

Pamphlet Series No. 1

ADDRESSES BEFORE THE BOARD OF PROPRIETORS OF THE
EASTERN DIVISION OF NEW JERSEY

The Printing of the
Elizabethtown Bill in Chancery



The Quadrant and Circumferenter



Flesh for Sale

GEORGE J. MILLER

*Assistant to the Registrar
of the
BOARD OF PROPRIETORS
of the
Eastern Division of New Jersey*

Perth Amboy, New Jersey
October Fifteen
Nineteen Forty-Two

These papers were delivered at the 256th Meeting of the Board of Proprietors of the Eastern Division of the Province of New Jersey, held at Newark, October 15, 1942 and are Number One of a Series of Pamphlets on their ancient records.

This is Number 176 of 250 signed copies
of this pamphlet printed privately by the
author for private distribution.

George Miller

Jan 21, 1944

B I L L

IN THE

Chancery of *New-Jersey*,

AT THE SUIT OF

John Earl of Stair, and others, Proprietors
of the Eastern-Division of *New-Jersey*;

A G A I N S T

Benjamin Bond, and some other Persons of *Elizabeth-*
Town, distinguished by the Name of the *Clinker Lot Right Men*.

W I T H

Three large MAPS, done from COPPER-PLATES.

To which is added;

The P U B L I C A T I O N S

O F

The Council of Proprietors of *East New-Jersey*,

A N D

Mr. NEVILL's Speeches to the General Assembly,

C O N C E R N I N G

The *RIOTS* committed in NEW-JERSEY,

A N D

The Pretences of the Rioters, and their Seducers.

These Papers will give a better Light into the History and Constitution of NEW-JERSEY, than any Thing hitherto published, the Matters whereof have been chiefly collected from Records.

Published by SUBSCRIPTION:

Printed by *James Parker*, in *New-York*, 1747; and a few Copies are to be Sold by him, and *Benjamin Franklin*, in *Philadelphia*; Price bound, and Maps coloured, *Three Pounds*; plain and sticht only, *Fifty Shillings*, Proclamation Money.

THE PRINTING OF
THE ELIZABETHTOWN
BILL IN CHANCERY

DEDICATED TO
AMERICA'S FOREMOST AUTHORITY
ON
PRINTING AND ITS HISTORY
DOUGLAS C. McMURTRIE

The Printing of the Elizabethtown Bill in Chancery

Seldom is the bibliophile given the pleasure of ascertaining the cost of producing a book, especially of a work of large magnitude and printed in Colonial times. Such a story is revealed from the minute and detailed accounts of the Board of Proprietors of East New Jersey.

Since the beginning of the settlement of New Jersey, a controversy had been raging concerning the title to lands covering the area now embraced by Newark, Elizabeth and the adjacent territory. On March 12, 1664, a charter was granted to His Royal Highness, James, Duke of York and Albany, King Charles II's brother, for lands, which now include New Jersey. On June 24, of the same year, the Duke executed deeds of release to Lord John Berkeley, Baron of Stratton, and Sir George Carteret, of Saltrum in Devon. On February 10, 1664/5,¹ they signed a constitution which was made public under the title, "The Concessions and Agreements of the Lords Proprietors of New Jersey." A distant relative, Philip Carteret, received a commission as governor of the province and settled Elizabeth.

The transfer to Berkeley and Carteret was made subsequent to the departure of Colonel Richard Nicolls from England, and no notification having been sent to him until November 28, 1664, he believed the whole territory which had borne the name of New Netherlands, was included in the limits of his government. On October 28, 1664, Governor Nicolls granted the settlers permission to purchase the land from the Indians. So arose the conflict of title to lands which never was settled by any of the innumerable court proceedings.

¹ So written to distinguish the legal year, the first day then being March 25. This was changed to our present system by the Calendar Act of 1750.

JAMES ALEXANDER

Credit and honor must go to James Alexander, author of the Bill in Chancery. He was a lawyer, merchant, member of the New York and New Jersey Councils, a collector of the Port of New York, Receiver General of Quit Rents, Surveyor General of both East and West New Jersey, and holder of many other offices and titles. He was the director behind the scenes of that famous forerunner of the American Revolution which established the freedom of the Press—the John Peter Zenger controversy. He was disbarred for daring to offend the King, as represented by his aristocratic Governor Cosby. He was involved in every piece of important litigation of his day. He was the guiding light of the Board of Proprietors.

A great stake was the goal. The Elizabethtown settlers, claiming title to their lands through their Indian deeds and Governor Nicolls' approval, were determined to stand solidly and retain the land by actual force, if necessary. Alexander instituted many ejectment and trespass actions in several courts in the effort to establish the legal title. But both political and economic motives played their parts in the controversy. After devoting nearly 20 years to the problem, he conceived the idea of filing a Bill in the Court of Chancery. It was to be all embracing. It was to include a history of land conveyancing from the beginning of the settlement of the Colony in New Jersey, to the then present time. For almost seven years prior to 1745, he devoted every moment of spare time to the careful research of records pertaining to the issue. He consulted eminent lawyers and associates. He drew copy after copy, until he satisfied himself that the best draft possible was ultimately completed.

Under date of August 13, 1743, he reported at a meeting of the Council "as to the Bill in Chancery against Elizabethtown."

"Mr. Alexander acquainted this Board that for these eighteen months past he has endeavored to avoid undertaking any new causes in order that he

might have time to apply himself to that matter only, for an affair which required the consideration of such a vast number of tracts as that does, cannot be carried on and digested while one is frequently interrupted by the common business of the profession.

“That on June 6 last, he began to apply closely to that Bill, but was taken off about ten days afterwards to write, by Capt. Bryant, who sailed June 24, and that on the 24th, 25th and 26th of June, he was taken up in preparing the draughts and necessary directions in the cause of *Cooper v. Cooper*.”

THE BILL

The draft of the Bill had been read numerous times and suggestions made by the members of the Board.

The Bill was filed April 17, 1745. It consisted of 18 parchment skins, each 24 by 27 inches, written on both sides, in a clear and legible hand. Together with the schedules, which are beautiful specimens of long columns of figures, dates, names, etc., the Bill contains over 100,000 words. Two years later, an amendment was filed. Another skin, of the same size, was added to the original Bill.²

Naturally, Alexander was confronted with the difficulty of publicizing the contents of the Bill, in order to attain wide distribution. It was too long to draft copies by hand, though a few are known to exist.

So he suggested the plan to print the Bill, and he was appointed as a committee, to make the necessary arrangements.

At the meeting of September 11, 1745, Mr. Alexander reported to the Board that he had consulted James Parker, “Printer,” of New York, about the charge for printing the Bill, and also had corresponded with Benjamin Franklin, “Post Master of Philadelphia” about the printing or copying of the maps. He had sundry proposals from both concerning the matter. They were placed before the Board to

² The original Bill has been restored recently and preserved. It is now on deposit in the New Jersey State Library and Public Record Office, at Trenton.

consider. The maps and finances are discussed separately hereinafter.

As it appeared that 102 copies were already subscribed, a subscription list was handed to Elisha Parker, young law clerk of the Board, in order to procure additional pledges.

Like all good plans, no consideration was given to any miscarriage. It was a greater undertaking than they contemplated originally. The calculations, like many, looked well on paper, but did not materialize in fact.

The Board, on September 17, 1745, agreed that the Bill should be printed. If the subscriptions fell short, the Board agreed to pay the consideration for procuring 160 copies, which were to be at their disposal. Their clerk, Elisha Parker, was authorized to make application to the Governor for leave to print the book.

