

## Article XV of the Charter of Freedoms and Exemptions, June 7<sup>th</sup>, 1629 & Ordinance Against Clandestine Trade, June 7<sup>th</sup>, 1638.

- New Netherland
- Trade
- Mercantilism
- Market economics
- Colonization

- Comparison & Contextualization
- Gathering evidence
- Economics and Economic Systems

Middle & High School Level

- A robust clandestine trade network in New Netherland
- The Dutch West India Company's attempts to address their losses
- Mercantilist policies in response to market economics
- Forces of supply and demand in the fur trade market

**Essential Question:**  
**How did clandestine trade affect the Dutch West India Company?**

### **Historical Context:**

The Charter of Freedoms and Exemptions was passed in 1629 as part of an effort to spur colonization and agricultural development of New Netherland. The charter relinquished the Dutch West India Company's total monopoly of the fur trade to the patroons, inadvertently encouraging private households and brokers to join the fur trade with Native Americans near Fort Orange and throughout the entire colony. Since the company fortified cities and provided security for the colony with its own funds, it attempted to sustain itself financially through its profits in the fur trade. This document shows how market forces of supply and demand drove down the prices of furs, deflating the company's main source of income, thus pushing the company towards bankruptcy. By issuing this ordinance in response to market forces, the company returned to prohibiting private trade with Native Americans. The conflict between Mercantilism and free trade in New Netherland would carry on for decades after the English takeover in 1664, soon thereafter renamed New York.

## Document Analysis:

1. Introduce the lesson with the cover image of the Charter of Freedoms and Exemptions on the board.  
<https://www.newnetherlandinstitute.org/history-and-heritage/digital-exhibitions/slavery-exhibit/slave-labor/article-30-charter-of-freedom-and-exemptions-1629/>
2. Set the stage with an introduction of the Charter of Freedoms and Exemptions, first covering the title page as a form of advertisement. Ask students to think about: why might the Dutch need to advertise New Netherland? Ask for a few responses and offer a guiding question: who might be the target audience for this charter?
3. After students provide a few possible answers, briefly lecture on New Netherland's need for settlers and how the charter encourages settlement through granting land to wealthy investors, similar to medieval fiefdoms, known as Patroonships. This should only be between 3-5 minutes.
4. Inform students that this lesson will involve a short segment taken from the Charter of Freedoms and Exemptions, Article XV. Show article XV on the board and handout the document to the class.
5. Instruct each student to answer the guiding questions individually as you read aloud Article XV. Read it aloud twice, allowing students time to begin answering the questions in between the first and second reading.
6. Instruct students to finish the guiding question that they are working on and to save what they have not completed yet for later in the lesson.
7. Divide the class into groups of 3-4 students and hand out a copy of the Ordinance Against Clandestine Trade, June 7<sup>th</sup>, 1638. Assign each student (or pair) in every group a section of the ordinance to read and answer guiding questions.
8. Following a 5-10 minute span, instruct each group to come together and create a presentation representing each section of the ordinance. These presentations can be cartoon strips or other forms of artwork, informational poster boards with segments of the text, or anything agreed upon between the class and the teacher. Charts or graphs, illustrations, and use of the document itself are all encouraged. (Remind students not to cut up their own copies of the ordinance if they wish to cut out segments to use in their presentations).
9. Hand out all necessary materials and provide groups with additional copies of the ordinance if needed. Give students 15 minutes to prepare their presentations that should be set up at their desks for others to see when they are finished.
10. Reconvene class and instruct students to rotate through each group's presentations and encourage students to make adjustments to their guiding question responses and instruct them to finish whichever questions they left unanswered as they move around the room observing their classmates' work.

### *Optional Extension Activity:*

The following activity could be completed in order to extend students' thinking and encourage them to make connections.

Assign students a short writing assignment, 2-3 paragraphs long, critiquing the Dutch West India Company's response to clandestine trading. Cite both the texts used in the lesson.

## Ordinance Against Clandestine Trade. June 7<sup>th</sup>, 1638.

A.J.F. Van Laer, *New York Historical Manuscripts: Dutch Volume IV Council Minutes, 1638-1649*.  
Baltimore: Genealogical Publishing Co., Inc. 1974.

The deputies to the Assembly of the XIX of the Chartered West India Company, by virtue of the charter and the amplifications thereof granted to the Company by the High and Mighty Lords the States General, make known:

Whereas it has heretofore not only been sufficiently well known, but has now recently become manifest to all the world, that that many self-seeking persons in New Netherland, flagrantly violating our good ordinances and commands by their private and clandestine trade and traffic, have acquired and diverted from the Company to their own private profit many, nay, more peltries and skins, of better condition and quality, than those that are purchased there and sent over on the Company's own account and have bartered them for wares and merchandise taken with them from here or ordered by them to be sent in the Company's own ships, clandestinely and secretly, without the knowledge of the Company...;

**According to the deputies of the Dutch West India Company, what is happening in New Netherland with regards to the fur trade?**

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**What do the deputies say is the reason behind the "flagrant" violation of Company ordinances? (Is any one individual to blame?)**

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**In your opinion, why is there clandestine trading in New Netherland? Think of as many reasons as you can and list them below.**

