



## CHAPTER XII

# *The Courts, Judges and Lawyers; Medicine and Doctors*

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### *I. Early Courts and Lawyers*

In the early records relating to Trenton there is no reference to courts established here or to any lawyers who were living and practising in these parts until after the passage of the Act of 1676 establishing courts.

The County Court of Hunterdon County was at times held alternately at Maidenhead (Lawrenceville) and at Hopewell, but as that was found to be inconvenient, in March 1719, the governor ordered that the courts be held in Trenton, and in 1724 it was enacted that the Supreme Court for Hunterdon County be held here.

The earliest sessions of the courts were held in the house of William Yard on Front Street, at Samuel Hunt's and at other places. The first Court House was built sometime between 1720 and 1730 (the exact date is uncertain), on South Warren Street, and served until 1792. In 1805 it was purchased by the Trenton Banking Company and used until recently as a banking house. The old Court House is described by Raum as a "two-story building erected of sandstone, with stuccoed

front. The cells were in the lower story. The upper story was used as a court-room, the entrance to which was by a number of stone steps erected on the outside of the building and surrounded by an iron railing. The steps extended over the pavement, commencing from the gutter, and persons going into the Court House were compelled to ascend from the street. Persons going up and down the street passed directly under these steps."

Lawyers were not popular with the early settlers in the Colony. This is shown in the provision in the "Concessions and Agreements" of March 3, 1676, that no person should be compelled to fee any attorney or counsellor to plead his case. It went further and reasserted the common-law right of every person to plead his own case. The truth is that there was very little call for legal services in the early settlements along the Delaware. Settlers were few and land plentiful, but as the population increased, the lawyer appeared as an accepted and necessary part of the community.

### **The First Lawyer of Record**

The first lawyer located in Trenton of whom we find any record is James Gould, who was admitted as counsellor in 1725. As far as can be ascertained, he confined himself largely to the settlement of estates and to real property. We find an advertisement in 1729 for the sale of a house and ferry known as Heath's Ferry on the Delaware River above the Falls, application to be made to James Gould and Francis Bowes, attorneys-at-law.

Another sale of land in which he was mentioned occurred in 1731 near Yardley's Mill. We also find his signature, in connection with Chief Justice Thomas Farmer and the Grand jury, upon an address to George II in 1728. He appears in many of the inventories of estates as a creditor. He died in 1743, without leaving a will, and an administrator was appointed on July 2 of that year. The Francis Bowes referred to in connection with him was admitted as a counsellor in 1731. His address is given variously as Trenton, Christiana Bridge and Philadelphia, where he evidently lived in 1743. He appears only in advertisements in connection with the sale of land. His daughter Esther married Colonel John Cox in 1760.

There were probably others who did legal work, some without license, but from that time on the number of duly licensed lawyers increased. Located at the head of navigation, and on the line of travel between two large and important cities, Trenton grew steadily in population and wealth and lawyers became more and more in demand. We have evidence that in the early days they were prosperous.

Joseph Reed who was admitted in 1763, in a letter written in 1763, after practising three years, states: "There are sixteen courts which I am obliged to attend from home, oftentimes nearly a whole week at each, besides attending assizes, one a year, through the whole Province which contains thirteen counties."

Jasper Smith who was admitted in 1763, referring to the demands upon lawyers, observes that in a few months after his admission he was engaged in as much business as he could attend to, and might have had more if he could have attended more courts. And he, with some pride, states that through his practice he gathered an estate "beyond what my friends and even myself expected."

## **Demand For Legal Services Increased**

With Trenton as the county seat of Hunterdon, and with the establishment of the capital here in 1790, the demand for legal services at the sessions of the higher courts increased and attracted more lawyers. In addition to the business which naturally arose in a growing community, the members of the Bar located here represented lawyers in distant parts of the State and appeared for them before the higher courts.

In the early Colonial days, lawyers were admitted on motion, and an extensive knowledge of law was evidently not considered necessary. Laymen were allowed to practise in the courts and many of the judges and some of the attorneys-general during the Colonial days were selected from the laity.

As time passed the courts became more strict regarding practitioners. A five-year clerkship was required of students, which was shortened to four if the student had been admitted to the degree of bachelor of arts in any college in the United States. The student was required to pass an examination conducted by sergeants at law. Later the examination was held in open court or at the tavern in the presence of the justices. After practising three years, another examination was required to become a counsellor.

In addition, the court appointed by rule of court twelve sergeants "for such purposes as have been heretofore used and approved." These were selected from the counsellors, usually attending at the Bar. At common law, a counsellor had to be of sixteen years' standing before he could be called. The first sergeants at law were appointed in 1755, and the practice continued until 1839 when it was abandoned. During the entire period seventy-seven were called and they were considered the leaders of the Bar. The appointment was regarded as highly honorable and important as only sergeants could pass a common recovery in the Supreme Court. When the common recovery (which was a judgment recovered in a fictitious suit to get rid of estates tails and remainders) was abolished in 1799, the office became largely a matter of distinction and fell more and more into disuse until it was finally abolished.

It is not possible to give an accurate list of all the lawyers who lived in Trenton in the Colonial days or immediately after the Revolution, but the number is quite large in view of the population of the city and the number of houses erected here. Many of the lawyers practised not only here but elsewhere in the State. The record covering the entire State shows that two hundred and fifty-two attorneys were admitted prior to the year 1800, and of this number Trenton, no doubt, had its due proportion.

## **Biographical Stetches of Some Early Lawyers**

The most prominent of the early residents connected with the judiciary was *William Trent* for whom Trenton was named and who was appointed chief justice of the Province in 1724 filling the office with credit until his death. A sketch of his life has been given in detail earlier in this volume (Chapter I).

Trent was succeeded by *Colonel Robert Lettis Hooper* who was appointed chief justice in 1725, served one year and was again appointed in 1729, continuing in that office until his death in 1739. Hooper was a landowner in Trenton and first appears in public life as a member of the Assembly from 1721 to 1725, and was twice recommended for a seat in the Government Council.

Much confusion has resulted from the fact that three persons named Robert Lettis (Lettice) Hooper appear in the records between 1721 and 1797. They lived sometime in Pennsylvania and sometime in New Jersey. The chief justice was the son of Daniel Hooper who came here from the Barbadoes and was a member of Council in 1679. Robert Uttis Hooper, the first of that name, was married August 16, 1701, and had three children - Robert Lettis, James and Isabella. In 1768 an Isabella Hooper married John Johnston of Perth Amboy, and in 1797 an Isabella Johnston became the sole legatee of the third Robert Lettis Hooper who refers to her as his sister.

General Stryker, in his *Trenton One Hundred Years Ago*, referring to the country seat known as "Belleville," located about one mile west of Trenton near the junction of State and Prospect Streets, says that "after the Revolution, it passed into the hands of Chief Justice Robert Lettis Hooper."

It is well established that Chief Justice Hooper died in March 1739, and was succeeded by Robert Hunter Morris. The Robert Lettis Hooper who after the Revolution became possessed of "Belleville" was his grandson, the third of that name, who returned to Trenton about that time from his farm near Easton where he resided during the Revolution. The second Robert Lettis Hooper, son of the Chief Justice, died in 1785 at the age of seventy-six and was buried in Episcopal burial ground in Trenton. He was born in 1709 and in 1735 appears in the *Archives* as a resident of Rocky Hill, N.J. He was interested in mills and lands. He removed from Rocky Hill to Bloomsbury, Trenton, in 1751 and had large land holdings in this vicinity. Shortly after his father's death, he was chosen one of the Council of New Jersey, and in 1740 was appointed to secure enlistments in Somerset County for the war between England and Spain. In June 1751, he was one of the managers of a lottery in Trenton for the purpose of erecting a grammar school. In 1759, he advertised certain properties in Nottingham Township, opposite Trenton, which he stated that he or his sons, Robert Lettis Hooper, Jr., and Jacob Roetter Hooper, living at his mill, would show to purchasers. There is a similar advertisement July 12, 1759. The lots located on the road leading to the grist-mill were to be "60 x 181 for a town in Nottingham Township," and the upper part was called Mill Hill, the lower portion Bloomsbury. He is referred to in Raum's *History* as "the man who first laid out Mill Hill and Bloomsbury for a town."<sup>1</sup>

<sup>1</sup> Mill Hill is the name formerly applied to that section of the city lying south of the Assunpink, including the Court House, and Bloomsbury was adjacent.

Then for a time the father and the sons are involved in some financial difficulties; there is a dissolution of partnership, and the second Robert Lettis Hooper, in 1759, offers to let and later sell his plantation, Bloomsbury Court, describing it "as a large brick house, which he then occupied, located on the Delaware River, south of the Creek near the Trenton Ferry, on a large handsome Avenue of English Cherry Trees." An orchard of three hundred apple trees with the best grafted fruit is referred to, and "peaches damsels, cherrys of several sorts, quinces, English walnuts, grapes, raspberries and a large handsome garden." As an additional inducement, he refers to the splendid fishing and the ducks and other water-fowl.

The name of the third Robert Lettis Hooper, the judge of Hunterdon County, first appears in the advertisement published by his father in 1759. He subsequently settled in Northampton County, near Easton, and a letter from there dated July 3, 1759, states that he married a widow, Margaret Biles, granddaughter of Thomas Lambert of Nottingham. There is no record of her death, but on October 31, 1781, he took out a license to marry Mrs. Elizabeth Erskine. Her husband had been in charge of the American Ringwood Company of Bergen County, and on July 6, 1782, the New Jersey Legislature passed an Act:

To vest in Robert Lettis Hooper, the younger, and Elizabeth, his wife, and the survivor of them, with powers of agency to take charge of the Estate of the American Company for the purpose mentioned therein.

