legal disputes between the Livingstons and Hoffmans were settled. Alexander Hamilton was apparently satisfied with the outcome of these legal disputes. Hamilton moved on to other activities.

In the fall of 1786, Hamilton attended the Annapolis Convention, which helped lay the groundwork for the U.S. Constitution. Leonard Gansevoort, the great grandson of the brewer Harmen Gansevoort, was nominated as a delegate from New York, but did not attend the convention. Robert Livingston 4th was also nominated as a delegate, but did not attend. (See the papers of Alexander Hamilton on the UVA Rotunda website.)

In the fall of 1787, Hamilton and others attended the Philadelphia Convention, which finalized the U.S. Constitution. John Lansing – the Livingston’s lawyer – also attended the convention, but eventually refused to sign the final Constitution.

In 1787, Hamilton was also serving in the New York State Assembly. Hamilton helped sponsor legislation that concerned the boundaries of Livingston Manor. Alexander Hamilton stated that the diagonal line to the southern bend of the Roeliff Jansen Kill was the appropriate boundary for Livingston Manor.

Robert Livingston 4th sent a thank-you note to Alexander Hamilton. [LPAH, page 103. The full letter is available on the UVA website.]

Thus, Robert Livingston Senior’s land grab was a done deal. It had been blessed by the State Assembly. This is why the today’s boundary between Dutchess County and Columbia County includes a diagonal line from Mount Ross to the Hudson. (We showed a portion of this line earlier, in orange.)

The land grab had also been blessed by Alexander Hamilton.

By then, the Knickerbockers had moved away. The Knickerbockers had never made any attempt to claim the upper triangle of land (above the diagonal line). The Knickerbockers had sold their remaining land (below the diagonal line) to the Hoffmans.

Native Americans were the worst victims of the Livingston fraud. It appears that the Livingstons paid the Native Americans for only 2,800 acres of land. This was the land that was in the first two grants.
Summary

We have shown a small sample of the information in The Law Practice of Alexander Hamilton, Volume 3. These legal cases provide some useful genealogical information about the Knickerbockers. We have shown the key information. For example, we have shown that Harmen Janse died in 1714.

The genealogical information was the initial reason for studying the LPAH book. In the process of reading the book, it became clear that Robert Livingston’s actions had some effect on the Knickerbockers. Thus, this report grew longer.

We have devoted about half of this report to the legal maneuvers related to the borders of Livingston Manor.

As we have shown, Alexander Hamilton believed that the Livingston Manor patents were invalid. Once Mr. Hamilton realized what had happened, he made a full frontal assault on the Livingston’s right to their lands.

The Livingston family capitulated shortly after the frontal assault by Mr. Hamilton. They returned a quadrangle of land to the Hoffman family.

In return, Alexander Hamilton and the Hoffman family accepted the Livingston’s right to retain the rest of the 160,000 acres in Livingston’s Manor.

It appears that the Knickerbockers lost a portion of their lands due to Robert Livingston’s land grab. The Knickerbockers apparently did not have the resources and political connections to challenge the Livingstons.

The history of Livingston’s Patent might have been very different if the Knickerbockers had been able to afford a lawyer of the same caliber as Alexander Hamilton. However, this is speculation. The Knickerbockers probably would have encountered a major roadblock, because their partner, Pieter Schuyler, was the brother-in-law of Robert Livingston.

In the end, the shenanigans related to Livingston Manor probably had only modest effect on the Knickerbockers. Each of Harmen Janse’ children still inherited property from their father.

The Knickerbockers sold their land, dispersed to other locations, and moved on with their lives.

The Livingstons wound up being one of the richest families in the United States.
Appendix

Alexander Hamilton’s Notes

On previous pages we have illustrated the sequence of events using several maps. We have also shown how Alexander Hamilton’s legal maneuvers were described by the authors of *LPAH*.

Now, we will show how these events were reflected in the Alexander Hamilton’s notes. The layout of Alexander Hamilton’s hand-written notes was complex. The authors of the *LPAH* book described their attempts to replicate Mr. Hamilton’s notes, complete with spelling errors and crossed out text.

The *LPAH* book contains numerous pages from Alexander Hamilton’s notes. We will show a few key pages.

When preparing to present his claims of fraud, Alexander Hamilton wrote the following words in his notes, apparently as a reminder to himself before he went into court.

```
Two or three void patents
As many ex parte surveys
One or two acts of usurpation acquiesced
in for a time but afterward proved to be such
Half a dozen scripture allusions
Some ghosts fairies elves & hobgoblins
And a quantum sufficit of eloquence [LPAH, page 233]
```

This was Hamilton’s “recipe” for obtaining a good title during property disputes such as Hoffman vs. Livingston.

At first, this seems like gibberish. However, the *LPAH* authors decided to use this “recipe” as the introduction to the entire first section of Volume 3.

The brilliance of Hamilton’s recipe only becomes clear after reading through Hamilton’s writings and court presentations.
Hamilton first represented the Hoffmans in a trial in 1784. Hamilton and the Hoffmans lost that case.

Hamilton petitioned the New York courts, claiming that the verdict was wrong. This is when Hamilton changed tactics. The earlier court cases had focused entirely on small details, such as the exact location of the landing on the Hudson. By 1785, Hamilton had taken a broader look at the issues.

Here are some of Hamilton's notes from 1785. These discuss the various Livingston patents in detail. At this point, Hamilton had realized that the diagonal property line should never have existed. Notice that Hamilton states that parts of the patent are “false” and “altogether illegal.”

**Hamilton’s Motion for a New Trial (1785)**
Hamilton’s Motion for a New Trial (1785)

Continued…
In the *LPAH* book, the above brief is followed by Hamilton’s notes related to his oral presentation in court. Hamilton’s court presentation was very similar to the brief shown above. Thus, we will not show the notes from the court presentation.

