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## **Trading Places: Men, Women and the Negotiation of Gendered Roles in the Port of New Amsterdam, 1630–1664**

by **Virginie Adane**

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In 1664, when the English took over New Netherland, one of the colony's wealthiest merchants was Margaret Hardenbroeck. Hardenbroeck came from a family of merchants, was trained to become one, started as an employee of a relative, married a merchant, handled a business of her own, and settled in New Amsterdam to become one of the town's most powerful merchants. At the time of her first husband's death, in early 1661, she proved able to handle his accounts and estate to her advantage and became a merchant and supercargo. She also helped her second husband, Frederick Philipse, a former carpenter whom she married in December 1662, to build a business and become one of New York's wealthiest merchants. Aside from their joint business, in which she took an active part, Hardenbroeck kept a business of her own out of the community of goods (thanks to a prenuptial agreement) and was listed as a free merchant of New Amsterdam. Under the English they were among a Dutch elite that managed to keep good relations with the new rulers, especially Governor Edmund Andros. She thus remained one of the most famous figures to survive in the collective memory of New Netherland and an object of many biographical endeavors by historians, antiquarians, and genealogists.<sup>2</sup>

Hardenbroeck's career, seen as exceptional for a woman in colonial America, owed greatly to the specific provisions of Roman-Dutch Law regarding women and trade. These provisions are considered as a key element to understanding the role and place of women in New Netherland. Yet, for every Margaret Hardenbroeck, how many were more like Pietertje Jans, an active tradeswoman who lost everything upon her husband's passing? Or like Grietje Reyniers, whose outspoken manners nearly got her banished from the colony? Or like Maria Joris, whose drinking habits led to constant disputes with her commercial partners? Between 1655 and 1660, saleswoman Maria (or Marretie) Joris had to appear repeatedly in court, either to sue or to defend herself against angry customers.<sup>3</sup> Joris handled a business in her own name and was legally able to reclaim unpaid debts. Yet, the frequency with which she had to go to court to claim unpaid debts, combined with the violence of her ways, point to a difficulty of her being heard in a male-dominated maritime community.

These women, while appearing in the records as outspoken, outrageous, and even of violent character, seem to perfectly exemplify women's twofold experience in New Amsterdam. On the one hand, a compliant legal system paved the way for participation in the economic and public life of the city; on the other hand, women faced the harshness of a male world where legitimacy in trade could not be taken for granted. Compliant legal provisions are one thing, credibility and respectability in economic affairs are another.

The aim is therefore to place law in the context of social and economic interactions. Willem Frijhoff wrote that "almost nothing is known about the lives of women in early colonial New Amsterdam outside of economic aspects."<sup>4</sup> Indeed, these "economic aspects" reveal much more than just economics. As will be shown, the role and place of women in New Amsterdam, and, more specifically, in the economic life of the colonial society, was informed not only by Dutch jurisprudence but also by cultural and social elements such as reputation.<sup>5</sup> Reputation helps us distinguish between a legal subject as defined through Roman-Dutch Law and "informal roles"

patchily sketched by these shared expectations and norms. Studying court records one can see that conflicts, claims and counterclaims, settlements, and punishments are made in reference to both the legal subject and these informal roles. Such perspective is seldom taken into account in the scholarship on gender in the colonial era. The active participation of women in the trade economy of New Amsterdam has traditionally been put forth and explained with the uncommon liberality of Roman-Dutch Law towards women and its compliant jurisprudence.<sup>6</sup> Such an analysis has, in the past, led to a pervasive exceptionalist framework surrounding the role and status of women during the Dutch “Golden Age.”

This exceptionalist scholarship raises, however, questions regarding law, its centrality, and its adaptability in the New World. While law and jurisprudence might be core elements to understanding economic and social relations, we have to take into account that law might be used in different manners in a colony marked by multiculturalism and a pioneer character. In the context of a new society, where all social relations were shaped by a combination of Roman-Dutch Law with the necessary adaptation to local conditions, documentary evidence reveals how most of the interactions were subject to constant negotiations of role and prerogatives according to gender and ethnicity. Law might grant women legitimacy in trading activities under certain circumstances, but there existed other ways to contest this legitimacy, notably by destroying reputation. Documents show the importance of women’s participation in the economic life of New Amsterdam, but they also reveal how easily a woman’s reputation could be crushed, thereby limiting her economic opportunities. To be an effective economic actor in New Netherland for women was not only to fill up formal rights granted by law but to abide by an informal code of social esteem and reputation.