Mrs. Hooper died in 1795, and her husband died on July 30, 1797, in his sixty-seventh year at his residence called "Belleville," near Trenton. He left no children and the residue of his estate went to his sister, Isabella Johnston of Perth Amboy. He was a man of strong character and took an active part in the Revolutionary War as Deputy Quartermaster General, located at Easton and later in Trenton. He was one of the judges of Hunterdon County in 1782, and from 1785 to 1788 was a member of Council and vice-president of that body during the entire term, acting in the capacity of the governor in the absence of that official. He was an honorary member of the Society of the Cincinnati.

After the war and while living at Belleville, he was active in civic matters in Trenton. As an active member, he signed the first constitution of the Union Fire Company and contributed freely to the purchase of the necessary apparatus. He was also the first deputy grand master of the Grand Lodge of the Free and Accepted Masons of New Jersey, and the first senior warden of Trenton Lodge No. 5, which was chartered in 1787, to which, in his will, he presented his silver-hilted sword. In an obituary published in Claypool's *Daily Advertiser* for August 11, 1797, appears this statement

He had for a long time charge of important offices which he executed with fidelity, and was very much respected in his private relations of life.

Another man prominent in public life, who was not a lawyer by profession but who was selected for judicial honors, was *Daniel Coxe, II*, the son of Dr. Daniel Coxe, I, the physician to Charles II, one of the largest proprietors of West Jersey. He lived at Burlington until the later years of his life when he came to Trenton, and died here. He was appointed an associate justice on November 5, 1707, served for a few years and was again appointed in 1734 and held the position until his death in 1739. He was a public-spirited man and did much in his time and generation toward laying the foundations of our state government and state institutions. In 1730, he was commissioned provincial grand master of New York, New Jersey and Pennsylvania, the first Mason to hold that office in America. Other details of his life have been given in Chapter I.

*John Coxe*, a son of Daniel Coxe II, was a lawyer admitted at the March term in 1735. He practised in Burlington and frequently appeared in matters relating to Trenton. In 1739 he was

executor of his father's estate, and in 1753, William Coxe and Robert Lettis Hooper, as executors of the estate of John Coxe, advertised certain lands in Trenton.

In 1750, he had a violent quarrel with Governor Belcher, and in affidavits laid before the Council he referred to the governor in very uncomplimentary terms. On another occasion, when acting as counsel for Richard Borden, being asked why a certain case pending before the Court of Chancery, over which court the governor presided as chancellor, had not been tried, replied that he could be of no further service to his client in that matter; that he was not a courtier and had no interests at court and that he did not expect any justice at the hands of the governor, and told his client to go tell the governor. He stated that he was determined never again to appear before the governor as chancellor.

*Jasper Smith* was admitted as an attorney in 1763 and practised for many years in Trenton and vicinity. Although there is no record to show what line of practice he pursued, in his will, in which he dwells at length upon his activities, we find that he did a large business and that he accumulated a very comfortable fortune, as he says, out of the practice of law. He died in August 1813 and left personal property amounting to nearly \$17,000 and a large amount of real estate.

His will is a splendid specimen of the old-fashioned will and the manner in which the people of that time approached the testamentary disposition of property. He gives many details of his life, his intense earnestness in dealing with the subject and the quaintness with which he expressed himself makes interesting reading. The first page or two of the will is practically a synopsis of his life and gives the reasons which actuated him in disposing of his property.

Notwithstanding the evident care he gave to the disposition of his estate, long after his death, in 1845, his will was brought into the Supreme Court in litigation. The trustees of the church at Lawrenceville had been enjoined by the will, under pain of forfeiture, from cutting or selling timber within thirty years after obtaining possession, and it was charged by the heirs at law that there had been a breach of this condition. The court decided against the claim, and referring to the motives that actuated him in making the will, says:

They may be clearly read in the history of his life, which, with beautiful simplicity and truthfulness, he has himself recorded; in his humble gratitude to God for His goodness to him; and in his fervent desire to promote and perpetuate the preaching of the gospel, in his native place. The property has since been sold.

*Richard Howell* was born in Delaware and came to this State in 1774. He settled at Bridgeton, N.J., was admitted to the Bar at the April term, 1779, and after a distinguished career in the army removed to Trenton upon his appointment as clerk of the Supreme Court in 1788. After his election as governor in 1793 he lived for a time on State Street. During his term as governor, he became an active member of the Hand In Hand Fire Company. He took a prominent part in the reception tendered to George Washington upon his passing through Trenton on his journey to New York to be inaugurated as President. He was the only governor who ever appeared in the field as Commander-in-Chief of the army. This occurred during the whiskey insurrection in Pennsylvania in 1794, when troops were called for by President Washington. He died in Trenton, May 5, 1805. Mrs. Jefferson Davis was his granddaughter.

*William Pidgeon* was admitted to the Bar in 1750 and lived on King Street. He was married October 6, 1758, to Sarah Hoopes. At the time of the Battle of Trenton his home was occupied by the Hessians. There are no references as to his activities in his profession but he was evidently a man of standing and importance in the community. His name frequently appears in connection with the settlement of estates and with lotteries held for the benefit of churches. He was related to the Cottnam family, and Abraham Cottnam, also a lawyer, in his will desired and entreated his friend, William Pidgeon, to assist his executors by his advice.

In 1768 and again in 1776, he advertised his properties in Trenton for sale. His house is described as a two-story brick house with chambers for servants, stable, garden and a small piece of meadow land with a well of good water, situated on King Street, at a spot which corresponds to the second property south of East Hanover Street on the east side of the present Warren Street. The lot contained three-quarters of an acre and extended through to Queen (Broad) Street "on which are placed the stables." Later he removed to Stratford, Monmouth County, where he died on January 5, 1780. By his will he left fifty pounds to the Methodist Society of Trenton for the repair of their meeting house and put three thousand pounds at the discretionary disposal of his executors for charitable purposes and "for the relief of my Negroes as they may merit it." In signing his will he made his mark and a note appended said "the within named William Pidgeon was so burned by getting out of his house when on fire that he could not hold a pen to write his name, but made a mark as above, and escaped in his shirt." Two children, two men servants and a hired man were burned to death at the same time. He lived in Trenton for many years and was one of the trustees of the First Presbyterian Church. He was executor under the will of Daniel Coxé and entrusted with many important public duties.

*Ebenezer Cowell*, the elder, was born December 7, 1716, and died May 4, 1799. He was a brother of David Cowell, the first pastor of the Presbyterian Church. Ebenezer Cowell, the son, was born in 1743, and having graduated from Princeton, studied law and was admitted to the Bar in 1769. He practised law in Trenton and lived with his brother Dr. David Cowell, a bachelor, and an eminent physician and surgeon, in the first house on the southerly side of Pennington Road. During the Revolution, he and his father, who was a gunsmith, rendered valuable services to the American army in seeing to the repair of guns, etc., and advancing considerable sums out of their private funds to help the cause.

On July 17, 1776, Ebenezer Cowell appeared before the Council of Safety and complained that Sheriff Barnes had refused to receive and execute two writs issued under the authority of the people pursuant to the ordinance of the convention. The sheriff was sent for and admitted that he declined to act as sheriff under the authority of the new government and was removed from office and a new sheriff was appointed. On September 7, 1776, Cowell became clerk of Hunterdon County. He died in 1817 and the notice of his death published in the *Trenton Federalist* of February 17, 1817, states:

That on the morning of the fifteenth of February, he was found dead in the house where he resided, and probably perished in consequence of the severity of the weather.

The winter of 1817 was unusually severe, the reports being that the thermometer was far below the "cypher." He had never married and, after his death, it was found that his entire estate

amounted to seventy-nine dollars and twenty cents, of which seventy dollars was represented by the value of his books.

On the south side of Pennington Road, a short distance above Calhoun Street, lived *Abraham Cottnam*, one of the leading lawyers of Trenton before the Revolutionary War. In the latter part of his life, he removed to what is now the northwest corner of Warren and Bank Streets and, after his death, the property was turned into an inn by Rensselaer Williams. His sons remained in the old house until 1779 when it was sold to Chief Justice Brearley who had married their sister. Abraham Cottnam was admitted to the Bar as counsellor at the November term, 1746. There is, however, no record of his admission as an attorney. He was also a magistrate. He married a daughter of Joseph Warrell, the attorney-general. In April 1778 his executors (Robert Hoops, his son-in-law, and George Cottnam, his son) advertised for the recovery of his docket taken from the office of Ebenezer Cowell when the enemy was in Trenton. They also offered for sale his late residence, "Dowd's Dale," which was located at the corner of Bank and Warren Streets and consisted of about sixteen acres. Petty's Run ran through the property. It was afterwards turned into a tavern and called the Royal Oak. In his will, Cottnam made the Hon. Daniel Coxe his executor and desired and entreated his friend, William Pidgeon, Esq., to assist his executor with his advice. His son, George Cottnam, who lived with him, was admitted as an attorney at the May term 1780. To his son, Warrell Cottnam, he gave all his law books, including those which he claimed under the will of Joseph Warrell, the elder.