Upon procuring the Governor's permission, Mr. Alexander was authorized to print 200 copies, 40 of which were to contain maps by Lewis Evans,³ according to his proposal.

On October 26, 1745, Mr. Alexander wrote from New York, to Elisha Parker in Pennsylvania, giving his reasons why the Bill should be "put to press" forthwith. He was instructed to advise with Lewis Morris. A month later, Parker replied that the Governor had no objection thereto, provided the printing was delayed until the answer was filed. Both Morris and Alexander agreed to the delay.

³ Lewis Evans was born circa 1700 in Pennsylvania and spent a considerable portion of his life there. He was trained as a surveyor and in pursuit of this occupation traveled extensively throughout the Middle Colonies. He made many observations and collected much material for "A Map of Pennsylvania, New Jersey, New York, and the Three Delaware Counties," published in 1749. His best known map, however, is "A General Map of the Middle British Colonies in America," published in 1755, which included the country from the Falls of the Ohio to Narragansett Bay and from Virginia to Montreal.

He died in New York City on June 12, 1756, while under arrest for a slander against Governor Robert Hunter Morris.

(See American Dictionary of American Biography for fuller account of his life and references.)

David Ogden, of Newark, an industrious lawyer, had discovered records made in Governor Philip Carteret's time (1666-1684) and Alexander desired to procure them as a help to sundry amendments which he contemplated adding to the Bill. He was willing to pay the express thereon, but Ogden pledged himself not to part with them. Alexander then agreed to come to New York to view the volumes after Capt. Bryant left on his voyage to England. He sailed shortly before December 6, 1745. A few days later, Ogden, having obtained permission, sent three books, a packet of papers, and a transmittal letter, through the courtesy of Edward Hunlock.

Alexander burned the candle long and into the early hours of the morning, for he "forthwith fell to reading them and noting what he thought could possibly be of use and continued close to it" to December 27. He obtained 42 sheets of closely written notes, but could not discover any facts in the Elizabethtown material that were wrongly stated, nor any which were not already in the Bill. On the other hand, he found that they were consonant with the Bill and might greatly strengthen the proofs, which were strongly made out. Other light might be thrown on the history of the first settlement. Governor Carteret gave the name of "Elizabethtown" to that place, as alleged in the Bill, but proof was missing until Alexander found a copy of Governor Carteret's letter so stating it, among the Ogden papers.

On January 22, 1745/6, Alexander gave James Parker the first copy to print. He increased the number of copies from 200 to 250. The latter number permitted Parker to procure the paper at £15 a ream instead of £20, so that the 250 copies would cost no more than 200. Parker was instructed to bring every sheet to Alexander after he corrected it. One week later, on the 29th of January, Parker submitted the first sheet of proof.

On March 29, 1746, Alexander paid Parker £6 in part for printing the Proprietors' publication and examined proof of the first sheet on the same day. A few weeks later he exam-

ined completed sheets of the publication and distributed copies to various attorneys and public officials.

By May 8, 1746, Parker had finished 75 pages. Copies of the sheets were given to Chief Justice Morris, Messrs. Neville, Peters, the register, and Mr. Parker. By the snow "Sally Alexander" sent a copy to Thomas Penn, brother of William, in Philadelphia.

On August 22, 1746, Mr. Elisha Parker informed the Board as to the status of the action against the people of Elizabethtown. Since the defendants' clerk was served with the answer to their petition for longer time to file their answer, which was done November 15 last, there had been no further proceedings in that affair. As the prayer of their petition was never granted and they have not as yet filed their answer, they were in contempt and liable to attachment, but whether to issue such attachment or do anything else, as the Chancellor was one of the complainants in the Bill, he would consult and pursue the opinion of the counsel concerned in the cause. He informed the Board that he had obtained leave from the President of the Council for a printing and publishing of the Bill.

The Bill contains several addenda, which were afterthoughts. Several copies were distributed as separates.

THE VOLUME

The text of the Bill is printed on 81 pages, followed by 12 schedules. They consist of tables showing conveyances, titles, affidavits, and warrants, patents and surveys of lands involved in the dispute. The amendment and its two additional schedules were then added. Eleven pages are next taken up with the Proprietors' answer to the notices in the papers concerning riots in Newark and Elizabeth. Reprints from the New York Weekly Post Boy of May 19 and 26, 1746, are inserted as they contained Mr. Neville's speeches in the House of Representatives. The Board's action on the Newark riots occupy the following 27 pages. A reproduction including the head-piece of the New York Gazette reviewed in the Weekly Post Boy issue of March 7, 1747/8, concludes the volume.

On March 27, 1747, the Board considered the final draught of the publication and made some amendments thereto. It was agreed that the same be printed. Mr. Alexander was requested to get it done and permission was given to him to make such alterations and any amendments as he should conceive to be proper. It was agreed that the amendment should be printed in a pamphlet by itself and, if Mr. Alexander thought proper, that the narrative of the proceedings also be printed in the *New York Post Boy*. The Board consented to defray the charges, and Mr. Parker undertook to send the draft with the papers therein referred, to Mr. Alexander by the first opportunity, so that it might be printed with all convenient speed.

The remainder of the story is told in the various accounts so fully set forth in the minutes. Before the final method of reproducing the maps, which was novel at the time, Alexander procured Gerardus Duyckink, the painter, to color them, paying him 7 shillings, 6 pence. Even Benjamin Franklin was paid £1:15:1 for his trouble in contacting Lewis Evans concerning the reproduction of the maps.

Examination of the paper discloses the use of several different grades. The one used most prevalently is watermarked with a fleur-de-lis, "1745" and the letters

B P V F A
F I N
A G E N O I S .

It indicates the source as the paper mills in the last-named French city. The fleur-de-lis was in common use among the paper makers of that country. The date shows that Parker was using recently made paper for the volume.

THE BINDING

Binding of the Bill was accomplished in various methods. Homespun was used for 20 copies for subscribers at Amboy. A full binding was procured for 8 shillings. One Hyndshaw bound 30 copies for £6, or 8 shillings apiece. In all,

the accounts list 78 copies as having been bound at first. One McAlpine stitched and bound the finished remaining copies for £23:14:0. Modern bindings on several copies examined leads to the conclusion that not all were bound when first printed.

The sales are not fully detailed to show the disposition of all the copies that were printed. They were sent to the Board of Proprietors of West New Jersey. Alexander had subscribed for three copies. Twenty were distributed in Perth Amboy. Elisha Parker, clerk, had one in full binding. Murray, New York associate counsel, procured one, as did Chief Justice Morris.

A set of the colored maps was sent to the Board's representative, Mr. Paris, in London. Others who procured copies were John Laurence, one of the deputy surveyors; Henry Lane; R. Gardiner, another surveyor; Peter Schuyler; Daniel Cooper; and Postmaster Nichols of New York. The last mentioned provided free postage for the maps between New York and Boston.

We have made an effort to trace the present location of the copies. Many of them have been taken into "protective custody" for the duration, and it has been impossible to actually study each copy for the differences, either in collations, printing, or bindings. After the war, it will be a task of pleasure and leisure to trace copies to their present resting places.

THE MAPS

In his report of September 11, 1745, Alexander advised the Board that the maps "could not be had in this country otherwise than by hand." Lewis Evans of Philadelphia proposed to do, in color, Map Number 1 for 5 shillings; Number 2 for 4 shillings; and Number 3, according to the form sent him, at 9 shillings, 6 pence, proclamation money. The coloring of the whole set of maps would cost 18 shillings, 6 pence, proclamation money. Fifty-seven sets of maps were colored in 1750, but it is not stated who did the work. Several volumes with colored maps are in existence.