Most material on women in New Netherland is to be found in administrative and court records.<sup>7</sup> These documents display a wealth of information aside from economic relationships: they reveal how economic transactions involved a whole system of social relations, shaped by economics as well as by gender and reputation. The interaction of these three factors—economics, reputation, gender—allows us to best understand women’s experience in New Netherland. This paper first places law and its actual consequences on the participation of women in the colony’s economic life. It then focuses on the issues of social interactions and the way they could interfere with jurisprudence through reputation. Finally, by looking more precisely at the making of reputation, it examines the mechanisms of male domination that entice us to reassess the question of the liberality of gender relations in New Amsterdam.

## **Law and practice**

Compared to English Common Law, Roman-Dutch Law, as defined in the Netherlands during the first half of the seventeenth century and referred to in New Netherland, granted specific rights to women, therefore altering gender relations.<sup>8</sup> Historian Martha Dickinson Shattuck states that “because of the liberality of Dutch law, women enjoyed broader rights than did their English counterparts in colonial America, not the least of which was the ability to actively participate in the commercial culture.”<sup>9</sup> Looking at the respective roles of husband and wife under Roman-Dutch Law gives a clearer view on this assertion.<sup>10</sup>

While a single woman enjoyed considerable freedom under Roman-Dutch Law—she could run her own businesses or be involved in commerce and trade—technically, a married woman was a *minor sub tutela*. This means she was under the guardianship of her husband, a status that shares similarities with that of the English *feme covert*. Indeed, according to these provisions she was not allowed to institute an action in her own name, she was represented at court by her husband, and could not trade without his verbal approval. However, and this is the main

difference with Common Law, a married woman under Dutch law could own property and benefit from a community of goods between the spouses (unless a prenuptial contract said otherwise). Therefore, even though the husband was the unique administrator of a couple's estate, the wife was equally responsible for debts and for her husband's business, and for any property she brought into the estate. This meant that a wife had to know about her husband's business and accounts and be able to handle them if necessary — which could happen frequently in a merchant society where husbands might be away at sea for long periods or die at a young age. Besides, upon getting married, a woman did not have to place her property — be it her own business or an inheritance — in the community of goods. She, too, could request a prenuptial contract to protect her personal belongings. In a nutshell, although marriage involved guardianship for Dutch women under Roman-Dutch Law as well as under English Common Law, under Dutch law marriage also provided community of goods for both partners and the possibility for a woman to own property and hold it in her own name.

The specifics of Roman-Dutch Law enabled women to be present in public places, most often on their own. It also paved way for the emergence of a female merchant elite, the *koopvrouwen* (tradeswomen). Margaret Hardenbroeck was a typical example of a *koopvrouw* in New Netherland. Scholars describe her as a “shrewd businesswoman who did not readily yield to her customer's charges.”<sup>11</sup> She had been trained in trade from a young age and owed her success to her own skills, which she displayed at court whenever she was faced with economic conflicts. Yet, a person like Hardenbroeck was the exception rather than the norm. She came from the elite, had been trained to become a merchant, and behaved as a good one. But there were other females in the community who did not share the same destiny and had great trouble being taken seriously in financial affairs. Court and administrative records indeed reveal the contrasted experience and implication of women in the economic life of the city.

Women appeared frequently at court for economic problems, either to settle issues regarding their husband's business or regarding their own business. Their extended prerogatives made them very visible — at least in public records — and seemingly autonomous and outspoken. They often appeared for debt litigations, either on unpaid rents, on drinks, or on any trade they or their husbands were carrying out. To do so, they only needed a verbal agreement or a power of attorney from their husbands. The practice of granting power of attorney to a wife was common in this type of port society.<sup>12</sup> More often than not, wives appeared at court in lieu of their husband to settle the economic affairs of the husband while he was upriver or at sea. It was regularly the case, for instance, for the wife of Teunis Tomasen to show up in court whenever her husband, one of New Amsterdam's masons, was not available.<sup>13</sup> Each time she displayed awareness of her husband's accounts and also of the specifics of his work. Wives appearing in court for their husband not only required their husband's verbal agreement but also an awareness of their husband's accounts, a sound training in business, and a knowledge of the law. On November 22, 1655, for example, Cornelis Teunisen's wife appeared for her husband, who was being prosecuted for a debt of fl. 300 to Cornelis van Ruyven. During her hearing, it appeared that she had her own accounts and belongings separate from those of her husband and that she was willing to protect them from her husband's debts. She thus appears as a skilled businesswoman, able to manage both the finances of the family and her own inheritance separately, knowing her legal rights, and how best to protect her interests.<sup>14</sup>

Such court records, therefore, display a complementary image of the married couple in which, on a regular basis, the wife came to court to claim the unpaid debts of her husband or justify her husband's accounts, while the husband was either at sea or away conducting trading activities. Combined with the fact that women could also have a business of their own, whether

they were single or married, accounts for an important presence of women in business in New Netherland.