*Joseph Worrell, I*, was made attorney-general in 1733 and was twice recommended for the Council but apparently did not want the office. He is referred to as a "gentleman of the law," and the title "Notary and Tabellion Public" was appended to his name. There is no record that he was admitted to the Bar in New Jersey. In 1751 he resided on the estate known as "Belleville" near Trenton, and stated in a certificate which he signed for Samuel Tucker that he lived there many years and consequently "could give a good character of Samuel Tucker, *his neighbor*, having known him since Tucker was a boy." He asked leave to resign in 1754 "in order to make his declining years comfortable" and died in the summer of 1758. In 1751, Joseph Warrell, attorney-general, appointed Abraham Cottnam to prosecute an indictment found against Lewis Morris Ashfield, charged with profanity and assault.

His son, *Joseph Warrell, II*, was licensed as an attorney May 13, 1758. He appears in 1753 as the manager of a lottery for, the Trenton English and Grammar School, and as the clerk of the circuits. There is no record that he was an active practitioner. He died in 1775. His tombstone in the First Presbyterian Churchyard is inscribed:

In memory of Joseph Warrell, Esq., who departed this life March 6, 1775, age 56 years.  
This stone is erected, not from pomp or pageantry, but from true affection.

For other thoughts employ the widowed wife,  
The best of husbands, loved  
in private life Bids her with tears to raise this humble stone,  
That holds his  
ashes and expects her own.

*Lewis Morris Ashfield* was a member of the Bar, admitted at the May term, 1746. He lived at the time in Middlesex but in 1759 gave his address as Shrewsbury or Trenton. He was related to



Chief Justice Morris and was evidently a man of standing, as on April 30, 1751, he was appointed a member of Council of the Colony. On October 21, following, he was indicted at Perth Amboy, charged with swearing in a most profane manner and damning the King's laws and assaulting the constable with a whip.

It was evidently considered an important affair, and in a letter written by the governor we find that "Young Ashfield is greatly concerned about the affair and is endeavoring in all ways possible to get himself acquitted of this flagrant crime," anxious, no doubt, to assume his duties as member of the Council.

Attorney-General Warrell, who was not present when the indictment was found because of "indisposition," had deputized his son-in-law, Abraham Cottnam, a prominent Trenton lawyer, to represent him and now deputized him to prosecute the Pleas of the Crown for him "in his absence and indisposition." Notwithstanding the evident anxiety of the attorney-general and lawyer Cottnam to convict Ashfield, he was acquitted. The witnesses, even the constable himself, were vague in their recollection of the exact words spoken, and Cottnam, the deputized attorney-general, in order to bolster up his case, took the stand and contradicted his principal witness by testifying to the language as given to him by the constable at the time of the indictment. Governor Belcher was deeply disappointed at the verdict which cleared young Ashfield "by a nicety in law, although I believe everybody thought him guilty." He refused to admit him as a member of the Council. Chief Justice Robert H. Morris did not regard the matter seriously, and in a letter to the Lords of Trade, said,

that the mere accusation of a rash expression used (if at all) when provoked and probably when in drink, seems to be hardly sufficient to justify a disobedience of his Majesty's command.

The Lords of Trade, who had recommended Ashfield and submitted his name to the King, did not approve of the actions of the governor, and Ashfield was admitted. In 1761 he was named as one of the persons to be commissioned to try pirates.

*Bowes Reed*, a brother of Joseph Reed, was admitted as an attorney on April 3, 1770, but never became a counsellor. He entered public life at an earlier day and in 1776 he was appointed surrogate of Hunterdon. At the beginning of the Revolution, the Provincial Congress appointed him Lieutenant Colonel of a battalion to be raised in Gloucester, Salem, Cumberland and Burlington, and later he was commissioned Colonel of the First Regiment of Burlington. He also held at different times the office of clerk of the Supreme Court, clerk in chancery, deputy secretary of state and, upon the resignation of Charles Pettit (his brother-in-law), he succeeded him as secretary of state. He died in 1794, and was succeeded by Samuel Witham Stockton. He resided for a short time in Trenton but there is no record that he ever engaged in the active practice of the law.

*Andrew S. Hunter* was admitted as an attorney in 1802 and as counsellor three years later, and practised in Trenton. Very little can be ascertained concerning him, but it is stated that he probably had practised law in some other State before practising in Trenton. He received the honorary degree of A.M. from Princeton in 1802 and was prominent in Masonic circles.

*Samuel Leake* was born in Cumberland County in 1747. He was admitted to the Bar in 1776 and his name heads the list as the first licensed attorney after the adoption of our Constitution. He frequently appeared in the Supreme Court, associated with or opposed by the leading lawyers of that day. He opened an office in Salem but in 1785 removed to Trenton where he rapidly acquired an extensive practice and quickly took a leading place at the Bar. He lived on the east side of Warren Street, opposite Hanover Street, and soon became active in local matters. He was a member of the Union Fire Company and a contributor to its upkeep.

Judge Elmer characterizes him as eccentric but regarded him as an honest lawyer, an earnest, sincere Christian, and a man highly respected by the community. He relates an instance which occurred when Governor Bloomfield first presided as chancellor. The question was raised as to retaining the English practice of addressing the chancellor as "Your Excellency." Governor Bloomfield said that he was a republican and did not desire to be addressed by that title. Mr. Samuel Leake, who was present, immediately arose, and with much earnestness and solemnity, addressing the chancellor, said:

"May it please your excellency, your excellency's predecessors were always addressed by the title, 'your excellency' and if your excellency please, the proper title of the Governor of the State was and is 'your excellency.' I humbly pray, therefore, on my own behalf and on behalf of the Bar generally, that we may be permitted by your excellency's leave to address your excellency when sitting in the high Court of Chancery, by the ancient title of 'your excellency.'"

Another prominent lawyer (a brother of Richard Stockton, the Signer) who made his home in Trenton, was *Samuel Witham Stockton* who was born in 1751. He was admitted to the Bar on September 3, 1772, and removed to Trenton in 1794. His home was on the north side of Front Street, just west of the Black Horse Tavern, and the village market was located between his home and the tavern. In 1774 he went to Europe as secretary of the American Commission to the Courts of Austria and Prussia, and while abroad negotiated a treaty with Holland. He was one of the signers of the constitution of the Union Fire Company in 1792, and contributed to the purchase of a new engine. He was senior grand warden of the Grand Lodge of Masons in 1791 and grand master in 1794, and was secretary of state in the latter year.

*William C. Houston* practised law in Trenton. He was born in Sumter County, S:C., and came north to attend the College of New Jersey (Princeton). After his graduation, he became Professor of Natural Philosophy in that institution.

His father was a Quaker and a prominent and wealthy planter, who refused to give his son a liberal education but consented to furnish him with a horse, clothes and fifty pounds of money to do with as he pleased. The young son gladly accepted and came to Princeton, entering the college as a freshman. To meet expenses, he took charge of a grammar school connected with the college, keeping up with his studies at the same time. In 1768 he graduated with distinguished honor and received a silver medal.

Upon the breaking out of the Revolution, he was appointed Captain of the Militia of New Jersey and served until March 25, 1777, when he was appointed deputy secretary to the Continental

Congress. In 1778 he became a member of the Assembly of New Jersey, and in 1779 a member of the Continental Congress. In 1781 Congress elected him comptroller of the treasury. He was admitted to the Bar of New Jersey in 1781, and the same year was appointed clerk of the Supreme Court of New Jersey, which office he held until his death. After resigning his professorship in the College of New Jersey, he became one of the founders and a stockholder of the Trenton Academy. Mr. Houston was also a member of the convention which drafted the Constitution of the United States, and, according to the record, took a prominent part in forming it, although his name is not appended to the instrument.

He served with Chief Justice Brearley on the commission appointed by the Continental Congress which finally settled the dispute, between Pennsylvania and Connecticut, involving a large strip of Northern Pennsylvania. The commission met in Trenton in 1782.<sup>3</sup>

<sup>3</sup> See pp. 629-32, below.

He died at the age of forty-two.

*Isaac De Cow* was admitted to the Bar on May 16, 1765. His name frequently appears in connection with advertisements for the sale of lands, and in 1774 he advertised a run-away servant. The advertisement states that:

the run-away had served two years with Isaac De Cow, Attorney at Law at Trenton, New Jersey, but was obliged to fly from the Province for counterfeiting Charles Ogden's name.

Mr. De Cow lived on King Street (now Warren) on the north side of De Cow Alley, now West Hanover Street, in the house that was used in 1799 by President Adams as his official residence. It was later known as the Phoenix Hotel. De Cow was appointed Major of the First Regiment of the Militia of Hunterdon County, and resigned on July 5, 1776. He was active in local matters and an active member of a fire company and of the Masonic fraternity.

*Gershom Craft*, who lived on Mill Hill on the site which in later years was occupied by Robert Dowling as a hotel, was admitted to the Bar in 1790. He was not active in the practice of law. On July 9, 1798, he joined with William Black in the purchase of the *State Gazette and New Jersey Advertiser*. They changed the name to the *Federalist and New Jersey Gazette* and in September 1800 Craft retired from the newspaper business. In 1803, on September 14, he and several other gentlemen purchased a spring at the head of town from Stephen Scales, and incorporated the Trenton Water Works. The company furnished water to the people of Trenton, at first through pipes constructed of wood which later were replaced by iron. In 1845, the water works were purchased by the city. Shortly after 1803, Craft moved to Falls Township, Bucks County, Pa., and died there in November 1808. He owned property in Pennsylvania and New Jersey, and an inventory of his New Jersey estate was filed January 10, 1809.

*James Linn* was admitted to the Bar in 1772 while a resident of Somerset County. Sometime between the years 1801 when his congressional term ended and 1805 when he was appointed secretary of state, he removed to Trenton and practised law.

