

of a rifle-bullet, for they knew the settlers were excellent marksmen and besides, the ground contiguous to it was open and treeless.<sup>1</sup>

Wishing to ascertain the whereabouts of the nearest Indians, Captain Cuddeback sent out in the afternoon a scouting party, which had not gone far from the fort before it was attacked by a number of ambushed savages. Cornelius Wyncoop, the fifth son of Justice Philip Swartwout, was twice wounded, first in his right hip by a musket-shot which fractured the hip bone, and last in his left thigh by a buckshot.<sup>2</sup> The party repulsed the Indians and returned to the fort with their wounded comrades.

Fearing an assault upon the fort at night, Captain Cuddeback placed pitchforks in the hands of a number of men to prevent the enemy from scaling the stockade. The venerable widow of Major Jacobus Swartwout, it is related, claimed the privilege of having a pitchfork and of doing watch duty during the night. The only evidence disclosing the nearness of the marauders to Fort Gumaer after nightfall was the thud of several bullets against the palisades when they departed in the darkness from the Peenpack neighborhood.

As a consequence of the massacre of Justice Philip Swartwout and his two sons, the bereaved family began in the following month making a partition of his estate. The disposition of the property is minutely particularized in an instrument of writing headed with the locative title, "Peenpeck" and prefaced: "Memorandum. Of an Agreement Entered into this Ninteenth (*sic*) Day of November in the Year of our Lord Christ One thousand Seven Hundred and Seventy-Eight Between Jacobus Swarhout Eldest son of Philip Swarhout Esq<sup>r</sup>. Deceased Ann Depuy Only Daughter of sd. Philip Swarhout for themselves; and for and in behalf of Cornelius Swarhout sick and Peter Swarhout their Younger Brother Now under Age, With Deborah Swarhout Widow of the aforesaid Philip Swarhout Esq<sup>r</sup>., And with each other, for the Dividing

<sup>1</sup> *Vide*: Manuscript of Peter E. Gumaer, Mmisink Valley Historical Society's collections, Port Jarvis, N. Y.

<sup>2</sup> Invalid pensions, 1787. Book B, pp. 71, 72.

" State of New York, }  
City of New York. } *ss.*

"Cornelius Swartwout of Peenpack, in the county of Ulster, farmer, being duly sworn, maketh oath that during the late war he was a soldier in Captain Abraham Cuddeback's company in the regiment of Ulster County militia commanded by Colonel James McClaughry. That on the thirteenth day of October, in the year of our Lord, 1778, being on duty at Peenpack aforesaid, under the command of Captain Cuddeback, and ordered out on a scout under the command of Lieutenant Stewart of the same regiment, they were attacked by a party of Indians, and the deponent received a musket-shot wound in his right hip, by means whereof his hip bone is fractured and another wound from a buckshot in his left thigh. That by means of his first wound he is rendered incapable of obtaining his livelihood by labour. That on the twenty-fifth day of March last he was twenty-five years of age, and that he now actually resides at Peenpack aforesaid.

" CORNELIUS SWARTWOUT.

" Sworn this sixth day of March, 1787, before me.

" RICHARD VARICK, recorder."

He was allowed an yearly pension of \$48, from November 1, 1778.