Yet, on a few occasions a wife's presence in place of her husband was disputed. This occurred in March 1656, when Catalyn Verbeeck, wife of Aryaen Woutersen showed up in lieu of her husband for a land dispute with Jacob Steendam. Steendam refused to deal with her and expressly demanded the presence of Woutersen himself. Yet, the reason for his refusal to deal with Verbeeck had nothing to do with her expertise on the matter nor his distrust of a woman's ability to handle business, rather it had to do with a fight that arose between Steendam and Verbeeck, ending in an exchange of insults between Verbeeck and the wife of Jacob Steendam (Verbeeck was called a "whore" and a "slut," the wife of Steendam was called a "swine" and a "cheat," and Steendam himself was called a "thief" by Verbeeck). In the end, Steendam dismissed Catalyn Verbeeck at court as the source of a violent outburst.<sup>15</sup>

In this dispute, some elements seem noteworthy: at the second session, on March 27, 1656, it was not Verbeeck who came before the bar but her husband and guardian, Aryaen Woutersen.<sup>16</sup> He was head of the family, and it concurred with Steendam's request from the previous session. He also appeared as a better fit than

his wife to handle the consequences of the litigation—namely, the dispute and the outbreak of violent words and gestures. Woutersen, however, had also actively participated in the fight. He was mentioned as having been physically violent, kicking Steendam's wife out of his house and raising unrest in the streets in doing so. Husband and wife could equally handle the couple's economic affairs; they had been equally violent, yet, as soon as it came to violence or outrage, wives were first to be blamed. During the prosecution, Verbeeck alone was targeted for the fight, not her husband. The dispute was presented as occurring between her and Steendam's wife—even though Steendam said he, too, was slandered. Women therefore were allowed to participate in economic affairs as much as men, and their presence was undisputed, yet, they were the ones blamed, not their husbands, in cases of violence—which labeled them unfit for handling economic affairs.

This ultimately shows how layered economic transactions were and how other forms of social relations informed them. Was this a gender issue? Steendam did not dismiss Verbeeck because she was a woman but because she was not a "decent" woman according to his standards. Moreover, these normative standards were not his alone: Verbeeck's husband tacitly accepted the claims by coming to court instead of his wife. The court validated the shift of her dismissal by doing nothing. Verbeeck was excluded by a tacit agreement shared by everyone. She was a violent woman in an economic dispute.<sup>17</sup> As such, she could no longer handle business and trade as well. The status of woman in the economic life of the colony was therefore precarious.

### **The intertwined influences of jurisprudence and reputation on a woman's social and economic role in New Amsterdam.**

In 1655, when a debt litigation set Andries (or Gabriel) de Haas against Maria Joris, their fight led to insult and slander.<sup>18</sup> Maria was the one demanding reparation of character, citing witnesses to prove the offense, as was usual in these types of cases. She suggested that de Haas should instead fight with other men like himself rather than pick on a weak woman. In the end, she obtained reparation as de Haas apologized, clearing her reputation. Of significance here is how Maria managed her reputation as a woman to assert her economic rights. Her use of her gender identity as a final argument shows her awareness that it was harder for a woman to obtain respect from male customers. Later, when her marital issues with her husband, Nicolaes Boot, started to be taken into account by the court, she decided to go further in defending her

case by insisting on the harshness of her condition as a woman in a man's world. Why did Maria need to present her private life for her economic rights to be enforced?

Historian Elaine Crane suggests that Maria Joris's conflicts and terrible reputation need to be connected with her failing marriage.<sup>19</sup> Maria was the wife of Nicolaes Boot, a New Amsterdam merchant. His troubles with his wife seem to have been well known beyond their domestic sphere. Indeed, the marital troubles of the couple led Maria to an unbecoming drinking habit, raising trouble in the streets of New Amsterdam and displaying the image of a terrible housewife. This was the object of a prosecution in the Spring of 1658, when Boot came to court to complain about his wife's behavior and ask the court to reprimand her and grant the couple a separation. Did her bad reputation invite customers to overlook paying her, leading to an unavoidable conflict?