Six months later, March 24, 1746, to be exact, the maps were ordered to be engraved on copper plates at Boston, according to information obtained through the good offices of Benjamin Franklin.

Franklin made a proposal to have the maps engraved at Boston for little more than the cost of making 40 copies by hand. Alexander gave Parker the measurements for transmission and to request estimates. Fair copies of maps 1 and 2 were sent to Boston.

By a week later, Lewis Evans of Philadelphia sent the plan of map 3 to Alexander. Upon examination, he found a good many numbers and descriptions of books which were missing and so corrected the map.

On March 8, 1745/6, James Parker wrote Alexander forwarding a letter from Benjamin Franklin, then in Boston, with proposals for engraving the maps. They were laid before the Board and approved. Alexander then drew a "sheet of directions" to the engraver, which, together with the maps, were forwarded to Mr. Evans. The consideration was £120 "New England money, old tenor." £30 New York money was sent as a deposit. Alexander further arranged with Richard Nichols, postmaster in New York, to send the money and maps post free, showing it would be a benefit to the post office to have the printed copies come by mail, and also promised to give the postmaster a copy of the finished Bill. The letter was approved by Parker.

On April 6, 1746, Alexander was at Trenton. He received a letter from John Franklin stating that the engravers found much more work than they had imagined. One refused to do it under £350, another asked for £ 246:15, New England money. Upon the advice of the Chief Justice and concurring with him, Alexander advised the Board that he considered the last proposal, if no lower could be obtained, should be accepted. Efforts to try to obtain lower estimates had failed. In compliance therewith, Parker posted a letter to Franklin, urging him to obtain lower figures and costs.

The maps cost the Board considerably more than originally estimated, and especially more than the cost of drawing them by hand and in color.

THE FINANCES AND COST

On September 11, 1745, James Parker estimated it would take 36 sheets to print the Bill in such type as that with which he printed the Acts of Assembly. He demanded 35 shillings per sheet, York money. He estimated the paper would cost at least 20 shillings per ream. According to these figures, if 40 copies were subscribed at £3 each, without maps, proclamation money, it would leave 160 copies, without the maps, to the disposition of the Board, at a cost of £8.

The figures were thus calculated 40 subscribers, at £3 each.

	£120:0:0
Forty sets of maps,	£37:0:0
Printing 40 copies,	63:0:0
Binding 40 copies,	8:0:0
Paper 40 copies,	4:0:0
Paper for 160 copies—more to be had on charge for paper only,	16:0:0
	<hr/>
	£128:0:0

In his 1745 account, Alexander lists

March 29, 1745/6, To cash paid Parker, printer, towards charge of printing publication, separate and in Post Boy,	£6: 0:0
May 8, 1746, To cash paid J. Parker, in full for publication,	5:15:0
May 8, 1746, To cash paid J. Parker, for printing Mr. Nevill's speech,	2:10:0
May 27, 1746, To cash paid towards printing and maps of Elizabethtown, Bill of Particulars in report,	49:11:1
May 27, 1746, To cash paid for postage, boatmen, etc., for carrying letters, packets, etc., this year,	0:15:0

By May, 1746, Alexander submitted the following items relating to the printing:

January 31, 1745/6, Gave James Parker, printer,	5: 0:0
February 5, 1745, More two pistoles,	2:16:0
March 29, 1746, £20 New England Money,	30: 0:0
June 7, 1746, More,	10: 0:0
July 4, 1746, To Benjamin Franklin for Lewis Evans, for contracting Map No. 3,—33/6 proc.,	1:15:1
	<hr/>
	£49:11:1
	<hr/>

Alexander's account of the following year covers several items concerning the printing of the Bill:

April 3, 1747, To cash paid James Parker toward printing Elizabethtown Bill,	£15: 0:0
April 11, 1747, To cash paid James Parker toward printing Elizabethtown Bill,	10: 0:0
May 18, 1747, To cash paid £20, York, for 100 Boston money sent John Franklin to pay Turner ⁴ towards maps,	20: 0:0
September 10, 1747, To cash paid James Parker, printer, balance of his account for printing,	43:13:4
February 23, 1748, To cash paid James Parker, printer, for paper to cost of short pub. advertisements, conclusions, Burlington letter and 270 copies of paper,	3:13:0

⁴ James Turner engraved a curious view of Boston appearing in the American Magazine in 1744. The following June, he advertised as a silversmith and engraver, on all kinds of materials, but not mentioning maps. In 1758, he appeared as an engraver and print dealer on Arch Street in Philadelphia, where he engraved a large map of Pennsylvania. He died late in 1759. The notice of the sale of his effects lists a number of copper plates and engravers' tools.

The three maps in the Elizabethtown Bill are the only ones known to be engraved by him in Boston. They indicate a highly skilled artisan.

The treasurer's account for 1747/8 contains these items:

March 28, 1748, To cash paid for bringing several bundles of maps from Boston,	0:16:0
March 28, 1748, To cash paid to James Parker, to balance with Turner, the engraver, as per advice of Chief Justice Morris,	8: 0:0
May 11, 1748, To 2 cloth wrappers and freight of Bills in Chancery for Peters, Coxé and Council of Proprietors of W. Jersey,	0: 7:1½
August 6, 1748, To homespun, to wrap 20 bills for subscribers at Amboy, to Elisha Parker,	0: 1:9
January 19, 1748, To cash paid James Parker, printer, for sundries, as per account and receipt,	6:16:0

To cash paid for binding Elizabethtown Town Bills, viz.:

May 24, 1748, To full binding, one for Elisha Parker with miscellaneous readings,	0: 8:0
May 24, 1748, To cash paid Hyndshaw, binding 30,	6: 0:0
June 18, 1748, To full binding, one for Murray,	0: 8:0
June 30, 1748, To cash paid for 25,	5: 0:0
August 6, 1748, To full binding, one for Chief Justice Morris and one for myself with readings, etc.,	0:16:0
	<hr/>
	12:12:0
	<hr/>

To postage for proprietors of East Jersey, viz.: 0:18:3

May 11, 1748, By cash of Council of Proprietors of W. Jersey for 10 copies of Bill in Chancery, as per subscribed,	30: 0:0
By N. Y. own 3 copy's subscribed,	9: 0:0

The 1749 Alexander account contains additional items:

July 13, 1748, To cash paid McAlpine for binding and stitching of Elizabethtown Bills,	23:14:0
July 24, 1748, To one of Lewis Evans' colored maps sent to Mr. Paris,	0:16:0

The 1750 account also contains pertinent items. As a charge there is:

July 18, 1750, To coloring maps of 57 Bills in Chancery, not heretofore charged, at 8s pce,	22:16:0
To postage, per note below,	1:13:11
By sale of one of Chancery's bills, bound and colored, sold to John Lawrence,	3: 0:0
November 21, 1750, By sale of one of Chancery's bills, bound and sold to Henry Lane,—not colored,	2:12:0
December 6, 1750, By sale of one of Chancery's bills, bound and colored, sold to R. Gardiner, Surveyor,	2:12:0

In the following annual account there is:

July 15, 1752, To cash paid Parker for 160 copies of the Elizabethtown Answer,	24: 0:0
June 10, 1752, By cash for a "sticht" Bill in Chancery of Peter Schuyler,	2:10:0

The Treasurer's account of March, 1752 reads:

March 1752, By Dan Cooper, ⁵ one of the bound bills in Chancery (this the Proprietors agreed to make him a copy of),	0: 0:0
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Alexander's final account was rendered in 1756 by his widow. It contains this item:

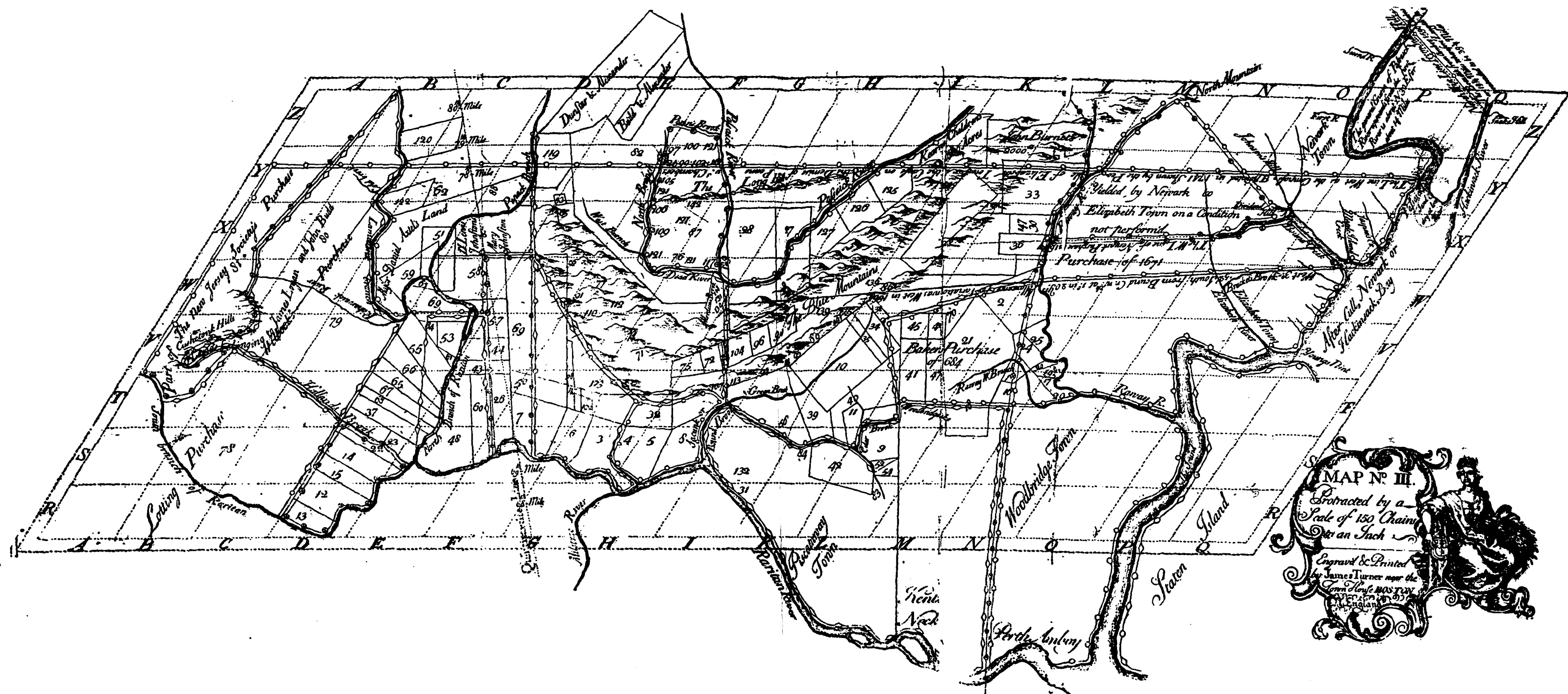
May 12, 1755, To postage of a letter to Lewis Evans, for maps,	0: 1:3
November 5, 1755, To maps sent Mr. Paris, Mr. Colison, and Mr. Barclay by different ships and the same bound up for Lieut. Governor Pounall with Elizabethtown Bill, Brunswick Letter, and Answer 3 publications, as per account, appears in day-book and Evans' account thereto annexed,	5:13:6

⁵ Daniel Cooper's affidavit appears in the printed volume.

As nearly as can be ascertained, the cost of printing, together with the additional amendments to the Bill was £196:16:5. In addition to this sum, £58:4:7 was spent for making maps; £36:7:9 for binding and £3:12:4½ for postage and incidentals. The total cost of the edition is estimated as approximately £295. Some figures may have entered into these calculations, which were for copies of parts of the Bill that were distributed as separates, in order to bolster the cause of the Board of Proprietors.

But with all the effort exerted and expenses expended in furthering their cause, the litigation was not ended. Long after the Revolution, David Ogden, then over 80 years of age, suggested that the Board contact the descendants of the original Indians and obtain quit-claim deeds in order to procure the title. By the passage of time and the Revolution, which broke the ties with the mother country, the Elizabethtown "Clinker Lot Men" were secure in their possession by the operation of the statutes of limitations.

Nevertheless, a monumental piece of printing which was instrumental as a textbook of the history and development of the Province of New Jersey to 1745 is our heritage.



Courtesy Essex Engraving Co., Newark, N. J.

Map No. III. Engraved by James Turner near the
Town House in Boston.

Reproduced from the original engraving, 11" x 22".

COLLATION OF "THE ELIZABETHTOWN BILL IN
CHANCERY"

Printed by James Parker

1745 et seq in New York

Paper watermarked with a fleur-de-lis, "1745" and BPVFA
FIN
AGENOIS

2 pp bl
1 p title
1 p errata
p.3- 81 text
p 82-119 Schedules I-XII (figures & tables)
p 120 Amendment
p 121-124 Schedule XIII—signatures
Map No. 1
Map No. 2
Map No. 3
p 1- 11 Advertisement of Board of Proprietors
p (12) blank
4 pps Reprint from N. Y. Weekly Post Boy of May 19, 26 1736, Num-
ber 174-175
p 13-24 [i. e. 23] Affidavits (p 16-23 wrongly numbered 17-24)
p [24] blank
p 25-39 Advertisements of Board
p [40] blank
p (No.) March 7, 1747-8, N. Y. Gazette revived in Weekly Post
Boy. No. 268
Signatures A-Z²; Aa-Hh²; a-g², 2 unsigned leaves, b-d², E-G², G²,
2 unsigned leaves, last blank. Sig Hh, blank, wanting in NYPL
copy 1.
Printing double column—60 lines to page
Part 2 p 25—69 lines page
Page 26 to 38—82 lines to page, all numbered.

THE QUADRANT AND CIRCUMFERENTER

DEDICATED
TO THE
EARLY AMERICAN SURVEYORS

The Quadrant and Circumferenter

THE MINUTES

The office of the Surveyor General of the Board of Proprietors of the Eastern Division of New Jersey, at Perth Amboy, contains many ancient records and documents of historical value. Among them are the almost unbroken series of Council Minutes from 1686 to the present time. They are detailed and minute, telling of the events and giving the backgrounds of the early Colonial struggles between the Proprietors and the settlers.

The subsequent facts of this paper were instrumental in running the division line between New Jersey and New York. A unique and specially made instrument was imported from England for that purpose. In 1761, it was loaned to one Joseph Peters, presumably to use. That is the last information about the quadrant. It has been impossible to ascertain where it is today.

THE QUADRANT AND CIRCUMFERENTER

The Board was engaged in an important controversy with neighboring inhabitants as to the exact location of the division line between New Jersey and New York. A good surveying instrument was necessary. So James Alexander, guiding spirit and genius of the Board, conceived the idea of importing a specially made quadrant from England.

At the meeting held November 16, 1743, the Board considered the purchase of an instrument which would be fit for observing latitudes, in order to determine where 41° ,—the station point of the Province,—occurred on Hudson River, in the hope that the people of New York would cooperate in purchasing such an instrument and also join in the settling of the line, which had been long delayed. Now, ascertaining from their actions and conduct at Minisink and elsewhere

and from the report made by the Chief Justice, received on the previous day, there was little hope in running the line without an Act of the 2 legislative bodies. It was unlikely that such an event could be brought about for several years to come.