Mr. Linn was a graduate of the College of New Jersey and during the Revolutionary War held a commission as Major in the militia. In 1777 he was elected to the Legislative Council from Somerset County. In 1776 he was appointed "Attorney at Law for the Province of New Jersey" by Governor Franklin, and in the years between 1790 and 1798 he represented Somerset County in the Legislature and in 1796 was vice-president of the Council. In 1798 he was elected to Congress and served until 1801, being a member of that body during the famous election contest between Burr and Jefferson, and voted for Mr. Jefferson. Mr. Linn was afterwards appointed supervisor of revenue of New Jersey. He held the office of secretary of state from 1805 until the time of his death in December 1820. He was highly respected as a citizen but attained no high eminence in his profession, having turned his attention principally to other pursuits.

*Maskell Ewing* was born January 30, 1758, in Cumberland County and before he was twenty-one was elected clerk of the New Jersey Assembly. He removed to Trenton and held the office of clerk for twenty years. He read law in the office of William C. Houston, was admitted to the Bar in 1788 and practised here until 1803 when he removed to Pennsylvania. His nephew, Charles Ewing, was chief justice of the Supreme Court for many years. During his residence here he took an active part in local affairs and was one of the organizers of the Grand Lodge of Masons.

*Aaron D. Woodruff* was born September 12, 1762, was admitted to the Bar in 1784, was called as a sergeant in 1792, and during the same year was appointed attorney-general and held the office for over twenty years. He lived on Hanover Street and took an active part in religious and civic matters. He served in the Legislature and was influential in having Trenton selected as the State Capital. In 1787 he assisted in the organization of Trenton Lodge No. 5, Ancient Free and Accepted Masons, and became its first master and later was elected grand master.

*Richard Salter* was commissioned associate judge of the Supreme Court on May 15, 1754. Chief Justice Robert Hunter Morris, on tendering his resignation in 1754, suggested Richard Salter as his successor, describing him as "a man of understanding and fortune, a firm friend of the Government, and one who will act in that station with honor to himself and justice to the public." The resignation of the chief justice was not accepted and Richard Salter was made associate judge. He was a member of the Council for the Western Division and resided here. His appointment was suggested to the chief justice by judge Charles Reed, who said: "There cannot be a more proper person to supply your place than Mr. Salter. You are no stranger to his abilities."

*Jonathan Rhea* was born in Monmouth County in 1754, the son of Jonathan and Lydia (Forman) Rhea. Mr. Rhea served during the War of the Revolution in the New Jersey line of the Continental army. He was appointed Ensign, Second New Jersey Infantry, January 1, 1777, and Second Lieutenant, April 1, 1778; he resigned November 3, 1783, and was commissioned Captain by brevet. He was admitted to the Bar in 1784 and was twice elected, by the joint meeting, clerk of the Monmouth Common Pleas and in June 1793 was elected clerk of the Supreme Court, which office he held until November 1807. In 1793 he was a presidential elector, casting his vote for John Adams. He was Quartermaster General of the State from 1807 to 1813. He was grand treasurer of the Grand Lodge F. and A.M. from 1805 to 1813. Mr. Rhea was the second president of the Trenton Banking Company, serving as such from 1807 to 1815. He built the old mansion opposite the State House which was afterward sold to Charles Higbee, who in

turn sold it to George Fox of Philadelphia, who settled it on Philemon Dickinson, nephew by marriage. Mr. Rhea's daughter Mary was the wife of Garret D. Wall. Mr. Rhea died in Trenton February 3, 1815. A greatgrandson was Garret D. W. Vroom.

*John Rutherford* was born in New York City, September 20, 1760, and was graduated from the College of New Jersey in 1776. He studied law, was admitted to the Bar in 1782, and practised in New York City, 1779-87, and later in Edgerston, N.J.; subsequently he came to Trenton, remaining until 1807. He was a prominent churchman and a presidential elector in 1798, 1813 and 1821. He was elected to the United States Senate and served from March 4, 1791 to December 5, 1798, when he resigned. He became a member of the New York and New Jersey boundary commission in 1826, and of the New York, New Jersey and Pennsylvania boundary commission, 1829-33. He died in Rutherford, N.J., February 23, 1840.

*Garret D. Wall* studied law with General Jonathan Rhea, clerk of the Supreme Court, was admitted in 1804 and commenced the practice of law in Trenton. He resided here until 1828 when he removed to Burlington. In 1812 he was elected by joint meeting clerk of the Supreme Court and held the office for five years. In 1829 he was elected governor and chancellor but declined and in 1835 was elected to the United States Senate and was an active supporter of the administrations of Jackson and VanBuren. Later he became one of the judges of the Court of Errors and Appeals where his great legal learning was conspicuously displayed. He died in 1850.

*John Moore White* was admitted to the Bar in 1791 and called as a sergeant in 1812. He practised in Gloucester County and represented that county in the Assembly. In 1833 he was appointed attorney-general and served until 1838 when he was elected by the joint Session as associate justice of the Supreme Court, which position he held until February 27, 1845. The *New Jersey Register* for 1837 gives his name in the list of twelve attorneys who lived in Trenton at that time, but after his retirement from the Bench he removed to Woodbury where he died in 1867 at the age of ninety-one.

*Micajah How*, although not a member of the Bar, for a time was one of the judges of the Court of Common Pleas of Hunterdon County. He was also sheriff. His death was announced in the Trenton newspapers of January 14, 1799.

For biographical sketches of *David Brearley*, *Joseph Reed*, and *Isaac Smith*, see Chap. II, above.

## ***II. Courts and Lawyers in the Nineteenth Century and After***

With the establishment of the state and the federal courts in Trenton, lawyers from other localities were naturally attracted and established homes here. A number of these lawyers quickly achieved prominence. This was especially true in the first half of the nineteenth century. It was the practice then, because of the lack of rapid travelling facilities, to employ local counsel to present cases on appeal to the higher courts. This is evident from the early reports, where we find the local lawyers appeared in many of the cases which originated elsewhere.

Notwithstanding these constant accessions, the number was not large. The *New Jersey Register* for 1837, published by Joseph C. Potts, gives the following lawyers resident of Trenton at that time:

John Moore White, admitted in 1791 ; Samuel L. Southard, 1811; Samuel R. Hamilton, 1812; William Halsted, 1816; Henry W. Green, 1825; James Ewing, 1826; Stacy G. Potts, 1827; Benjamin F. Vancleave, 1830; James Wilson, 1830; Joseph C. Potts, 1833; William P. Sherman, 1833; Isaac W. Laning, 1834.

The population in 1840 was 4,035.

In 1857, with an estimated population of 15,000, *Boyd's Directory* gives the lawyers in Trenton as follows: Henry W. Green, chief justice, Mercer Beasley, William L. Dayton, Andrew Dutcher, James Ewing, E. H. Grandin, Caleb S. Green, Barker Gummere, William Halsted, A. M. Johnson, Frederick Kingman, Isaac W. Lanning, Joseph F. Randolph, Augustus G. Richey, Edward W. Scudder, William I. Shreve, Robert F. Stockton, James Wilson and Stacy G. Potts, associate justice. In 1870, with a population of 22,874, the number of lawyers was forty and in 1900, with a population of 73,307, the number was ninety-six. At the present time (December 1928) there are one hundred and ninety-one lawyers in Trenton with an estimated population of 139,000.

During the period preceding the Civil War, the Bar of Trenton contained among its members many who became active in political life. Some of them achieved high places of honor and responsibility and their fame extended far beyond the borders of the State. Outstanding among the many distinguished names, we find Samuel L. Southard, Peter D. Vroom and William L. Dayton whose remarkable careers ran along parallel lines, both in the State and nation. On the following pages are presented brief sketches of these men and other members of the Bar who attained conspicuous success in their profession and in other fields.

### **Biographical Stetches**

*Samuel L. Southard* was admitted to the Bar in 1811, and after serving in the State Legislature was chosen an associate justice of the Supreme Court in 1815 and removed to Trenton. He remained on the Bench until 1821 when he was elected to the United States Senate. He immediately took a prominent part in national affairs and in 1823 he became Secretary of the Navy under President Monroe and continued in that office under John Quincy Adams until 1829, when he was elected attorney-general of New Jersey and resumed his practice in Trenton. In 1832 he was chosen governor and in 1833 returned to the United States Senate. In 1841 he was presiding officer of the Senate and acting Vice-President after Mr. Tyler succeeded General Harrison, and continued in that position until his death in 1842.

Mr. Southard was regarded as a very able and brilliant man, and was recognized as a leader, not only at the Bar, but in every position he held. His home was in Trenton until 1838 when he became president of the Morris Canal and Banking Company and removed to Jersey City.

*Peter D. Vroom* was admitted to the Bar in 1813 and after practising at various places settled, in 1820, at Somerville. He served in the Legislature and in 1829 was chosen governor and ex-officio chancellor. These offices he held continuously until 1835, except for the year 1832 when Southard was elected. Mr. Vroom's service as chancellor has always been recognized as of exceptional value to the Bar and to the State, and his opinions have done much to settle equitable principles and formulate the practice of the Court of Equity.

In 1838 Governor Vroom was elected to Congress and, notwithstanding the refusal of a certificate by Governor Pennington, he was admitted and seated after a contest in Congress.

At the end of his term he became a resident of Trenton and continued practising here until his appointment as Minister to Prussia. He was regarded as a very able and conscientious lawyer and stood at the head of the State Bar.