It appears that Maria was having trouble getting paid by her customers and receiving respect from them during the same period of the scandal with her husband. Between 1655 and 1660 she was regularly accused of public drunkenness and of causing public unrest. On February 2, 1658, she explained that she would not drink so much if her husband paid more attention to her. She went deeper into personal details by saying that if her husband honored his marital duties more, she would not be this aggressive, and that he preferred the company of younger women to hers.<sup>20</sup> This display of her most intimate issues with her husband put the court in an uneasy situation. The Burgomasters and Schepens told her it was an inappropriate topic to discuss in public. According to them, the problems caused by Maria Joris had nothing to do with intimate issues; yet, according to her, these issues were linked, so much so that she felt compelled to give embarrassing details about her intimacy to the court. This shows how humiliating the situation might have been for Maria and maybe how it could have affected her public image: she mentioned the specifics of her husband's infidelities as something everybody knew about in town, and that, though intimate, they were indeed a source of gossip and mockery. Boot declared at the same February 18 hearing, that he had no idea that his intimate issues would assume so much importance.<sup>21</sup> Maria was known to be a bad housewife, despised by her husband and even by the rest of her family. Indeed, on April 15, 1658, it appears the court collected testimonies from Boot's daughter and servants to confirm Maria's bad behavior. The court denied the separation request, but Boot renewed his demand in 1663 because his wife's ill behavior showed their marital issues had not settled. At the same time, Maria was seen wreaking havoc in the streets while being drunk.<sup>22</sup>

Did Maria's marital issues influence how New Amsterdam society perceived her? This is a likely hypothesis. It was during the same years that Maria was regularly at court, either to claim unpaid debts or to amend her ways for insulting customers, hinting at that her customers might have found it easy not to pay her or to take her seriously (leaving aside less important litigations, the ones that did not lead to slander or those settled outside the courtroom). She may have handled a business in her own name, as she pointed out during her lawsuit against her husband (by saying, to the accusation of drunkenness, that she drank from her own alcohol), however, this certainly did not mean she was treated on equal grounds by the men she was dealing with, perhaps in part because of her marital issues.

This illustrates to what extent, and aside from legal provisions, both culture and reputation have to be taken into account. Roman-Dutch Law might have prevailed in New Netherland and it might have been more liberal than its European—more specifically English—counterparts. Yet social practice and local conditions must have altered the way law was interpreted. Aside from being a Dutch colony, New Netherland was also a maritime and a frontier society. This led to an extremely diverse population, coming from all parts of Europe, Africa and America. There

were Walloons from the Spanish Netherlands, Lutherans from the German states, English expanding from New England, Huguenots from France, Jews fleeing New Holland, slaves from Africa and the West Indies, each group bringing to America its own specific cultural background.<sup>23</sup> In a society that, while legally Dutch, was demographically very diverse, other ways to question someone's legitimacy existed. The way Maria Joris seemed to have trouble getting paid points to this. The troubles she faced, and, more generally speaking, the importance of prosecutions for slander in New Amsterdam, show the importance of reputation, a value that, while much more informal than law, appears central in shaping the colonial society.

A good reputation relied on honor and virtue, as it appeared in the many court cases involving slanderous remarks and reparation of character—the usual phrasing that consisted in saying the slanderer “knew nothing of the person except what is honorable and virtuous.” Besides, the recurrence of the suits for slander points to the importance of honor in the colonial society of New Netherland. This can be connected to the importance of honor as a key value in early modern Europe.<sup>24</sup> Honor was all the more important in a mercantile society, where it was a synonym for social respectability and, at the same time, made one a reliable economic partner. As Mary-Beth Norton notes in an article for the *William and Mary Quarterly*, in slander cases it was usual to question the honesty of men and the virtue of women—or lack thereof.<sup>25</sup> This accounts for the porosity between what we today label public and private spheres, a distinction that had no relevance in the seventeenth century.

The importance of intimacy in economic affairs, as shown through Maria Joris's case, demonstrates that economic life was not something between two anonymous agents but between two persons who knew each other. They traded with each other on a personal basis rather than an impersonal one. Reputation was shaped by behavior and a conformity to the norm (as defined by, mostly, law, moralists, and religious prescriptions).<sup>26</sup> It was also, and more significantly, circulated through gossip and hearsay, which means that reputation was eminently shaped by social relations and networking, and that altering someone's reputation with the use of law and/or jurisprudence appears as one of the most efficient tools for domination. The circulation of gossip depended on sociability and how someone's connections protected him/her or, on the contrary, exposed him/her to gossip. What needs to be known is, who was more exposed to gossip and to a bad reputation?