In his notes, Hamilton reminded himself to argue that the Knickerbockers were poor. (*LPAH*, p 220.)
Hamilton’s List of Precedents

Hamilton’s various notes contain a long list of precedents regarding patents and fraud. These precedents mean nothing to us, but show that Hamilton had done a lot of homework. Here are a few of the precedents.
The New York State Supreme Court turned down Hamilton’s petition for a new trial. We don’t know their reasoning. As of mid-1785, it seemed like the Hoffman vs. Livingston battle was over. The Livingstons had won the case in 1784, and the courts had refused to re-try the case.

However, Hamilton was back in court again in October of 1785. This time he was representing a man named Jacob Moore. Moore was a tenant on the disputed lands. Moore had been paying rent to the Hoffmans. The Livingstons must have been feeling over-confident, after winning the 1784 lawsuit. The Livingstons sued Jacob Moore and tried to have him evicted.

Shown below is a portion of Alexander Hamilton’s brief for Livingston vs. Moore. Once again, Hamilton staged a full frontal attack on the legality of Livingston’s Manor.

**Hamilton’s Brief in the Moore Trial (1785)**

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**298 COLONIAL PATENTS**

“A certain tract of land situate lying and being on a creek on the East side of Huds. River called or known by the name of Rockoff Johnson Kill, it being in three plains Neckambook Kickau Wickquashake and two or three other small flats or plains in all ab’ 100 Morgan or 200 acres together with 1800 acres of Woodland lying and being between a small Creek or Kill lying over against Kaast Kill called Wabanksaekseck and a place by the Indians called Swatskesamata to the South of Rockoff Johnsons Kill that is to say 200 acres on the River side and the rest adjoining to the said 200 acres & so running back into the woods.”

This tract is clearly only 200 acres on the River.

Rent 10/

**299 SOUTH BOUNDS OF CLERMONT**

1. Patent of 1684 has a front of 200 only acres, on y’ River—lying between Wabanksaekseck & Saucuehamp on Rockoff Johnson Kill. 2000 acres in toto

2. That is to say “200 acres along the River side and the rest adjoining to the said 200 acres & so running back into the woods.”

This grant is professedly only a confirmation of the others with a grant of manorial privileges it only the Crown prays to confirm

Objectors: where granting & confirming

Principle

“that all which shall several tracts of land, lying together are bounded and limited in manner hereafter expressed that is to say” On the North by a line from Wabankersg to the South side of Vsutris Island to a place called Wectangamesch near the head of a Creek called Nanapeeenahake thence extending to the Northermost end of Water Country.
This was a jury trial, and the Livingstons lost. Jacob Moore was allowed to stay on his farm.

More importantly, though, this appears to be the case that frightened the Livingstons. Hamilton had attacked the legality of Livingston’s Manor, and had convinced a jury that the Livingston claims were invalid.

As mentioned earlier, the Livingstons soon capitulated. The Hoffman family took over all of the disputed lands along the diagonal line, in exchange for a cash payment of 5 shillings (roughly one dollar, in today’s currency). This ended the 40-year string of suits and counter-suits.

This concludes our summary of Alexander Hamilton’s notes. We have shown only a small portion of the materials contained in the LPAH book. Anyone interested in the details should obtain a complete copy of the LPAH book. A list of additional reading material is shown on the next page.
Alexander Hamilton and the Knickerbockers

Additional Reading on the Issues around Livingston Manor

The North Border of Dutchess County by Helen Wilkinson Reynolds, from the Year Book of the Dutchess County Historical Society, Volume 21, 1936.

Helen Wilkinson Reynolds was an expert on Dutchess County history. For example, she helped assemble the book Old Gravestones of Dutchess County (1924), which is still the best listing for the county.

Ms. Reynolds report on the border of Dutchess County is useful. For example, she included a list of many of the key deeds for the Knickerbockers and the Hoffmans.

However, Ms. Reynolds did not have access to court records, or to the files of Alexander Hamilton. Therefore she didn’t fully comprehend the sequence of events that we have described here.

This work mentions some of the early Knickerbockers.

A full PDF of this work is available via Google.


This is a short study that focuses on the breakup of Livingston Manor in the 1800’s. There is some information about the issues in the 1700’s.

One of the main sources for this report is the book by Lawrence Leder that is mentioned below.

This study includes a summary of a court action, The State vs. Herman Livingston, in the mid 1800’s. The full judge’s opinion from this case is referenced below.

This work does not mention the Knickerbockers.

A full PDF of this work is available via Google.

The People of the State of New York agt Herman Livingston, from the Supreme Court for the State of New York, 1850.

This is the full judge’s decision in a case where the State of New York challenged the validity of the Livingston Patents.

This case took place 60+ years after the Hoffman vs. Livingston lawsuits. However, the case covered much of the same ground.

The judge in this case upheld the validity of the Livingston patents. He gave several reasons.

Some of this judge’s reasons do not apply to the Hoffman cases. For example, the judge in the 1840’s commented on the statute of limitations, and the fact that so many years had passed since any action had been taken.

The primary issue, for this judge, seemed to be that the New York State Legislature had endorsed the boundaries of Livingston Manor. The judge doubted that he could overturn an action of the Legislature, in a case brought by the representatives of that same state.

This work does not mention the Knickerbockers.

A full PDF of the judge’s opinion is available via Google.


This is a broad overview of the life and accomplishments of Robert Livingston. It repeated most of the same information that Hamilton had discovered regarding the patents and Livingston’s “fraud.”

This book does not mention the Knickerbockers.

 Portions of this book are available electronically.