It is especially significant and timely to quote the following passage from the minutes:

“Mr. Alexander (who probably is the only person in this Province who understands making observation), grows old, and it is desirous that he should have an opportunity of teaching Elisha Parker to observe, that in case of the said Alexander’s death, the Proprietors may find a person fit to do that service.”

Mr. Alexander notified the Board that he and Dr. Cadwalader Colden had been corresponding with one Peter Collinson of London for some years past, concerning an instrument fit for that purpose. Mr. Collinson had consulted with Mr. George Graham, esteemed the best skilled in the world in clockwork and such instruments. Mr. Graham’s opinion was that an instrument might be had for 30 guineas from the maker. He was willing to observe what errors were in it, but did not express what would be the satisfaction for doing it. The Board hoped that 10 guineas would be acceptable, so it was agreed that 40 guineas be remitted to Mr. Peter Collinson, to get Mr. Graham to oversee the work as cheap as he can, and to observe and certify the errors or variations of the instrument. It was to be marked as the property of the Council of Proprietors of the Eastern Division of New Jersey, and bear the year’s date of making, and if Mr. Graham please, to have his name engraved on it.

It was further desired that the quadrant have the maker’s name upon it, as regulated and the errors thereof observed and certified by Mr. Graham, and that his certificate of error mention the several marks of the instrument.

Mr. Alexander was instructed to write to Mr. Collinson, remit the sum necessary, and to give such further directions and instructions as he shall think necessary.

From the minutes of the meeting held on April 1, 1745, we learn additional information. Mr. Alexander reported that he had sent for the quadrant; and had requested such books of tables and instruments be sent, as Mr. Graham should think useful for computing, protracting, making, and copying of maps. Accordingly, the books and instruments with the following bill were sent:

"Mr. Collinson, Dr. to Jonathan Sisson, March 7, 1743/4		
For a pair of beam compasses, 16" long with		
Nonins' Division to 200 of an inch, and		
adjusting screw to it,	£2: 2:0	
For a 6 inch pair of Triangular Compass,	1: 5:0	
For a sector of Brass, 8 inches radius,	2:12:6	
For a Gunters' scale of brass, 12 inches long,	1: 5:0	
For a drawing pen with protracting pin unit,	0: 3:0	
For Gardiners' Practical Surveying Improv'd,	0: 3:6	
For Gardiners' Book of Logarithms,	1: 8:0	
For Sherwins' Tables by Gardiner,	10:0	
		<hr/>
		£9: 9:0"

Rec'd March 7, 1743/4, the contents and all demands for my father Jonathan Sisson, pr Jeremiah Sisson.

The books and instruments had been useful in making and copying the maps to the Elizabethtown Bill in Chancery and would be useful also in settling the line. As Mr. Alexander omitted to obtain an express order from the Board, before sending for them, he submitted whether they would be pleased to accept them as their property. If they would, he promised to be accountable to the order of the Board for the books and instruments.

THE CIRCUMFERENTER

He further advised the Board that Dr. Colden, Surveyor General of New York, having corresponded with Messrs. Collinson and Sisson for some time, concerning some improvements in circumferenters, the Doctor wrote in June last for one of them, with those improvements. Alexander conceived that such an instrument would far exceed any instrument that had ever been in America, especially for taking the

variation of the compass. He, therefore, requested Messrs. Collinson and Sisson to send a circumferenter exactly like the one shipped to Dr. Colden. Dr. Colden's dwelling house, above the Highlands, was esteemed to be but about ten miles southwards of the north partition point. Some judgment could be formed there then of the difference in variation of the compass between the north and south partition points, by Dr. Colden observing what it is at his house and by it being observed at the south partition point, by exactly like instruments.

Accordingly, on December 17, 1743, the two circumferencers came by the ship, "Queen of Hungary" from Peter Collinson with the following bill, viz.:

"Mr. Collinson to Jonathan Sisson Dr. August 30, 1744.	
For 2 circumferencers with lights and a staff head made strong with adjusting screw and circular spirit level all made after a new method in the compleatest manner,	£11:11:0
For 2 wainscoat cases with locks and hinges,	16:0
For 2 pair needles and 2 spare center pins,	10:0
For Maupertin's Degrees of the Meridian from Paris and Amiens,	7:6
For a deal packing case for Do,	2:6
	<hr/>
	£13: 7:0"

Mr. Alexander then notified the Board that Mr. Collinson included the books and instruments in his account of goods insured as his own property. He computed the proportion of insurance upon that bill as £2:7, which together with the cost of £15:14 sterling, one-half of which would be paid by Dr. Colden. Mr. Alexander's view in sending for the circumferenter was for the purpose of submitting it for use by the Board. He urged acceptance of the instrument on like terms. He also paid 6s 6d, New York money, freight, being 3s 3d per foot. Each box, was at least two solid feet. Besides, a portion of the trunk in which it was sent, was cracked and almost broke, so that he was compelled to have a new key made at New York as soon as he returned. If the Board accepted the instruments as their property, it was proper to

send them to Perth Amboy forthwith. Observations could be made of the variations at the south partition point by the surveyors to be employed by the Board, together with surveyors appointed by the Western Division to meet them.

Alexander further informed the Board that Mr. Sisson wrote, that observing the latitude by the stars near the zenith, is the most sure method, as they were free from refraction, and the book called, Maupertin's Degree of the Meridian in the bill of parcels, describes the instrument called a "sector" commonly used for that purpose. Mr. Sisson made many such instruments for the many curious persons of sundry nations of Europe, at various prices, from £60 to £120 sterling, according to their radius. By them, the latitude could be ascertained by two seconds. A "quadrant" to observe the latitude with certainty to one minute or sixty seconds, would require a radius of 30 inches. Under the direction of Mr. Graham, he was making one for the Board, which would be ready in the following February.

THE QUADRANT

On December 26, 1743, by the *Ship Albany*, Mr. Alexander ordered Mr. Sisson to send a quadrant of 30 inches. As to the sector, the price was too high, unless the people of New York joined in the expense, of which there was little hope. A copy of the same letter was sent by the *Ship Britannia*. All the letters, including copies of those to Collinson and Sisson, were before the Board for reference. Particular attention was called to Mr. Collinson's letter of March 11, 1743/4 concerning Mr. Graham and his declining to receive any consideration in money for his assistance,—"*Being now above it. As a well-wisher to mankind, he offered and gave his service and for this Board's acknowledgments to Mr. Graham on that head.*"

At the meeting held on September 7, 1744, Mr. Alexander informed the Board that on the 26th of May last, he received a letter dated 11th of March from Peter Collinson of London, acknowledging the receipt of the bill of exchange for

£40:4:1½ (being to defray the charges of the quadrant ordered to be sent to the Board). It was accepted in trust for the Council of Proprietors of the Eastern Division of New Jersey, by direction of Mr. Graham.

Mr. Sisson was engaged to make observations, in order to mark such an instrument for observing the latitude as close as one minute. Mr. Collinson also sent Mr. Alexander a letter from Sisson, concerning the quadrant, and another to Dr. Colden, of which Alexander made a copy and read it to the Board. On June 13, 1744, Mr. Alexander replied to Messrs. Collinson and Sisson. He extracted from the Britannick Catalogue, 18 stars passing within 62" of the zenith of 41 and computed their declinations to the year 1650. A copy was sent in his letter to Mr. Collinson and another to Sisson, so that they could observe them and correct their declinations, if possible.