### **The making of a bad reputation: the feud between Grietje Reyniers and Domine Everardus Bogardus.**

Given the content of a good reputation, it was more easily stained if one were an outspoken woman from the middling or poorer sorts than a man or coming from a wealthy and well-connected family.<sup>27</sup> Therefore, reputation appears as a means of asserting social and gendered hierarchy to balance a seemingly liberal jurisprudence. Grietje Reyniers's feud with Domine Everardus Bogardus in the early years of New Amsterdam is a powerful illustration. Between October 1638 and April 1639, Reyniers, wife of Anthony Jansen van Salee (often called “the Turk”), seems to have been the talk of the town. Indeed, she appeared before the Provincial Secretary and Council on numerous occasions, with or without her husband, to address the question of her morality.<sup>28</sup> The succession of colorful details that were discussed built the image of an outrageous character.

The first series of scandals occurred between October and November 1638. In October the midwife of Fort Amsterdam came before the Secretary report on Reyniers' alleged adultery. Indeed, she told how Reyniers, upon giving birth, asked her whether the child looked like her husband or like another man, implying that she was having sexual intercourse with both. The

next day, one Philip de Truy (or du Trieux) explained that five years earlier, in 1633, he had witnessed a fight between Reyniers and the sailors of the ship *Soutbergh*. Du Trieux explained that the sailors, during a transatlantic voyage to New Netherland, called Reyniers a whore (“whore! whore! two-pounds butter whore!”) to which she responded graphically by lifting her dress and showing her bottom.<sup>29</sup> One month later, on November 13, the schoolmaster of Fort Amsterdam confirmed this testimony and added that Reyniers used coarse words to respond to the sailor’s mockery, telling them to “kiss her arse.”<sup>30</sup>

Shortly after, on October 14, 1638, Anthony the Turk was also summoned by the council, as guardian and husband of Grietje Reyniers, for a more recent offense. Indeed, caught in the midst of litigation for debt, Reyniers accused Domine Everardus Bogardus of owing her money for alcohol, in spite of his swearing to the contrary; she thus accused him of perjury. In the end, both were condemned to a fine and public reparation of character in mid- October 1638. Yet, this was not the end of the story. One week later, a dispute between Reyniers and Anneke Jans, the wife of Bogardus, was brought to the Secretary. Bogardus indeed asked several honorable men of the colony to testify of the good morality of Anneke Jans, his wife. This came in light of a gossip circulated by Reyniers, saying that Anneke was lifting her skirt and behaving inappropriately towards other men and Bogardus was trying to deny what he viewed as a slanderous accusation. The next day, Bogardus cited another two witnesses to prove the low morality of Reyniers. They told how, in Fort Amsterdam, they heard Reyniers say “I have long been the whore of the nobility; from now on I shall be the rabble’s whore.”

Several months later, in March 1639, Anthony Jansen tried to bring attention to his wife’s harassment. Indeed, he asked one of his friends to tell about a dispute between Reyniers and one of her clients, ending in an argument with Reyniers being called a whore and Anthony Jansen a rascal (“I will not go with any whore, your husband is a rascal”). One week later, on March 15, another feud between Reyniers and the inhabitants of New Amsterdam was brought to the Secretary. Again the origin of the feud was a debt, owed by Reyniers to Philip du Trieux, and led to insults and slander, he called her a whore, she called him a liar and a villain. Du Trieux cited several witnesses, among whom, was Everardus Bogardus himself. Over the following weeks, several testimonies brought attention to Reyniers’ low morality, recalling her past as a prostitute to high-rank soldiers while she was a housemaid in Amsterdam. She ended up being fired by her mistress, who said “I thought I had an honest woman but she seems a nasty whore and must quit here even tomorrow morning.”

One week later, Reynier’s debt to du Trieux was confirmed. Yet the following week, on April 7, Reyniers’ behavior was once more at the center of discussions, when the story of her past offenses with sailors in 1633 resurfaced with a wealth of offending details. Indeed, several witnesses retold how, on the *Soutbergh*, she tried to “pull the shirts of some sailors out of their breeches” and how, in her house, she “measured the male member of three sailors on a broomstick.” They also recalled the story of her adultery.

Grietje Reyniers and Anthony Jansen ended up banished from the colony for their repeated offenses and for the trouble they caused in the community, “in order that the few people here in New Netherland may live together in peace.” They were also blamed for falsely promising to behave correctly six months earlier—this accusation seems quite ironic since the facts blamed on Grietje Reyniers were the exact same stories that were dis- cussed six months earlier.