*William L. Dayton* was admitted in 1830. He opened an office at Middletown, Monmouth County, and later removed to Freehold where his ability and character were quickly recognized and he soon had a large practice, not only in the County, but the State courts. In 1837 he was elected to the Legislature and the following year chosen by the joint meeting as an associate justice of the Supreme Court. After serving three years, he resigned and returned to the practice of his profession in Trenton. The following year he was elected to the United States Senate to fill the vacancy caused by the death of Senator Southard. During the nine years of Senator Dayton's incumbency he came in contact with the historical characters of that period and took a leading part in the struggles resulting from the Mexican War and the slavery agitation. In June 1856 he was nominated Vice-President on the Republican ticket, and in 1857 was appointed attorney-general and occupied that position until his appointment by President Lincoln as Minister Plenipotentiary to France, at that time one of the most responsible positions of the government. This position he filled with conspicuous ability and to the entire satisfaction of the President. He died suddenly in Paris on December 11, 1864.

*Charles Ewing*, admitted in 1802, soon ranked as one of the leaders in the State and was called as a sergeant in 1812. In 1824 he was appointed chief justice and held that position until his death in 1832.

*Henry W. Green*, born in Lawrenceville, studied in the office of Chief Justice Ewing, was admitted in 1825, practised in Trenton and resided here until his death. He served in the Legislature, and was a member of the Constitutional Convention in 1844. Two years later he became chief justice and filled that position until 1861 when he was appointed chancellor. Henry W. Green's services to the State as a lawyer and judge were of the most exalted character and he has been called the idol of his day and generation. His opinions were clear and lucid and helped to mould the judicial jurisprudence of the State. Many of the cases decided by him have been accepted without appeal and are regarded as leading cases. He presided at the Circuit held in Trenton from 1846 to 1860, and added dignity to the Bar and greatly assisted the legal profession in seeking justice for their clients.

*William Halsted, Jr.*, belonged to the family of Halsteds in Essex County and was a brother of Chancellor Oliver .Spencer Halsted of Newark. He was graduated from the College of New

Jersey in 1812 and was admitted to the Bar in 1816. Industrious and indefatigable, he had a large practice, and was usually retained by those who had suits against the Camden and Amboy Railroad Company. He was prosecutor of the pleas in Hunterdon County from 1833 to 1837 and a member of Congress from 1837 to 1839 and from 1841 to 1843. He was appointed district attorney for the district of New Jersey in 1849, and as reporter of the Supreme Court of the State he published *Halsted's Reports* in seven volumes. He raised the First New Jersey Cavalry in the Civil War and went out as Colonel of the regiment, but was not long in the service. He died in 1873, at the age of eighty-four.

*Stacy G. Potts*, justice of the Supreme Court, studied in the office of Lucius H. Stockton, and later in the office of Garret D. Wall, and was licensed as an attorney in 1827. He was born in Harrisburg in 1799 and in 1808 came to Trenton to live with his grandfather, Stacy Potts, who was then mayor of Trenton. He learned the printing trade and for a time edited the *Emporium*. As a Jackson Democrat he was twice elected to the General Assembly, and in 1831 was appointed clerk of the Court of Chancery, which office he held for ten years. In 1852 he was appointed a justice of the Supreme Court and served for seven years and was regarded as an able and conscientious judge, very popular with the Bar and with the public generally. He was deeply religious and took a prominent part in church work. He lived on West State Street, just east of the State House, and died in 1865.

*Mercer Beasley*, who presided at our Circuit for many years, was born in Philadelphia in 1815, attended the College of New Jersey but did not graduate. He studied law in Trenton and was admitted to the Bar in 1838 at about the time the County was formed. He opened a law office on West State Street, near Warren, and later built an office adjoining his home on East State Street, where he lived until a few years before he died. The site of his home is now occupied by the new portion of the Broad Street Bank building. His father was an Episcopal clergyman and at one time rector of St. Michael's Church. He had great familiarity with legal principles and practice and was particularly accomplished in the preparation of pleading and noted for his accuracy and discernment. He served as city solicitor and in 1851 he was the Whig candidate for mayor but failed of election. He served in the Common Council, and was active in civic matters. He was recognized as a good citizen and a learned, forceful and successful lawyer.

In 1864 he was appointed chief justice and held the office until his death in 1897-nearly thirty-three years. At the time of his appointment the College of New Jersey conferred upon him the degree of Doctor of Laws.

The record of his judicial opinions is contained in twenty-nine volumes of the Law Reports and thirty-seven of the Equity. He was of commanding ability and, in the words of Justice Collins, he "presided over our highest tribunal with courtly dignity and matchless skill and added lustre to the bright record of his distinguished predecessors." He had explored and knew all the sources of the law and was entirely familiar with its principles. He was not a narrow case-lawyer, so-called, as the following quotation from his opinion in the case of *Gregory vs. Wilson*, 7 Vroom, 315, 323, will clearly illustrate: "In these days, when legal knowledge is so dearly acquired, and legal learning is so cheaply displayed, a voluminous citation of authorities is apt to look like a petit larceny on the digests."



It is said that Chief Justice Beasley was seriously considered by President Cleveland for chief justice of the United States in 1888, when the late Melville W. Fuller was selected, and that the only reason that Chief Justice Beasley was not named was because of his age, being then seventy-three years old.

In presiding over trials at the Circuit and in the Oyer and Terminer the chief justice was dignified and courteous, and showed patience and kindness in his endeavor to do justice. His charges to the jury were simple and clear and were entirely free from the unusual words that are sometimes found in his opinions. His decisions at the Circuit were rarely overruled.

Upon his death the public press truly said that on his elevation to the Bench the advocates lost from their number one of the very ablest in the whole State, and the judiciary gained a member whose name was known in all courts of the land, and who was equalled in knowledge of law by few, if any, of the eminent jurists of America, and whose decisions were quoted constantly before foreign as well as home tribunals.

Chief Justice Beasley held the Mercer Circuit from the time of his appointment until 1890, when he exchanged with Justice Scudder, and until his death presided in Monmouth and Middlesex County.

The chief justice was highly regarded not only by the members of the Bar, but by a large circle of friends. He was a great reader and especially fond of Dickens, but any novel suited him, if it ended happily. He was fond of gunning and was an expert marksman on the wing. Many of his leisure hours at home were spent in wood-carving. In his early days he was celebrated as a billiard player, and had few equals.

*Augustus G. Richey*, who for many years was a leader of the Trenton Bar, was born in 1819 in Warren County and was a graduate of Lafayette College. Upon his admission to the Bar in 1844, he opened an office in Asbury, N.J., and practised there until 1856, when he removed to Trenton where his legal ability and business capacity were soon recognized and gained him a high class of practice. In 1865 he was elected to the New Jersey Senate and served one term. He was an enterprising and public-spirited citizen and was deeply interested in the welfare and progress of the community in which he lived. For many years he was actively identified with many of the financial, religious and benevolent institutions of the city. As a lawyer he devoted himself largely to commercial and business law and gained high reputation as a safe and conscientious lawyer. He died in 1894.

*Bennet Van Syckel* was born on April 17, 1830, at Bethlehem, N.J., and upon his appointment to the Supreme Court removed to Trenton where he resided until his death. Almost immediately upon his admittance to the Bar he attained a very high standing because of his legal ability and his knowledge of the law. He was a justice of the Supreme Court until in 1904 when, because of a temporary disability, he resigned. Curiously enough, justice Van Syckel long outlived every one of his associates on the Supreme Court Bench and survived until 1923 when he died at the advanced age of ninety-three. He lived to be the oldest practising lawyer in the State.

The high personal character of judge Van Syckel and the noted public service rendered by him during the long period of his active life mark him as one of the outstanding figures in the history of the city and of this State. Graduating from Princeton with high honors at the age of sixteen, he soon thereafter began the study of law and was admitted to the Bar of the Supreme Court in 1851. After practising law for sixteen years in his native county of Hunterdon, he was appointed a justice of the Supreme Court, which position he held by successive appointments for a period of thirty-five years. In 1880 the degree of LL.D. was conferred upon him by Princeton College.

Judge Van Syckel was especially noted as a trial judge. The accuracy of his rulings at Circuit and the quickness with which he dispatched business excited universal commendation.

On the Bench of the Supreme Court and the Court of Errors Judge Van Syckel did equally important work. His opinions written therein are marked by brevity of expression, clearness of thought and sound legal learning. They rank with those of the best judges at a time when those courts were famous for their personnel.

Judge Van Syckel's success on the Bench was due in no small measure to his lofty character. He had a conscience void of offense and he kept it so clear and so alert that with him the discovery of truth and the detection of error was almost an intuition.

The impress made by judge Van Syckel on the jurisprudence of this State and the example he set to young and aspiring members of the Bar will keep his memory green for generations to come. He was noted for quickness of perception, alertness of decision and a prompt grasping of the salient features of a cause.

After leaving the Bench, Justice Van Syckel was constantly consulted in important matters and his opinions were highly regarded by the public and usually accepted as final. He was active in church and civic matters and rendered valuable services in connection with many of the public questions which arose during the later years of his life. Golf and horseback riding were his favorite outdoor diversions.

*Edward W. Scudder*, another justice who presided at the Mercer Circuit, was born at Scudder's Falls in 1822. He was educated at Lawrenceville and Princeton, studied law in the office of the Hon. William L. Dayton and was admitted in 1844. He was a man of affairs before his elevation to the Bench, and was, during a long and successful practice at the Bar, noted for the strictest integrity. He was a member of the State Senate from Mercer County for one term of three years, from 1863 to 1865 inclusive, and he was president of that body in the latter year. He practised extensively in all the courts of the State until 1869, when he was appointed by Governor Randolph one of the justices of the Supreme Court.