On June 1, 1745, Mr. Alexander again informed the Board that he sent a box containing the circumferenter with the spare needle and center pin, to Chief Justice Morris, according to the Board's order.

Let us quote from the minutes:

September 11, 1745. Concerning the quadrant, Mr. Alexander further acquainted this Board that on the 20th of August, he received a letter from Peter Collinson dated April 25, 1745, by the ship Albany, and at same time the quadrant came. Mr. Collinson said that the Earl of Macclesfield and other very curious knowing people, had seen the quadrant and gave it their great commendations. Mr. Graham procured from Dr. Bradley, Professor at Oxford, who was the King's Astronomer, his observations on the stars desired (and I find not only the observations of the 18 I desired, but also of 26 more), which were taken with a mural arch of eight foot radius. These were more to be relied upon than Mr. Flamsted's, who had no such instrument then. Mr. Collinson said he had great debates with Sisson about his bill for the quadrant, because it came to more than was at first proposed."

THE INSTRUMENT

Alexander was assured by Mr. Graham that it was worth the money demanded, and that Mr. Sisson would not make another for the same price. Sisson's bill of £47:17:3 sterling, and Mr. Collinson added £9:19:0 to it for insurance and charges of shipping, which in all amounted to £57:16:2. He sent Sisson's receipts for the £47:17:3. Mr. Collinson held a receipt of £43:4:1 in part remitted to him, so there remained £14:12:1 still to be remitted. Freight per bill of lading was £3:14:9 York money. Seven pages of directions, closely written, for setting up the instrument and observing with it, signed by I. Bevis, came with the letter. A certificate, signed by I. Bevis and I. A. Short, stating that they had viewed a quadrant of 30 inches radius, which was to be sent to the Province of New Jersey in America, accompanied the quadrant. They were of the opinion, as was Mr. Graham, that it was a well-executed piece of work. They examined the divisions of the limb several days and found them just. They observed the altitudes of a good number of stars with it and everyone estimated and wrote down separately the degrees, minutes and seconds shown by the index and found that they hardly ever differed more than ten seconds from one another, oftener not above five, and frequently agreed on the same number of seconds. Observations could be made to within half a minute with certainty. Mr. George Graham certified that he concurred in what was said in the preceding certificates and added that he believed it would not be difficult to come to half a minute or less, if proper care were taken. All of which were before the Board for inspection.

Mr. Alexander further stated that as Dr. Colden, Surveyor General of New York had been helpful in perfecting this instrument, by his thoughts and advice upon it when first proposed to be ordered, he gave Dr. Colden an account of the arrival of the quadrant and what was said and done concerning it.

The Board took the matter mentioned in Alexander's report into consideration, and decided that the quadrant should remain in the hands of the Surveyor General till further order.

As to the £14:12:1 sterling, the balance due to Mr. Collinson; the treasurer, Mr. Johnston, was ordered to either get a bill of exchange, with interest from April 25th last till paid, or pay so much cash to Mr. Alexander as may be sufficient to remit, with the thanks of the Board.

A week later the Board considered what gratification should be made to Mr. Collinson, Mr. Graham and others, who had assisted in the perfection of the quadrant. Mr. Graham had refused the 10 guineas that were proposed to be given him for his advice and assistance to Mr. Sisson in making and examining it afterwards. He did this service generously without any consideration. The perfection to half a minute, when all that was expected was to a whole minute, was greatly appreciated. Mr. Collinson had taken great pains in that affair, as appeared by his letter. Mr. Graham had procured two other gentlemen to examine and observe with the instrument, and all had certified to the goodness thereof and procured the observations of the stars requested, and many more from the King's Astronomer.

THE WINE

The Board ordered Mr. Johnston, the treasurer, to send a pipe of wine,¹ which the Board has now tasted, to Mr. Collinson, requesting him to accept it for himself, Mr. Graham and the other gentlemen, and to divide such share thereof among those gentlemen as he thought proper, with the thanks of the Board. It was agreed that Mr. Johnston pay 30 pounds, proclamation money, for the said pipe of wine.

Mr. Johnston sent it up and put it on board the Albany, Captain Bryant. Mr. Alexander sent a copy of the minutes to Mr. Collinson.

¹ A cylindrical barrel without a bulge.

In the 1744 account of Alexander, he entered under date of March 21, 1744,

To books and mathematical instrument sent by Sisson and accepted by the Council, paid for them, sterling,	£9: 9:0
To circumferenter sent, also accepted,	7: 3:6
	<hr/> £16:12:6

On May 23, 1746, he lists,	
Cash paid for bag for circumferenter,	£0: 4:0
To cash paid Parker for carrying it to Esopus,	0: 3:0

The minutes of October 19, 1745, continued the story. On that date, a letter, received from Andrew Johnston, advised that he had sent the pipe of wine in behalf of the Board, to Mr. Collinson. He desired that Bisset, the boatman, put it on board of Captain Bryant, for he spoke to him about it. A month later, Alexander received a letter from Andrew Johnston, inclosing a set of three bills of exchange for £5:3 sterling, drawn by him and his brother, on Richard Janeway, payable to Mr. Alexander or order, on sight, which he endorsed payable to Mr. Peter Collinson or order, for the Council of Proprietors of East Jersey.

A draft of the letter to Mr. Collinson, in answer to his of April 25th, with the quadrant, inclosing the bills of exchange and minutes of the Board, before received from the Register, was placed in the collection of papers concerning the division lines.

On November 22, 1745, Alexander examined two copies of the letters and directed one of them, via Bryant, and the other via Captain Brasher. It was customary to send two copies of letters abroad, by different vessels, thus protecting them against the loss of the other. However, this procedure did not apply to merchandise, and especially to wine.

On the following May 21, 1746, Alexander received a letter from his London correspondent, marked January 28th last, stating that he did not insure the Proprietor's kind present and that Captain Bryant said it was taken. He also said

it was a little doubtful whether it was on board, because no bill of lading was in either letter by Bryant or Brasher, though both mentioned it.

These letters had no bill of lading because they were not signed when Captain Brasher sailed. The letter sent by Bryant, was not to be put in the post office, but in a separate packet to be delivered with his own hands, to save postage. The Post House letter arrived safely, but the question of the whereabouts of the bill, and the wine which was taken with Bryant on January 22, 1746, between Portsmouth and the Downs, still remained unsolved.

On June 21, 1746, Ferdinando, Clerk to Alexander, explained the reason to Mr. Collinson why the bill of lading was not sent with the letters by Post through Captains Bryant and Brasher. He would acquaint the Proprietors of the loss of the wine.

On July 4, 1746, Alexander received a letter from Mr. Collinson advising that the wine arrived by the *Ship Antelope*, that day arrived.

Three days later, Alexander opened the quadrant with Dr. Colden, Surveyor General of New York, and every afternoon after work until October 8, 1746, they spent in putting it together. They encountered not a little difficulty, because there were so great a number of pieces and contrivances with those numerous parts. They doubted if the like were ever before in any one instrument and believed it may answer the character given to it by Mr. Graham and the other mathematicians.

FLESH FOR SALE

DEDICATED TO
THE
COLORED RACE

Flesh For Sale

CLAUS

It all came about through the disappearance of Claus, a black man belonging to Lewis Compton, about the middle of March, 1818. It was on the same day that the *Brig Mary Ann*, Captain Lee, cleared for New Orleans. After Claus had confessed that he had stolen corn from his master, while he was in Ohio, a mittimus¹ was issued to take him to jail. Mr. Compton had returned two or three weeks prior to March 15th while Claus had run away from him.