Two things seem surprising when looking at these scandals: first, most of these offenses date back to previous years (the *Soutbergh* episode occurred some five years earlier, in 1633). Besides, although she was banished, Reyniers did, in the end, remain in the colony, although her stay caused no further disturbance. She appears twice in New Amsterdam court records in

1654 and 1655. In both these cases she was claiming or paying debts, nothing nearly as scandalous as the drama that occurred in 1638–1639. Both Reyniers and her husband thereafter seem to have led a quiet life in the colony, maintaining a business and a tavern. Did Grietje Reyniers redeem her ways, scared at the idea of being banished from the colony, or was there something else at play? What is also noteworthy is that before October 1638 both Jansen and Reyniers barely appeared in the records, although they were in the colony as early as 1633. And as for the offenses Reyniers committed in the previous years and that were recalled in the spring of 1639, there is no trace whatsoever. Did she commit all that she was accused of? It is likely, as she never denied any of it. But for several years these offenses never troubled the peace and well-being of New Amsterdam. Second, all who testified seem to have done so at the request of Domine Bogardus, with whom she was said to have had an ongoing feud. Indeed, Reyniers said Bogardus was indebted to her, which he denied under oath. The offense was double: first, Bogardus owing Reyniers money can only mean that, as Reyniers was a tavern-keeper, he owed her drinking-money. On top of accusing the Minister for being a drunk, she accused him of perjury, which was witnessed by several inhabitants in the colony and greatly tarnished the reputation of the man. Bogardus paid back the offense against his honor with what seems to be a careful endeavor at social damnation, piling up all the scandalous facts surrounding a woman to destroy her social status and save his own and his wife's. Her ways became a serious issue as soon as she started picking on one of the most powerful figures in the colony, who used and manipulated past offenses to defend himself.

The mechanisms at hand in this conflict are both social and gendered. Indeed, the witnesses Bogardus commissioned were themselves honorable figures in the colony—the schoolmaster, influential merchants such as Jochem Beekman, and so on. But the gendered aspect of the conflict seems crucial. The accusations leveled by Bogardus aimed to show that Reyniers was perverting the standards of a good woman: she was a bad wife, she lacked modesty and propriety, and she was allegedly a prostitute and a liar. At some point, she was even said to have threatened to smash a baby's head against a wall, which would add “bad mother” to the list of her achievements. The fact that Reyniers was a woman from a lower social strata with outrageous social ways made her an easy target; the fact that she tried to lessen the image and authority of some of the most respectful men in the colony led these men to reassess her true place in society.

## **Conclusion**

While women were thoroughly involved in the economic life of the colony, and in the merchant society, these everyday quarrels show that this economic role was hard to sustain for the more ordinary sort. It appears that reputation and its manipulation—as it was based on social relations, norms, gossip, etc.—are the markers of a system based on gender and domination and entice us to really ponder the extent of women's economic prerogatives in the colony. The stories of Grietje Reyniers and Maria Joris have several things in common: both ran their own business (a tavern) and both had serious reputation issues and, at some point, it seemed to have tested the supposed liberality of Roman-Dutch Law to define their role in the society. Their stories stand out because of the extreme nature of their offenses and the frequency with which they ended up at court. To focus on such characters might convey a deformed vision of gendered relations in the public economic life of New Amsterdam, about as much as a presentation relying exclusively on Margaret Hardenbroeck's life would. One of the drawbacks when working on judicial records is that they focus only on litigation and conflict. The majority of the economic cases brought to court were settled peacefully, and there's also the issue of those not brought to the rulers of the colony.<sup>31</sup> In any case, it is in conflict that the premises of social interactions are the most blatant.

Finally, the fact that these women were, more often than not, tavern-keepers implies much about the role of women in the economic life of the colony. Women worked in businesses that were not normatively neutral. They were in charge of less honorable occupations. This offered a protection for the customers of these reviled businesses that were about alcohol and, sometimes, prostitution and promiscuity. In case things went out of hand, the customers always had the opportunity to use the presumption of morality and their superiority. The gender division of labor was not neutral. Therefore, what should be questioned is not whether women were considered as serious economic actors, but rather who handles risky business, businesses that can have repercussions on the reputation of customers. This kind of businesses was devolved to a category of individuals whose words did not really matter, or mattered less. This shows that subordination of women and significant economic role went hand in hand, and not in opposite directions. It shows that this New Netherland, aside from being a merchant society, was also a honor society, where reputation and shame mattered.