He was highly regarded in Trenton and his appointment, it was soon recognized, added strength and dignity to the Bench. He was not a man of impulses, was peculiarly free from prejudice and was always impartial. Of a kindly nature he was beloved by the Bar and if was regarded as a pleasure to appear before him. And with it all, his chief characteristics were a strong, keen sense of the right, and an unswerving desire to do justice between man and man. His judgments were sound and his opinions always clear and lucid and bear the marks of research and labor.

He died suddenly on February 3, 1893, beloved and mourned by the entire State. As was stated in the resolutions adopted by the Supreme Court at the time of his death, "Death came to him so quickly and so mercifully as to remind one of that of the Patriarch in the Scriptures who 'walked with God and was not, because God took him.'"

*Alfred Reed* was born in Reed's Manor, Ewing Township, in 1839 and had a long and successful career as judge and vice-chancellor. He was first admitted to the New York Bar and afterwards in 1864 to the New Jersey Bar. Establishing himself in this city he soon became prominent in political and social matters. Elected to the Common Council in 1865, he served two years and in recognition of his services he was elected mayor of the city in 1867. In 1869 he was appointed the first law judge of the Court of Common Pleas, serving five years, and in 1875 was appointed justice of the Supreme Court. In 1895 he resigned and was appointed vice-chancellor and served until 1904, when he returned to the Supreme Court and continued in that position until 1911.

He was a sound lawyer and a genial man, always courteous and considerate of others and was a most popular judge. His wide knowledge of the law and his experience, combined with ability to dispatch business rapidly, soon won for him a distinction among his learned associates. His retirement was considered a great loss to the Bench. He died December 6, 1919.

*James Buchanan*, who was appointed judge of the Common Pleas in 1874 and presided for five years, was born at Ringoes in 1839. He was admitted to the Bar in 1864 and immediately afterwards settled in Trenton. He took an active part in civic and church affairs and became one of Trenton's leading citizens.

He was a painstaking and kindly man and enjoyed the friendship and confidence of everyone. He had a long and honorable career in this community, and after leaving the Bench served in the Common Council of Trenton and for eight years represented the district in Congress. A fine portrait, procured to be painted by the members of the Bar who had been students in his office, is now hung upon the wall of the Mercer County Common Pleas Court room—a pleasant reminder of the judge and gentleman. He served but one term and was succeeded by judge John H. Stewart.

*John H. Stewart* was born in Warren County and was admitted to the Bar in 1867. After practising in Belvidere a short time he opened an office in Trenton and soon became prominent because of the excellence of his work in preparing and publishing a *Digest of New Jersey Reports*. Later, in 1877, he and judge Vroom published *The Revision of the Statutes of New Jersey*.

In 1879 he was appointed judge of the Mercer Common Pleas and served for eleven years, until his death in 1890. In Judge Stewart's time the business of the court, especially in its criminal branch, grew to be considerable and important, owing principally to the great increase in the population of the county. Judge Stewart, although he had not been an extensive practitioner at the Bar, displayed marked qualities as a jurist and was a most acceptable judge in every sense of the word. He was a great student and indefatigable worker. In social intercourse he was extremely jovial and told the best of stories in a charming and inimitable manner. He died March 1890.

*Robert S. Woodruff* was born in Newark in 1841. He came to Trenton with his family when he was nine years old and was admitted to the Bar in 1868. An able and careful lawyer, he soon gained the confidence of the community and served in the Common Council, as member of the school board and in the Legislature. In 1890 he succeeded Judge Stewart and presided upon our Common Pleas Bench for a period of ten years. He had judicial experience for eleven years upon the City District Court Bench before his elevation to the Common Pleas. It was he who discovered and caused the arrest of the murderer Lewis, at Millstone, in 1863, while teaching school at that place.<sup>4</sup> Judge Woodruff was very popular both as a judge and as a man, and had a host of friends who were delighted to be associated with him. His death, in 1906, some years after his retirement from judicial labors, was exceedingly regretted.

<sup>4</sup> See pp. 636-7, below.

A fine portrait of him presented by the Bar of the County of Mercer, adorns the wall of the Common Pleas Court room, and, as judge Reed said in his feeling remarks when accepting the portrait, which was presented by Chancellor Walker on behalf of the Bar: "It is a speaking likeness of a kind-hearted and courteous gentleman."

*Benjamin F. Chambers* was graduated from Princeton College and admitted to the Bar at the November term, 1875. In 1884 he was elected to the House of Assembly, served through the session of 1885, and died during the summer of that year. He was prominent in military affairs, and was assistant adjutant general on the staff of Major General Mott, commanding the Division of National Guard of New Jersey, with the rank of Colonel. Mr. Chambers was able and popular, and gave great promise of a successful career when his untimely death removed him from our midst.

*S. Meredith Dickinson* was a member of the Bar for many years, but did not practise extensively. He was chief clerk of the Chancery office and distinguished himself by publishing an edition of Chancery precedents in 1879, a revised and enlarged edition of which he published in 1894. These works are the *vale-mecum* of Chancery practice in this State. He was also Chancery reporter, and edited twenty-one volumes of the opinions of chancellors and vice-chancellors. He died January 29, 1905.

*Elmer Ewing Green* was the son of Caleb S. Green, grandson of Chief Justice Charles Ewing and nephew of Henry W. Green, chief justice and chancellor. He received his early education in the Trenton Academy and was graduated from the College of New Jersey in 1870. He studied law in his father's office and was admitted to the Bar in 1873. He was a member of the Common Council of Trenton from 1882 to 1885, and a trustee of the Theological Seminary at Princeton. He was one of the judges of the Court of Errors and Appeals, as was his father before him. He for many years was a director of the Trenton Banking Company and also acted as its counsel for a time. He was painstaking and able, as his opinions delivered in the court of which he was a judge clearly demonstrate, notably in the case of Mackenzie against Trustees of Presbytery,<sup>5</sup> in which he showed that what is known as the doctrine of cy pres obtains in this State, that is, that a fund for charity impossible of application according to the intention of the giver shall be applied by the court as nearly as may be according to his intention.

*Barker Gummere* won laurels at the Bar of this County and more particularly at the Bar of the State, for it was in the state courts-Chancery, Supreme Court and Court of Errors and Appeals-that he was most famous. In 1861 he was appointed clerk in Chancery by Governor Olden and was reappointed in 1866 by Governor Ward, serving for two terms, or ten years in all. During that time he practised but little, and not at all in the Court of Chancery, where, by reason of his clerkship, he was of course excluded from practice. He was not idle, however, but studied deeply in every branch and department of jurisprudence, so that when he returned to the activities of professional life in 1871, he was, perhaps, the most splendidly equipped lawyer ,in the State. All but the younger members of the Trenton Bar have had the pleasure of hearing this great man argue most weighty causes in the courts, and everyone who has heard him has been impressed with his profundity, logic, incisive reasoning and ability in marshalling and presenting the facts and the law of the controversy as they presented themselves to him. During later years he practised more after the fashion of an English barrister than an American attorney, that is, he did not meet clients or draw bills or answers in Chancery or declarations or pleas at law for them directly, but held consultations only with lawyers who associated him in their causes and he presented those causes to the courts upon instructions from solicitors and independent researches and investigations made by himself, a way of presenting causes to the higher courts most satisfactory to counsel.

No account of the Bench and Bar of Trenton would be complete without a mention of the life and character of *John P. Stockton*. A Jerseyman through and through, of a distinguished New Jersey family, he was not content to rest upon their laurels, but won distinction for himself. In 1857, when but thirty-one years old, he was appointed by President Buchanan to be Minister Plenipotentiary and Envoy Extraordinary to the Court of Rome. He held that position until 1861, when he returned to New Jersey and resumed the practice of law in Trenton. His father and grandfather before him had been United States Senators and he was elected to that exalted position by the Legislature in 1865, but was unseated after serving one year, because, while he had received a majority of the votes cast in the joint meeting of the Legislature, he had not received a majority of the votes of all the members elected to both Houses. He was, however, reelected to the Senate in 1869, and served a full term of six years, when he returned to Trenton and again resumed the practice of law. In 1877 he was appointed attorney-general and served in that capacity for twenty years. It was in this office, doubtless, that his greatest service to the State was rendered. During his term, grave questions of state policy, including the Act for the taxation of railroad companies, came under review in the courts and were ably advocated and successfully upheld by AttorneyGeneral Stockton. He was a man of simplicity of character, as most great men are, and of extraordinary eloquence, which most great men are not. He had a fine, almost picturesque presence and a most mellifluous voice, which, combined with his eloquence, made him one of the famous public speakers of his day and generation. After relinquishing the office of attorney-general, he practised law for a few years in Jersey City and died quite unexpectedly, revered and regretted by the people of New Jersey.

*John T. Bird* was born in Bethlehem, Hunterdon County, and studied law in the office of A. G. Richey in Trenton, but practised ,in Flemington where he became one of the leaders of the Bar.

Upon his appointment as vice-chancellor in 1882 Mr. Bird moved to Trenton and resided here until his death in 1911.

In 1882 there were but two vice-chancellors, Van Fleet and Bird, and there was no increase in the number until 1889. During the interim the business increased rapidly and it has been said that Vice-Chancellor Bird heard more cases and wrote a greater number of opinions than any other judge during the same number of years. He was an indefatigable worker, holding court, sometimes, every working day of the week and it was marvellous that he found time to write the numerous opinions he filed.

He was greatly respected by the entire community and esteemed as a conscientious judge, whose only aim was to do justice in the cases that came before him. Before his elevation to the Bench he took deep interest in political matters and was a member of Congress, taking a prominent part in the stirring congressional controversies of 1868 to 1872. After his retirement from the Bench in 1903 he resumed practice in Trenton. He died May 6, 1911.

