

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1876.

No. 4.

NEWARK, May 18th, 1876.

THE NEW JERSEY HISTORICAL SOCIETY held a regular meeting in their rooms at 12 o'clock M., which was numerously attended by gentlemen from various parts of the state. The Rev. SAMUEL M. HAMILL, D.D., President, and Mr. PETER S. DURYEE, one of the Vice Presidents, presided.

The minutes of the last meeting were read by MR. A. P. YOUNG, Recording Secretary, and approved.

MR. WILLIAM A. WHITEHEAD, the Corresponding Secretary, submitted his report of the correspondence since the last meeting and laid upon the table among others, letters or communications from Hon. John Clement, acknowledging his election as a Vice President of the Society and from Hon. Marcus L. Ward, as a member of the Executive Committee; from the Hon. Wm. P. Ross, of Port Gibson, Ark., accepting an honorary membership; from Rt. Rev. John Scarborough, Hon. A. A. Hardenbergh and others, acknowledging their election as resident members; from the Pennsylvania Historical Society in relation to the Publication Fund of that Society; from Mr. Edward Herrick, Corresponding Secretary of the Bradford County, Pa., Historical Society, inquiring after the Linley family, who were among the early settlers of Newark; from Mr. E. Carhart of Oxford, Pa., similar inquiries after the Carhart family, who were located, at an early period, in the neighborhood of Elizabeth; from the Missouri Historical Society, suggesting a national convention of

SKETCH OF THE LIFE OF
RICHARD STOCKTON,

ONE OF THE SIGNERS OF THE DECLARATION OF
INDEPENDENCE FROM NEW JERSEY,

BY W. A. WHITEHEAD,

READ BEFORE THE NEW JERSEY SOCIETY, JANUARY 18TH, 1877.

. On the presentation of this paper Mr. Whitehead submitted for the inspection of the members, the Original Minutes of the Provincial Congress of New Jersey containing the following entry under date of Saturday, June 22d, 1776, 3 P. M.:

"The Congress proceeded to the Election of Delegates, to represent this Colony in Continental Congress, when Richard Stockton, Abraham Clarke, John Hart, Francis Hopkinson, Esq^r & Doct^r John Witherspoon were elected by Ballot to serve for one Year unless a new Appointment be made before that Time.

"Resolved,¹ That the Following Instructions be given to the Delegates elected as aforesaid, viz.¹:

"To Richard Stockton, Abraham Clarke, John Hart & Francis Hopkinson, Esq^r & the Reverend Doct^r John Witherspoon Delegates appointed to represent the Colony of New Jersey in Continental Congress —

The Congress empower & direct you in Name of this² Colony to Join with the Delegates of the Other Colonies in Continental Congress in the Most Vigorous Measures for Supporting the Just rights and Liberties of America, and if you shall Judge it necessary or Expedient for this purpose We Impower you to Join with them In declaring the United Colonies independent of Great Britain

¹ Here the hand writing is changed from that of William Paterson the Secretary.

² Here it changes again to, probably, that of the mover of the resolution, whose name does not appear.

entring into a Confederacy for Union and Common Defence making Treaties with foreign Nations for Commerce and Assistance and to Take such Other Measures as may Appear to them and you ¹Necessary for the great ends promising to support them with the whole force Of this Province. Always Observing that whatever plan of Confederacy you enter into the regulating the internal police of this Province is to be reserved to the Colony Legislature."

RICHARD STOCKTON was born at Princeton, New Jersey, October 1st, 1730, his ancestors having been identified with that locality for half a century. After acquiring the rudiments of his education in the place of his birth, he was placed at an academy in Maryland, then under the charge of the Rev. Samuel Finley, D.D., subsequently President of the College of New Jersey, and finished his collegiate course at that college, then located in Newark, under President Burr; taking the first honors at the first Annual Commencement of that institution, in 1748; thus manifesting his eminent mental abilities at the early age of eighteen.

Having decided to adopt the legal profession, he entered upon his studies under the supervision of David Ogden of Newark, at that time one of the most prominent lawyers in the Province. He was admitted to the Bar in 1754, and attained to the grade of Counsellor in 1758. He commenced the practice of Law at Princeton, and soon attained such celebrity as to be frequently selected to conduct important cases in Pennsylvania. In 1763 he received the degree of Sergeant-at-Law. Three years thereafter he sailed for England, where his intellectual acquirements, his professional and personal character, and the possession of a competent fortune, gave him admission to the most eminent and refined circles. This visit occurring just after the repeal of the Stamp Act, he was made the bearer of an address to the King from the Trustees of the College of New Jersey, acknowledging the favor the colonies had thus received, which he delivered in person to George III; and frequent occasions were afforded and improved by him to express to the distinguished men with whom he was brought in contact, his opinions of the policy most likely to succeed in keeping the colonists united to the Crown; declaring his belief that they would never submit to taxation by a British parlia-

¹ Here is erased in the original, the words "upon the Best Information."

ment. Thus anticipating the brilliant part he subsequently took in declaring the United Colonies free and independent States.