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Whereby on the one hand the ships are filled and rendered incapable of carrying the Company's goods and those entered by the patroons and colonists and on the other hand the Company is defrauded of the freight thereof; so that they have not only spoiled the trade of the Company in that country by paying more for the skins and peltries than the Company, which they are able to do by reason of their being free from all charges and expenses, both as to freight and equipment, and not having to bear the dally cost of maintaining so many people and fortifications and other heavy burdens which the Company is carrying there; which Company in consequence has been able to obtain but few furs or been forced to submit to a like advance In price, while they In this country have also brought the furs and peltries Into disrepute and caused them to be sold at a low price, the Muscovy and other traders being furnished by them with better goods and at a lower price; and whereas the Company Is besides reliably informed that many have exchanged their poor furs for the best furs of the Company, or at least have bought up the best furs for themselves and not for the Company, all to the great and immense damage and loss of the Company and without once considering the great expense incurred by the Company as well for the equipment and cargoes as for the support and payment of the very people who have deprived the Company of the returns therefrom and thus caused the prosperity of New Netherland to decline considerably. . . ;

**According to the deputies, what are some of the differences between Company traders and clandestine traders? State at least two differences from the text.**

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**Why is the Company so opposed to clandestine trade? Use specific words or phrases from the text.**

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We, therefore, in order to provide against this, renewing our former ordinances, placards and commands issued here by us and there by our director and council against said private trade, have thought fit to order and decree, as we hereby do order and decree, that henceforth no persons, of whatever condition or capacity they may be, residing here or within the limits of New Netherland, shall be at liberty to convey thither any wares or merchandise, be the quantity large or small, either in their own or in the Company's ships, whether openly or secretly, under any cover or pretext whatsoever, without the cognizance or knowledge of the Company, on pain of confiscation of said wares, cargoes and merchandise for the benefit of the Company; also, that none of the above mentioned persons shall be at liberty to carry on at any place any private trade in furs, either by themselves or by others, directly or Indirectly, in any manner whatsoever, on pain of confiscation of the traded furs and arbitrary correction at the discretion of the Company, or of the director and council there, and in addition of all their salary and monthly wages.

We therefore order and command our director and council of New Netherland and all other officers to govern themselves accordingly and strictly to enforce the contents hereof, without any connivance, dissimulation or compromise and, in order that no one may plead Ignorance, to publish this at the accustomed places and to cause it to be posted everywhere there and also in the respective colonies.

Thus done and published in Fort Amsterdam, this 7th of June anno 1638.

**With this ordinance, what does the Company prohibit in addition to clandestine trade?  
What does an individual need in order to trade furs?**

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**Do you think the punishments listed above are reasonable? Do you think this ordinance will be effective?**

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**Vocabulary:**

**States General:** Dutch legislative body similar to the United States Congress

**Heretofore:** before now    **Sufficiently:** adequately, or just enough    **Flagrantly:** obviously

**Ordinances:** laws, regulations    **Clandestine:** stealth, kept secret    **Diverted:** moved away

**Peltries:** collection of pelts, or animal skins with furs intact    **Bartered:** negotiated exchange or trade

**Wares:** Pottery or other similar tools    **Rendered:** made, caused    **Defrauded:** cheated, robbed

**Freight:** Cargo, typically aboard a vessel    **Fortifications:** buildings, in this context defensive forts

**Disrepute:** publicly embarrassed, made fools of    **Muscovy:** Russian, or Russian from a specific area of the Russian Empire

**Deprived:** Withheld, stopped    **Placards:** public notice

**Henceforth:** in the future, from now on    **Convey:** Send or ship

**Thither:** towards a place    **Cognizance:** awareness    **Confiscation:** Lawful taking, or seizure

**Arbitrary:** random, meaningless, unplanned    **Discretion:** decision

**Connivance:** to allow something illegal or immoral to happen in secret

**Dissimulation:** Concealment or misleading of

## Article XV of the Charter of Freedoms and Exemptions. June 7<sup>th</sup>, 1629.

A.J.F. Van Laer, *Van Rensselaer Bowier Manuscripts: Being the Letters of Kiliaen Van Rensselaer, 1630-1643, and Other Documents Relating to the Colony of Rensselaerwyck*. Albany: University of the State of New York, 1908.

**XV.** It shall be permitted the aforesaid patroons, all along the coast of New Netherland and places circumjacent, to trade their goods, products of that country, for all sorts of merchandise that may be had there, except beavers, otters, minks, and all sorts of peltry, which trade alone the Company reserves to itself. But permission for even this trade is granted at places where the Company has no agent, on the condition that such traders must bring all the peltry they may be able to secure to the island of the *Manhattes*, if it is in any way practicable, and there deliver them to the director, to be by him sent hither with the ships and goods; or, if they should come here without having done so, then to unload them with due notice to the Company and proper inventory, that they may pay to the Company one guilder for each merchantable beaver and otter skin; the cost, insurance and all other expenses to remain at the charge of the patroons or owners.

**According to this document, what are the Patroon's permitted to do in New Netherland? Are there any exceptions?**

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**Does this section of the Charter of Freedoms and Exemptions allow Patroons to trade furs? Explain your answer with references to the text.**

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**Judge the clarity of this article of the Freedoms and Exemptions. Does it clearly state what is legal and illegal? Is there any room for interpretation?**

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**Permitted:** allowed, accepted    **Aforesaid:** above or before mentioned

**Patroons:** A Dutch title, similar to a feudal lord, who has purchased or been issued permission to purchase and fund settlement of land in New Netherland

**Circumjacent:** surrounding, nearby    **Peltry:** animal skin with furs still intact

**Hither:** To or towards    **Guilder:** Dutch monetary unit similar to an American dollar