*Garret D. W. Vroom* was born in Trenton on December 17, 1843. He read law with his father, Governor Peter D. Vroom, and was admitted to practice in 1868. His ability as a lawyer soon gave him a commanding position at the Bar of the County and of the State. In 1869 he was made city solicitor, and in 1870 was appointed prosecutor of the County of Mercer. In 1873 he resigned to accept the position of reporter for the Supreme Court, a position which his father had occupied before him, and between them they published fifty-six volumes of the *Supreme Court Reports*. He also, in conjunction with judge Stewart, prepared for publication the *Revision of the Statutes of New Jersey* in 1877, and ten years later assisted in the preparation of a supplement. In 1894 he and Judge Lanning published *The General Statutes of New Jersey*.

In 1881 Judge Vroom was elected mayor of Trenton and later, when the board of public works was created, he was made its president. An appointment to the Supreme Court was declined in 1900, but in 1906 he accepted an appointment to the Court of Errors and Appeals, which office he resigned in 1913 because of failing health. He was one of the organizers of the General Society of the Sons of the Revolution and was active in the Trenton Battle Monument Association. He had many and varied interests and was prominent in historical and patriotic associations, among them the Society of the Cincinnati.

He was an accomplished lawyer and a cultured gentleman, and was deeply interested in literature. His private library, one of the largest in the State, was filled with choice books and first editions. His work at the office done for the day, his recreation was in his home library. He not only loved books, but was a constant reader and had an intimate knowledge of their contents. He was especially fond of history and biography, and so extensive was his reading and his association with books of this sort that the great leaders and workers of the world became to him "living persons" and "brought him face to face with their subjects."

He was also a great lover of flowers, and his outdoor delight was found principally in the growing of roses. He had one of the finest collection of roses in the State, some of which were of old stock and planted by his father. Judge Vroom was famous as a collector of rare books and

autographed letters, and an industrious extra illustrator of interesting books. He died March 4, 1914.

*James Buchanan* was born in 1849 in Bucks County, Pa., and was no relation to the James Buchanan mentioned above. At the age of thirteen he removed to Trenton with his parents. He began working in a bakery and spent his nights in preparing himself for college, entering Princeton in 1872 and being graduated two years later. He studied law with Augustus G. Richey, was admitted to the Bar in 1877, and quickly gained recognition as a well-prepared and careful lawyer.

In 1882 Mr. Buchanan represented Henry H. Yard in the suit against the Ocean Beach Association in a claim to the ownership of valuable beachfront land in what is now Belmar. It was some ten years before a final decision in the case was reached by the Court of Errors.

In 1902 Mr. Buchanan was elected to the Common Council and served very efficiently. At the end of two years he was nominated for the office of mayor to oppose Frank S. Katzenbach, Jr., and was defeated.

In 1906 Chancellor Magee appointed him equity reporter and advisory master, which positions he filled with conspicuous ability and to the satisfaction of the entire Bar. Mr. Buchanan was always regarded as a thoroughly honest, capable lawyer who honored his profession, and his death was a distinct loss to the city and State. He died October 15, 1916.

*John T. Nixon* was first admitted to the Bar of West Virginia, and afterwards was admitted in New Jersey and practised at Bridgeton. He was a member of the Legislature in 1849-50 and speaker of the House the latter year; was elected to Congress in 1858 and in 1860 was an elector who supported Abraham Lincoln for President. In 1870 he was appointed judge of the United States District Court for the district of New Jersey and filled the position to the entire satisfaction of the Bar and the public generally until his death in 1889. He removed to Trenton upon his appointment and became prominent here in religious and educational matters. He was trustee of the College of New Jersey and was one of the founders and president of the Board of Trustees of the Lawrenceville School.

*Edward T. Green*, a nephew of Chancellor Green, was a lawyer of very high order of ability and became judge of the United States District Court in 1889. He was admitted in 1858 and for many years was general counsel for the Pennsylvania Railroad Company in New Jersey, a position in which he acquitted himself with great ability and success. He was a genial man, very social in his nature, and proved a very able and painstaking judge, but owing to his untimely death his career upon the Bench was brief and did not give him an opportunity to earn the distinguished reputation as a judge for which he seemed destined.

*William M. Lanning* was born in Ewing Township in 1849 and after graduating from the Lawrenceville High School in 1866 was a teacher in the public schools of Trenton and Mercer County until 1880, when he was admitted to the Bar as an attorney. A year after he was admitted he was chosen city solicitor and after serving three years was appointed judge of the District Court. He collaborated with judge Vroom in the publication of the *Supplement to the Revision of*

*the General Statutes of New Jersey*, and later compiled and published a revised edition of the general statutes. He was a public-spirited man, active in the church, a director of the Princeton Theological Seminary and a trustee of the Lawrenceville School, a member of the constitutional commission of 1894 and connected with and active in the conduct of several financial institutions of Trenton.

In 1902 Judge Lanning was elected to Congress and resigned after the first session in order to qualify as judge of the United States District Court of New Jersey. In 1909 he was promoted to circuit judge for the Third Judicial Circuit.

He was noted for the conscientious, painstaking way in which he performed every duty that devolved upon him, and to the important litigations in which he figured he devoted his entire time and energy. He died February 16, 1912.

*Samuel Duncan Oliphant* was born in Pennsylvania in 1824 and was graduated at Jefferson College in 1844 and the Harvard Law School in 1847. He was admitted to the Bar of Fayette County September 1847. With the exception of a few years' practice in Pittsburgh he practised at Uniontown until the breaking out of the War of the Rebellion. He commanded the 8th Pennsylvania Regiment and later the 14th of the Veteran Reserve Corps, participating in numerous engagements of the war, including all of the Seven Days' battles. In 1865 he was assigned to the command of the 2nd Brigade of the Garrison at Washington. He moved to Princeton in 1867 and resumed the practice of law in New Jersey. In 1870 he removed to Trenton and was appointed clerk of the United States Circuit Court for the District of New Jersey, which office he held until his decease in October 1904.

*George M. Robeson*, a distinguished Jerseyman, became a member of the Trenton Bar late in life. He came to Trenton in 1888 and died here nine years later. He was born at Oxford Furnace, Warren County, in 1827, was graduated from Princeton in 1847, studied law in the office of Chief Justice Hornblower at Newark and practised in Jersey City. At the age of twenty-six, while still a resident of Jersey City, he was appointed by Governor Newell prosecutor of the Pleas of Camden County. This occasioned considerable criticism, not on the score of Mr. Robeson's ability, but because the appointment was given to a non-resident of Camden. However, Mr. Robeson removed there and distinguished himself as a prosecutor. During the Civil War he was appointed Brigadier General by Governor Olden and took an active part in the organization of the state troops. In 1867 he was appointed attorney-general by Governor Ward. During his term as attorneygeneral he assisted the prosecutor in the various Counties in the trial of homicide cases and at one time there were seven persons in this State under sentence of death, whom he had prosecuted, including a woman who was later executed at New Brunswick. In 1869 he was appointed Secretary of the Navy by President Grant and held the office during both terms of that President. He was severely criticized during this period but his claim has always been that his policy as Secretary of the Navy laid the foundation of our modern navy. He was a very large man, which in connection with other striking personal traits made him a favorite with cartoonists. *Puck* had a cartoon with General Robeson almost every week and it is said that he was the most caricatured man of his day.



At the close of his term in the Cabinet he returned and practised law in Camden until his removal to Trenton eleven years later.

General Robeson was concerned in many important cases. He was a man of marked ability as a lawyer and as a statesman and was a most impressive public speaker. He took part in the litigation in the early '80's, following the attempted combinations on the part of some railroads, and appeared for the railroads when the constitutionality of the Railroad Tax Act of 1884 was raised in the Supreme Court and later the Court of Errors. He also appeared for the defendants in a number of murder trials, among them the Hunter case in Camden, one of the famous cases which attracted great attention because of its sensational features and the prominence of the people involved.

General Robeson served two terms in Congress and was practically leader during the entire time. Upon his defeat in 1883 he retired permanently from politics and devoted himself to the practice of law, at first in Camden and later in Trenton. He died in Trenton September 28, 1897.

### **Recent Losses**

Among the more prominent members of the Mercer County Bar who have recently passed away and who deserve at least a brief mention here are Linton Satterthwaite, who had a mind of keen analytical order and whose arguments before the Supreme Court on constitutional questions were always listened to with great respect; Francis B. Lee, a popular Trentonian better known as a local historian and publicist than as a lawyer; Francis C. Lowthorp, a man of culture, of a genial spirit and popular among his fellows; William J. Crossley, for several terms prosecutor of the pleas, an effective political orator and a criminal lawyer of recognized ability; John A. Montgomery, judge of the City District Court, witty, courteous and a quick dispatcher of business; James S. Aitkin, a forceful and progressive lawyer, highly esteemed by his co-workers and clients; Bayard Stockton, many years ago prosecutor of the pleas and at the time of his death chancery reporter, an able and painstaking lawyer, trustee for many estates with a large clientele in Princeton, than whom none was more highly esteemed and trusted; Barton B. Hutchinson, an active, highly respected, hardworking lawyer, member of the Assembly and of the Senate with a large and lucrative practice; and Carroll Robbins, advisory master and chancery reporter, a genial lawyer of great industry with a love for mathematics and intricate problems, who died suddenly, beloved by the Bar and the public generally. For many years he served on the School Board, and one of our largest schools is named in his honor.