It seems that Lewis Compton brought Claus before the Magistrate for theft. After the legal proceedings had been completed, Compton was asked whether he would keep him until the next day, which he promised to do. As the examination was held at candlelight, after dark, Claus left with Compton going toward the Ferry. When the prisoner was demanded on the following morning, his master said he had run away. Though he had not seen him since, James Edgar heard the rumor that he had been shipped on the *Brig Mary Ann*.

A constable went to James Edgar's home and found Claus tied with his arms pinioned. The constable never saw him again and did not know what became of him. Going by candlelight, at night, the constable saw Aaron Hassart, who had come to town that day. The *Brig* cleared with 38 or 39 slaves who had been carried aboard at night. It was the general opinion that Claus was among them. Charles Morgan owned them and cleared them.

John Young had known that Claus belonged to Mr. Compton but he had not seen him. The *Sloop Thorn* took slaves down to a vessel at Sandy Hook. Though he mentioned Claus' absence to Compton, he was never told what had become of him. Young went to Judge VanWickle's in South Amboy, at the request of the Collector of the Port, to examine the blacks at his home. He was to obtain their

¹ A warrant for commitment to prison.

names, ages, last places of residence, previous owners, and find out if they were willing to go. He found Charles Morgan there. Written certificates for 23 persons were produced, signed by V. W. F. Outcault. All of them said they were willing to go except Jude, who wanted her husband. Morgan objected to Young's asking them their last place of residence and he did not ask all of them. There were some small children. He saw Jane and child, John; 3 years old, who belonged to Lewis Compton, whom he had not seen since the preceding Fall. He was under the impression that Mr. Compton took her with him. When he asked where she was, he answered that she was safe. When he boarded the *Thorn*, Young also saw Jim, formerly a slave of Garret D. Wall on board. Thirty were on the *Sloop* and nine more came off from a schooner belonging to Charles Morgan.

Young also saw two young women, 18 years of age, on board, who had been examined, before Judge VanWickle, his son, and Charles Morgan and his son, that same evening before they sailed. They belonged to the Morgans and his daughter. They had no parents in this State and were sold to him.

John Disbrow commanded the *Sloop Thorn* in March of 1818. He sailed her to take some blacks to Sandy Hook and put them on board a *Brig* outward bound for New Orleans. In the evening, the blacks were brought to the wharf in wagons. Charles Morgan went to the *Brig* and also directed Disbrow. Thomas Day and William Gordon Abrahams came aboard after the *Sloop* left the wharf, bringing 4 or 5,—some women and slaves—with them. Jonathan Morgan was with them. Another black man, who was tied, was brought from Amboy by James Edgar and Lewis Compton. The *Sloop* left the wharf between 8 and 9 in the evening, arriving at Sandy Hook at 7 A. M. the next day. The *Brig* sailed immediately with the men Compton put aboard.

The Jury found a bill of indictment against Lewis Compton for taking away a negro man named Claus, and against James Edgar, for aiding and abetting. They then voted affirmatively to indict Charles Morgan for taking away Claus.

THE SYSTEM

James Brewster, the Collector of the Port, searched but could not find any copy of the clearance of the *Brig Mary Ann* in March. His clerk informed him that the papers relating to that vessel had been removed from the office a few days after clearance.

At that time, the United States Law required a manifest showing name, age, sex, colour and stature of persons or slaves held to service or shipped.

On May 10, 1818, the *Brig* arrived in New Orleans with 36 persons without manifest. Among them, were Claussie and child Hercules, Rachel and child Rosina, Flora and child Susan, Jennett or Jean, Lidia Ann and child Harriet Jane, Hager and 2 children, Mary and Charles, Christina and 2 children, Diana and Darius, Phillis and 2 children, Elias and Robert, and Sarah and child Diana.

On May 25, 1818, the *Sloop Thorn*, Captain Matthew Mentor, owned lately by Daniel Wilmont, and sold to Charles Morgan, cleared for New Orleans with 39 slaves shipped by him to Paul Lamusse. Among the cargo, were Phillis, aged 28, and Charles, her child, 2 years; Jane 27, and John her child 3; Nancy 30, and her child Joseph 10 days old; Gida 28, and her child Sam, 2 years; Susan Silvey 25, and her child Joe, aged 1 year.

THE SCHEME

Judge VanWickle and Charles Morgan came to Job Redford's house, to look at his blacks and offered to buy a boy. The boy refused at first, but after Morgan talked to him, he consented to go. When Redford again cautioned him against going, the boy refused and the bargaining ended.

The position of Judge VanWickle became precarious. Was he a member of the group buying and selling slaves? His testimony seems to indicate that he was, if not openly then covertly, a member. In March, 1818, a number of colored persons came to his home. They were to be taken

to Point Coupee in Louisiana, by Charles Morgan. They were purchased by him and the judge's son, Nicholas, for the purpose of being sent South. He merely assisted Morgan in procuring them.

The judge examined about 20 of them, as one of the Middlesex County Magistrates, in order to ascertain their willingness to go with Morgan, as a measure required by the Act. Judge Outcalt was present, while Morgan stayed at his home. Their masters were examined, and then the prospective slaves, separately and apart from each other. The judge explained that they were to work on cotton farms. All were willing to go except one Boss, from the first cargo. In all, there were 28, but it was impossible that there were 31 or 32.

Among them, were Rachel and her child, Rosina, and the usual number of suckling children. She was owned by one Thompson, a wheelwright or carpenter in Monmouth County. The judge went to his home, asked him the price, and if the girl was willing to go, to which she acquiesced. The judge then instructed Thompson to bring her to his home and he would receive \$175 for her and child, which was to be paid by his son.

Claussie and child, Hercules; Flora and child, Betty; Sarah and child, were other persons who the judge did not recall, until he saw his own certificates. He did remember Hager and her 3 children, Roda, about 14, a boy, Augustus, and a younger female child. She came from Monmouth County, and was brought by one Forman, who lived about a mile from the Court House, on the road to Englishtown. She was purchased at the same time and in the same manner as Rachel, but for \$300, including the children, which the judge paid himself. The bill of sale was made to his son, Nicholas, who was not at home. She went to Point Coupee with the first group.

A wench, called Teen, had 2 children, the older, Dixie, and younger Dorcas, 1 year old, who belonged to the Judge's son, but were bought by Morgan. Lidia Ann and her child, Harriet Jane, came from James Brown's in Middlesex, and

were purchased by Morgan. They were also brought to the judge's home by the master, who was paid \$250 for them.

Peter and George were bought from John Stoutenburgh in Monmouth County, by Charles Morgan. As in other cases, they were brought to the judge's home and delivered to either Morgan or the judge's son. The 2 colored boys had no parents.

Nicholas also purchased Harry, who was bought in Brunswick from Mr. John Croes. He had run away. Upon interrogation, he expressed a willingness to go.

James, on January 20 or 21, was purchased by the judge from Samuel Ellison, who demanded \$300 for him. He was sent for one week's trial to see if he was willing. Jim's parents resided in Perth Amboy. Pat was acquired from James Rickets of South Amboy, with whom he stayed until shipped.

Simon, when interrogated, was manumitted² to serve 2 years. Margarete Coven was nearly naked when she came.

And so on down the list, the judge related the stories about the acquisition of each person. Often there was an interesting variation in a case, and an effort to show that each person consented to go into bondage.

But, all these persons went from the judge's home, in wagons owned by James Rickets, the judge, his son, David Bloomfield and Isaac Letts. While Morgan found pork for them, the judge supplied the slaves with bread. This indicates more than a passing interest in Judge VanWickle's nefarious schemes.