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#### Notes

<sup>2</sup> Linda Briggs Biemer, *Women and property in Colonial New York: the transition from Dutch to English law 1643–1727* (Ann Arbor, Mich., 1983), 76; “Philipse, Margaret Hardenbrook,” in Edward T. James, ed., *Notable American Women (1607-1950): a Biographical Dictionary*, vol. 1 (Cambridge, Mass., 1972): 61–62.

<sup>3</sup> Records of New Amsterdam, Roll #1, New York Municipal Archives (RNA); Berthold Fernow, ed., *Records of New Amsterdam, 1664–1674*, vol. 1 (Baltimore, Md., 1976). For more information regarding Maria Joris/Boot, see Elaine Forman Crane, *Witches, Wife-Beaters and Whores: Common Law and Common Folk in Early America* (Ithaca, N.Y., 2012), especially Chapter 1, “In Dutch with the Neighbors.” Professor Crane’s insights on this case have greatly aided my own research.

<sup>4</sup> Willem Frijhoff, *Fulfilling God’s Mission: The Two Worlds of Dominie Everardus Bogardus (1607–1647)*, Myra Heerspink Scholz, trans. (Leiden, 2007).

<sup>5</sup> By reputation I mean the esteem individuals receive when they conform to diffuse norms and expectations generally held by the people they interact with in their daily lives.

<sup>6</sup> See, for example, Martha Dickinson Shattuck, “A Civil Society: Court and Community in Beverwijck, New Netherland, 1652-1664” (Ph. D. diss., Boston University, 1993) and Linda Briggs Biemer, “The Transition from Dutch to English Law: Its Impact on Women in New York, 1643-1727” (Ph.D. diss., Syracuse University, 1979).

<sup>7</sup> Council Minutes [CM]: New York State Archives [NYS], Col. Mss. Series No. A1809; Register of the Provincial Secretary [RPS]: NYSA; Records of New Amsterdam: New York Municipal Archives [NYMA], RNA reels #1 and #2; Translated and edited in: Berthold Fernow, op. cit. [RNA], Charles T. Gehring, *Council Minutes, 1652-1654, New York Historical Manuscripts Series* (Baltimore, 1983), Gehring, *Council Minutes, 1655-1656, New Netherland Documents Series* (Syracuse, N.Y., 1995), A. J. F. Van Laer, *Council Minutes, 1638-1649*, 3 vols. (Baltimore, 1974) [hereafter cited as CM], A. J. F. Van Laer, trans., and Kenneth Scott and Kenn Stryker-Rodda, eds., Register of the Provincial Secretary, 1638-1660, *New York Historical Manuscript Series*, 3 vols. (Baltimore, 1974) [hereafter cited as RPS].

<sup>8</sup> Hugo Grotius, *Inleydinge tot de Hollantsche rechtsgeleertheit* (The Hague, 1631) *Introduction to Dutch Jurisprudence*. The Dutch West-Indische Compagnie, or WIC, shaped its rule after the Ordinances of Holland and Zealand.

<sup>9</sup> Shattuck, Op. cit.

<sup>10</sup> Hugo Grotius, Op. cit.; Robert W. Lee, *An Introduction to Roman-Dutch Law* (Oxford, 1924).

<sup>11</sup> Linda Briggs Biemer, Op. cit. More specifically, see Chapter 3, “Margaret Hardenbroeck: Merchant, Shipowner, Supercargo,” 76-117.

12 Danielle van den Heuvel shows how power of attorney given to wives led to the development in Amsterdam of a specific group of sailors' wives, the *onbestorven weduwen* or "grass widows." See, Van den Heuvel, *Women and Entrepreneurship—Female Traders in the Netherlands, 1580–1815* (Amsterdam, 2009).

13 NYMA -RNA, reel #1, trans. vol. 2–3, 04/27/1654, 10/ 10/1656, 11/11/1659

14 NYMA - RNA, reel #1, trans. vol. 2, 11/22/1656

15 "hoer," "vercke," and "dieff." NYMA - RNA, reel #1, trans. vol. 2, 03/20/1656, 03/27/1656.

16 Cf. *supra*

17 Note that in the previous months, Verbeeck had also been involved in several prosecutions involving troubling litigations, regarding stolen goods she bought from the Indians after the Kieft Wars. RNA vol. 2.