Mr. Stockton also visited Ireland and Scotland, performing in the latter country an acceptable service to the College of New Jersey and to the country at large, by overcoming the objections of Dr. Witherspoon to accepting the Presidency of the college, to which he had been elected, and for a time declined; little anticipating that by so doing, he was securing a most worthy associate and influential colleague in the momentous services he was to render his country.

His return to America in 1767 was the prelude to further elevation in his political and professional career. In August, 1768, he was recommended by Gov. Franklin to the Crown, for a position in the Provincial Council, and was appointed thereto on the 2d of November following. During the existence of that body his legal attainments rendered him a very influential member. In 1774 he was appointed one of the Judges of the Supreme Court of the Province, and for sometime had for an associate his old legal preceptor David Ogden.

There were only two members of the Council besides himself—Lord Stirling and John Stevens—who, by their acts and influence, openly evinced their allegiance to the Colonial cause. Lord Stirling, in September, 1775, accepted a commission in the Continental Army and was suspended, but Mr. Stockton and Mr. Stevens continued members as long as the Council existed, the arrest of Gov. Franklin on the 17th of June, 1776, putting an end to all pretences of government under British authority.

On the 22d of June, 1776, he was elected by the Provincial Congress a Representative of New Jersey in the Continental Congress, and soon after took his seat therein. The precise day is unknown, but it was some time prior to the adoption of the resolution of Independence, and towards the close of the debate thereon he made a brief speech in its favor, in full accord with the instructions he and his colleagues had received, to concur with the other representatives in declaring the United Colonies independent of Great Britain. On the 30th of November, the Convention of the State of New Jersey—the title assumed by the Provincial Congress on the 18th of July—

confirmed his appointment and reelected him as a Representative for one year.

During Mr. Stockton's service in Congress his abilities were so manifested as to secure the utmost confidence of his associates and the country at large, and among many special duties assigned to him in consequence was the inspection of the Northern Army in the Autumn of 1776, in conjunction with George Clymer, of Pennsylvania. He had just returned from this expedition when the retreat of Washington through New Jersey, followed by the enemy, rendered it necessary that his family should be removed to a more retired and safer place than Princeton, and while providing for their accommodation in Monmouth County, he was captured on the 30th of November by a party of royalists, dragged from his bed at midnight and carried to New York by the way of Perth Amboy. At the latter place he was confined in the common jail and subjected to such ignominious treatment that, in conjunction with extreme cold weather and subsequent sufferings in New York, his health was permanently impaired. Congress on the 3d of January, 1777, directed Gen. Washington to send a flag to Lord Howe, to expostulate against the treatment Mr. Stockton was receiving, and he was soon thereafter released; but the state of his health, the loss of his property and other afflicting dispensations, rendered the remainder of his life a period of trial, closed only by his death, which occurred at Princeton, February 28th, 1781.

Mr. Stockton's forensic and literary attainments, and his personal character, as well as the manner in which he performed his official duties, ever commanded the highest respect of all with whom he came in contact. Previous to the revolution, his ample pecuniary resources enabled him to gratify his fondness for society in the most satisfactory manner, and his house was always renowned for a generous hospitality. The lines of Shakspeare, descriptive of Cardinal Wolsey, have been very rightly used by one of his biographers as aptly delineating his salient characteristics:

"He was a scholar, and a ripe and good one,
Exceeding wise, fair-spoken and persuading,
Lofty and stern to them that loved him not,
But to those who sought him, sweet as Summer."

His manners, dignified yet simple, were in keeping with his stalwart form, which was nearly six feet high. As a speaker he was at all times remarkable for his solidity and perspicuity, and as a Lawyer and Judge secured by his opinions and decisions a conspicuous eminence among the most distinguished legal minds of his day. It is said of him that he would never engage in any cause that he knew to be unjust, and was always ready to defend the helpless and oppressed; in these respects exhibiting the characteristics of that Christianity, in which, in his last Will, he announced himself to be a firm believer; in beautiful language recommending it to his children, concluding with a fervent injunction, prompted by the fulness of a father's affection, "to remember that the fear of God is the beginning of Wisdom."