ANOTHER RAID

In the following January, 1819, Morgan visited the judge again, wanting more blacks on his farm. This interested the judge sufficiently to acquire land for himself in Louisiana. His son would go there, if they could get enough slaves. In consequence, they were bought, but Morgan could not get as many as he wanted for his own use, so the judge and his

² Set free.

son gave up the agreement. When Morgan was asked how many were taken, he replied, "you know how many you examined."

Morgan had also acquired another group of slaves in May, 1819. The certificates for their examinations were at the judge's home. Among the 30, there were only 4 children. The judge purchased a 21-year-old mother and child, from Dennis Van Lieu of Brunswick, for \$200. She understood the purpose of her purchase, was examined in town and went with the group. The judge bought other colored persons from John Anderson in Essex; and Laurance, a tavern-keeper in Elizabeth Town. He put the bills of sale in his son's name. He would not purchase those unwilling to go. They were even bought out of the jail, after being taken up as runaways.

If a black ran away after he was purchased, the judge would not have him. Upon examination, it was found that one Jack had been taken up as a runaway and placed in the Newark jail from where he was purchased. Often a slave, who did not belong to a master, would be sold. After the purchase, the rightful owner would appear and take him away. When the seller, who was sick in bed, was seen about it, he admitted he had no right to sell, and substituted another. When the substituted negro sulked, the judge put him in chains and brought him home.

Phillis and her child, Charles, were owned by William Conover, in West Windsor. When the judge was in Princeton and was told about Phillis, he called there and made an agreement for her purchase, if she was willing to go on trial. She came and stayed a week or ten days, and expressed a willingness to go. The bill of sale, as usual, was taken in the son's name.

Jane and her child John, 4 years old, were purchased from Lewis Compton, but he did not know that she had run away from him before. Though she appeared to be foolish at times, she expressed a willingness to go.

Even Governor Williamson was understood to have sold Betzy who came from gaol.

Joe, 18 years of age, who came from Princeton, was formerly owned by Captain James Moore. After his mother objected, he was taken back. He then ran away but came back to the judge, who drove him out. The judge married him to Eliza. He then paid Captain Moore, who gave a bill of sale to Charles Morgan for a term of years, and assigned his indenture. Later, the mother still objecting, Nicholas, the judge's son, returned him to his former owner, but did not recall whether or not he obtained the return of his \$200, though he had 7 more years to serve. An attorney, Mr. Simpson, warned the judge not to take Joe away.

The little children were sometimes born after a slave was acquired, as was the case of Nancy and her baby. She was bought by Morgan from David C. Laboone of West Windsor.

The judge did not recall Big Jim, Silvey and child Joe, Mose, Black Hannah, Yellow Hannah, James or Jack, George Byran, and Jack Danielly.

On the evening of May 25, 1819, the judge was at General Morgan's home and examined the slaves as to their willingness to go. He did not recall who was present at these examinations. Among them were 2 girls, Caroline and Ann, belonging to General Morgan and his daughter, Elsie. They paid \$250 and \$200 for the girls. The owners went away in a small boat, to board a schooner. Charles Morgan advised him that he had purchased the *Sloop Thorn* for the purpose of shipping them in the vessel. He could so return home with the *Sloop* and take what colored people he could get. In this manner, he could easily evade the authorities and the stringent laws concerning this type of traffic.

SHIPPING

Nicholas VanWickle employed David Bloomfield to take a load of 13 black persons to South Amboy on a Tuesday, in March. They were loaded while he was at supper, and deposited on Wilmurt's Dock. He drove to the store-house

and then home when he saw them go on board the *Sloop*, about midnight. He met Charles Morgan with another wagon going down. Another boat was coming up the ferry. Nicholas VanWickle was at the wharf, and David Wilmurt at the house. James Rickets', Isaac Letts' and Jacob VanWickle's wagons had stores. Bloomfield received \$4 for carrying "some young, some old, and some children, 8 miles." This sum was more than the usual rate. A woman hid in his wagon, and upon being discovered, said she had lived with Judge VanWickle and was going to live with Master Charles. He understood there were 27 persons in all. They were neither tied nor confined.

He lived a quarter of a mile from the judge's home and frequently saw the blacks there, understanding that part of them belonged to a Mr. Keys, a Virginian, and the remainder to Charles Morgan.

Judge Outcault was often called upon by the judge's son or Charles Morgan, to take the affirmations of the blacks. The last time was on a Saturday, and they were shipped the following Tuesday. It was difficult to ascertain the actual masters. Some had parents; they were of both sexes, one had only one eye, and Jude, to whom a certificate was not given, was under age. Catharine Brown brought a wench before the judge, stating what she desired for her. Morgan refused to take her when he feared Mrs. Brown was speculating.

David Day sold a negro girl Jean or Jeanette, about 12 years old, without parents, to Nicholas VanWickle, and she was taken to the judge's home. His father examined her, and Day then executed a bill of sale and was paid by the judge. He heard Jeanette went away with the rest.

The County Clerk then told the Jury that a certificate of removal for Harriet Jane, signed by the judge on April 23, 1818, and recorded on page 241 of the Manumission Book, was brought to his office by Squire Outcault, that the original was in his handwriting, and that he handed it to him for recording, but did not pay the recording fees.

The judge was called for an opinion, whether the consent of the mother was sufficient, when a child was of tender years and unable to consent or understand the reason for removal. He first sent the certificates to be examined, to see whether they were correct. Outcault told the judge they were correct. Two weeks later, he heard they were not, but the cargo had already been shipped. He requested Outcault to call on the County Clerk and ascertain how the error could be corrected. A paper was then drawn and signed by Judge VanWickle when he came to Court. Copies were neither given nor forwarded to the children, whose names it contained.

As to the last cargo, he signed single certificates as to a man, woman and child, without reading them. Though Mr. Deare, the Clerk, was not present and did not say so, Mr. Outcault reported to the judge that the Clerk thought it was correct. The judge did not question the children.

A Mr. Steer called upon the judge, about June 1, 1819, to inquire about sending blacks to Louisiana. He advised that it was an unpopular thing. Mr. Steer again inquired how it was done, but the judge refused to give him any assistance. He desired to eliminate competition, if possible.

JUSTICE

Indictments were then found to cover the entire "slave ring." Charles Morgan was indicted for taking the following children without consent: Rozina, aged 6 weeks; Harriet Jane, 3 years, 4 months, 28 days; Susan, 7 months; May, 2 years; Augustus, 4 years; Diana, 7 months; Hercules, 2 years, 10 months, 7 days; Diana, 9 years; and Dorcas, 1 year. Another bill was found against him for taking 7 children between the ages of 10 days and 2 years, on the second cargo, without consent.

James Brown was indicted for selling a girl, Harriet Jane, aged 3 years, 4 months and 28 days, to Charles Morgan, a non-resident, and without consent.

A true bill was found against Nicholas VanWickle for disposing and sending away the above-named children.

James Edgar was indicted for perjury, on his oath before the Grand Jury.

Bills were also returned against Lewis Compton, Peter F. Hendry, Nicholas VanWickle, and James and Elsey Morgan, for disposing of negroes to Charles Morgan, a non-resident.

Matthew Mentor, Master of the *Sloop Thorn*, was indicted for carrying away 7 children between the ages of 10 days and 20 years.

The Grand Jury voted 18 to 0 that taking infants away without their consent was an indictable offense under the Act of 1811, even though the mother consented, but not the child.

It is difficult to understand how Judge VanWickle escaped the ignominy and disgrace of his actions. Without his examination and signing of the certificates, his son and Morgan could not have been successful in their operations. Moreover, he advanced money for the purchase of the slaves, kept them at his home, and took a personal interest in them. He could not have been impartial to a very unpopular movement of the times.