

of New York, on December 11, was Roeloff Swartwout, representing the people of Ulster County. As soon as the body of delegates was ready to take action on matters brought before it, Captain Leisler, as acting lieutenant-governor, requested the assembly to afford him its judgment of the fitness of certain well-known men of the province to be members of his council. Whereupon, after due deliberation and consultation, the assembly recommended Peter De la Noy, Samuel Staats, Hendrick Jansen, and Johannes Vermillye of the city and county of New York; Captain Gerardus Beekman of Kings County; Samuel Edsall of Queens County; Captain Thomas Williams of Westchester County, and William Lawrence of Orange County. On the acceptance of these gentlemen by the acting lieutenant-governor, they conformably took the oath qualifying them to act as members of the provincial council.¹

Jacob Milborne, whom, on December 12, the provincial council elected its secretary, was born in England about the year 1648. In 1663, he was living in Hartford, from which place he went in 1668 to the city of New York, and obtained a position as a clerk and book-keeper from Thomas Delavall, a prominent merchant, in whose employment he remained until 1672. Subsequently he was a resident of Albany. Later he engaged in merchandizing in the city of New York and was frequently absent from the province while furthering his business interests. On his return from England, on August 25, 1689, Captain Leisler, then acting as a commander-in-chief of the military forces of the province, desiring the service of an English secretary, installed him in that service at the government-house. His brother, the Reverend William Milborne, who had settled as a pastor of a church at Saco, Maine, in May, 1685, was serving a church in Boston, in 1690, as a minister.

The seditious character of Colonel Nicholas Bayard's letter to Captain Abraham de Peyster and Captain John de Bruyn, and his attempt to obtain possession of the dispatches brought from England by the king's courier, led to the issuance of a warrant for his arrest, on January 17, 1690, under a charge of having committed "high misdemeanors against his majesty's authority," and for "writing execrable lies and pernicious falsehoods" detrimental to the peace of the province and the execution of his majesty's commands. As a consequence, he was arrested and put in prison, where, on January 24, he addressed an "humble petition" "To the Honorable Jacob Leisler, Esquire, lieutenant-governor of the province of New York and the Honorable Council," in which he acknowledged "his great error in disregarding the authority" of the provincial officers, "which, he humbly owned," they properly possessed. Praying for pardon and a release from "dismal detention," he promised "to perform what-

¹ Documentary history of the state of New York. 8vo ed., vol. ii., p. 45.