18 *Ibid.*, 06/14/1655 and 07/05/1655

19 Crane, *op. cit.*

20 "in langen tijdt niet by hem geslapen heeft maar dat sy een jonge vrouw waar sy meer affectie tot haar soude dragen en claaght hy onder my en diergelycken"

"antwoorde dat sij wil van hem aff sijn also sij veel tijt slagen vanhemcrijghtenhyhaarverscheideweisenop—endatsyniet gewent is soot e leven altijds bier en wijn in huis hebbende gehadt en dat hy haar bier nogh wijn in huis bestelde t'welcke de oorsaack is dat sij in en dan om een half mutsie en een vaan bier gaat en hy de cost niet eer geeft." NYMA - RNA, reel #1—

"... she has not slept with him in a long time, but were she a young woman he would have more affection for her, and he complains of me, etc. She was further told, to live in peace with her husband, so that no more complaints should be heard of her. Answers, she will leave him as he frequently beat her and he divers times shut her out, and she is not disposed to live so, having always had wine and beer in the house, and that he had not put either wine or beer in the house for her, which is the reason she goes now and again for half a Mutjie and a couple of pots of beer and he does not pay the cost." – RNA Vol. 2.

21 "*de welke antwoordt niet gedaghtte hebbende saacke voor de gereghte soude gecomen hebben fat sulx nu soo synde versoeckt dat de E: heeren over haar ongeregelt leven gelieven te reprementeren...*" NYMA - RNA reel no. 1

[Nicolaas Boot] answers, he did not think the matter wd come before the Court; but now seeing it had, he requests that the Magistrates would be pleased to reprimand her for her irregular life..." – RNA, Vol. 2, Feb. 18, 1658

"The Schout Pieter Tonneman, pltf, Merritje Joris, wife of Nicolaas Boot, deft. The pltf concludes for a fine of one hundred guilders Holland currency of her goods and two years banishment, because she created a noise both in the street and in the house, broke the windows and made a riot. Deft denies, what is said to her charge, then admits that she broke the glass saying that her husband shoved her out of doors, at which she was so vexed, that she acted so." – RNA, Vol. 5, Sept. 18, 1663

22 "*De Heer Schout Pieter Tonneman Eys: contra Merritje Joris de vrouw van Nicolaes Boot Gedaagdt. Den H: Eys: comendeert tot een amende van hondert guldens hollandts gelt van haar goederen en twee jaren bannis ter saacke dat sy ged; pijpstellery soo in huis als op straat heeft begaen de glasen in gegoit en pijpe stelden gepleegen.*

*De ged: ontkent het geen haar ten last wordt gelegen dan bekent de glasen uijt gegoit te hebben seggende dat haar man haar ten huys heeft uijgestooten waarvuer soo mismoedigh is geworden dat sij sulx heeft gedaen.*" NYMA - RNA reel no. 2

23 For instance, at least 18 different languages were spoken in New Amsterdam during the first half of the seventeenth-century. *Ibid.*

24 Arlette Jouanna, "Recherches sur la notion d'honneur' au XVIe siècle," *Revue d'Histoire Moderne et Contemporaine*, 1968, vol. 15/10, Michel Nassiet, *La Violence, une histoire sociale. France, XVIe–XVIIIe siècles* (Paris, 2011), Lotte van de Pol, *The Burgher and the Whore: Prostitution in Early Modern Amsterdam* (Oxford, Eng., 2011)

25 Mary Beth Norton, "Gender and Defamation in Seventeenth-Century Maryland," *William and Mary Quarterly*, 3rd Series, vol. 44 (Jan. 1987), 4–39.

26 As a matter of fact, if Roman-Dutch law seemed quite liberal towards women, such was not the case in the writings of Dutch moralists like Jacob Cats, who had a much more conservative view on the role and place devolved to women. See Simon Schama, *The Embarrassment of Riches. An Interpretation of Dutch Culture in the Golden Age* (New York, 1987)

27 Regarding this issue of reputation, parallel could be drawn with Carol Karlsen' s analysis on witchcraft in New England at the end of the seventeenth century. Indeed, analyzing the main targets of the Salem trials, she showed how all accused were women that somehow did not conform to the role that was assigned to their gender

in New England society (either because they were too powerful, too rude, etc.). Carol F. Karlsen, *The Devil in the Shape of a Woman. Witchcraft in Colonial New England* (New York, 1987).

<sup>28</sup> CM, NYSA Col. Mss. Series No. A1809; trans. vol. 1, RPS, vol. 1. The original documents in Dutch were destroyed during the 1911 fire in the Capitol of Albany.

<sup>29</sup> *hoer , hoer , twee tt botters hoer .* CM, op. cit. *blaes mij daer achterin.* CM, op. cit.

<sup>31</sup> For the years 1653–1661, approximately 20 percent of economic disputes between men and women led to violent arguments. RNA, vol. 1–4.