### **The Bench and Bar Today**

The Bench and Bar of Mercer County continue today as in the past to uphold the fine traditions inherited from their predecessors. The time has not yet come to pass final judgment upon the leaders of the Bar now active in this community, but perhaps it is not too much to say that as a body the judges and lawyers of today are no less worthy of esteem than were those who flourished here in the past. Certainly there was never a time in the history of Trenton when a

larger proportion of high official positions were filled by men who live in Trenton and who for the most part are closely identified with the life and interest of their home town.

Two associate-justices of the Supreme Court of New Jersey, Frank S. Katzenbach, Jr., and Thomas W. Trenchard, are citizens of Trenton, and Edward L. Katzenbach, the present attorney-general, is also a Trenton man. United States district judges living here are John Rellstab and Joseph L. Bodine, and J. Warren Davis lives in close proximity to the city on the Lawrenceville Road. The chancellor of New Jersey, Edwin Robert Walker, now serving his third term in that high office, has lived in Trenton for most of his life, though he was born elsewhere. Vice-Chancellors John H. Backes and Malcolm G. Buchanan come of old Trenton families. All of these are public-spirited citizens and men of distinction in the community as well as legal lights of state-wide eminence. Most of them have made their professional careers in Trenton and have won their way to the positions which they now hold through ability and character displayed while practising at the local Bar.

To mention the names of Trenton lawyers active at the present time would be to call a roll of over one hundred and fifty practitioners, many of whom are on the way to success if they have not already attained it.

### **The District Court**

The District Court of the City of Trenton was established under the Act of 1877 to take the place of the Court for the Trial of Small Causes. The jurisdiction at that time was limited to two hundred dollars and was later increased to five hundred dollars; efforts have since been made to increase the limit to one thousand dollars.

Robert S. Woodruff was the first judge appointed and retained that position for about eleven years, until his promotion to the County Bench. He was followed by William M. Lanning who occupied the Bench until 1891. He was appointed by the joint session but in 1891 the law was changed placing in the hands of the governor the appointing power and Chauncey H. Beasley was appointed. He was succeeded in 1896 by John Rellstab who occupied the position until 1900, when he was promoted to the Court of Common Pleas and was succeeded by George W. Macpherson. Since that time Huston Dixon, John A. Montgomery, Charles H. English and J. Conner French, in the order named, have occupied the position of judge of that court.

The Court is noted for its expeditious way of disposing of business and has always been very popular with litigants.

### **The Federal Courts**

Sessions of the United States District Court were held in Trenton at an early date. The first judge was David Brearley, a resident of Trenton. He resigned the chief justiceship of the State of New Jersey to accept the office and died in 1790, after having occupied the place for less than a year.

No other resident of Trenton occupied the office until 1870 when Judge John T. Nixon, a member of the Cumberland County Bar, was appointed and removed to Trenton. Later, Trenton

was represented in the Federal Court by Edward T. Green and William M. Lanning, and at present John Rellstab and Joseph L. Bodine, both members of the Trenton Bar, occupy the Federal Bench.

### **The Court House**

Soon after the formation of the County of Mercer in 1838, steps were taken for the erection of a new Court House. There was some rivalry as to where it should be located. Lawrenceville, Hamilton Square, White Horse and the present location, then known as "Mill Hill" were suggested, and only after a spirited contest was it finally located at Broad and Market Streets. The old building with its large Corinthian columns was of pleasing architecture, and with the surrogate's office on one side and the clerk's office on the other, surrounded by large shade trees, made a very attractive and impressive picture. In 1863 a new jail was built and later the clerk's office was enlarged, but the old Court House, with its large courtroom, ventilated by ten large windows, continued to serve the public down to 1904, when it was torn down and the present building put in its place.



[FIRST MERCER COUNTY COURT HOUSE](#)

The first term of the courts of the new County was held in June 1838, and was presided over by justice Dayton. The court was attended by Sheriff Richard Jacques, County Clerk Richard H. Shreve, and Surrogate William P. Sherman. The Pleas were prosecuted by Richard S. Fields, the attorney-general, which was then the custom, although James Wilson had been appointed prosecutor of the new County.

No law judge was appointed to preside in this County until 1869 when Alfred Reed was named; he held the office for five years and was followed by James Buchanan who served one term and was succeeded by John H. Stewart who occupied the Bench until his death in 1890. Robert S. Woodruff followed him, presiding until 1900 when he was succeeded by John Rellstab, who, in 1909, was promoted to the United States District Court and was succeeded by Frederick W. Gnichtel who held the position until 1916 when the present occupant, Erwin E. Marshall, was appointed.

### **The Mercer County Bar Association**

The Mercer County Bar Association was established March 26, 1901. There had been associations in existence prior to that time but the need for organization was not felt and the meetings were irregular. Some years before the establishment of the present organization, the law students of the city formed an association known as the Kent Association which had regular

meetings to aid the students in the study of law, and had an annual dinner to which the members of the Bar were invited and which was largely attended by them.

On March 26, 1901, the Kent Association met for the last time and celebrated its last annual banquet at the Trenton House, and was then merged into and thereafter became known as the Mercer County Bar Association. The first officers elected were: President, John T. Bird; vice-president, Robert S. Woodruff; secretary, Frederick W. Gnichtel; and treasurer, Frederic L. Hulme. The following constituted the board of trustees: Bayard Stockton, Frank W. Katzenbach, Jr., John H. Backes. Edwin Robert Walker and James Buchanan.

### *III. Some Notable Cases Tried In Trenton*

AS THE capital of the State and, in later years, as an increasingly active industrial, commercial and financial center, it is only natural that Trenton should have been the scene of many an important or intensely interesting bit of litigation. The old records of trials and decisions offer, indeed, countless examples of cases which are of more than passing interest particularly to a lawyer. There remain, on the other hand, many cases of historical and general interest, but the exigencies of space permit the recording of only a few and the brief summaries which are given below by no means exhaust the record of notable trials which have taken place in Trenton and which might well be referred to here.

#### THE TENNENT CASE, 1741

The trial of William Tennent for indictment in 1741 probably aroused more lasting interest than any other case tried in New Jersey. For more than half a century after the occurrence and long after the death of the active participants, the oral version was current among the people and constantly repeated, with emphasis on the appealing features, until it finally saw print as a distorted account of what was originally quite an ordinary trial, interesting at the time because it involved two well-known and prominent ministers of the day. It grew out of what was evidently a case of mistaken identity, the witnesses for the original defendant being themselves tried on the charge of perjury.

One Tom Bell, a well-known character, notable in New Jersey and the neighboring Colonies for all sorts of lawless escapades, was mistaken one evening in Princeton by John Stockton for the Rev. John Rowland, a prominent Presbyterian minister. He disclaimed the honor, but immediately realized the possibilities that the resemblance offered for profitable adventures.

Almost without delay, he repaired to a parish in Hunterdon County, where Mr. Rowland was only slightly known, and introduced himself to a prosperous farmer as the famous itinerant evangelist. He was cordially received, and was invited to supply the vacant pulpit of the parish on the following Sabbath. When the day came and the family and the supposed preacher were on the way to church, the latter announced that he had forgotten his sermon. The head of the family thereupon placed the speedy horse upon which he was riding at Bell's disposal. Bell returned to the empty house, rifled it, and with horse and booty sped away to parts unknown.

Complaint against Mr. Rowland was presented to the Hunterdon County grand jury. Twice the jury came in with no indictment, but the judge sent them back for a third deliberation, when a true bill was returned. The utmost efforts were put forth to secure witnesses for the prosecution. Those to whom Bell (with the horse in his possession) had introduced himself as Rowland, were subpoenaed.

The case came to trial in the Court of Oyer and Terminer, Trenton, June 15, 1741. The defense was an alibi. The Rev. John Rowland, the defendant, testified that at the time the horse was stolen, he, the Rev. William Tennent, Jr., and two laymen were on an evangelistic tour in a neighboring Colony. Mr. Tennent, Benjamin Stevens and Joshua Anderson, the two laymen in question, all testified to this fact, and there was nothing for the jury to do but to bring in a verdict of acquittal.

### **The First Verdict Fails to Settle the Matter**

But this did not settle the matter. The owner of the horse was sure that it was Rowland who robbed him, and there were many people who were just as positive. The chief justice and his friends claimed that the ends of justice had been defeated by perjury, and that, too, on the part of the pastor of the largest church in the Presbytery, and they determined to take further legal action in the matter.

The Presbytery was arrayed in two hostile camps during the summer and great excitement prevailed. The indictments against Tennent and Stevens were found in the Court of Quarter Sessions for Hunterdon County, August 6, 1741.

The story of the trial appeared in print for the first time in "The Life of Rev. William Tennent," published in *The Assembly Magazine*, March 1806, of which Dr. Elias Boudinot was editor, and was incorporated in Alexander's *Log College*, published in 1845, where it was given wide publicity. The memoir was largely the work of Dr. Thomas Henderson, a ruling elder of Old Tennent Church, a son of John Henderson, who was ruling elder of the same church for a greater part of the pastorate of the Rev. William Tennent. Dr. Henderson gathered the facts of the trials and the incidents connected therewith from his parents, who in their turn had been intimately associated with Mr. Tennent all through the trying ordeals. It is surmised that Dr. Boudinot also received data from his father-in-law, John Stockton.

At the time of the publication all the participants had passed away, and Dr. Thomas Henderson, who was born in 1743, had no personal knowledge of the facts.

Under these conditions, it will readily appear that there was abundant opportunity for the traditional element to have full sway. The story had been handed down from one to another, each, no doubt, adding to the original account until the facts were lost sight of, and supernatural features brought into prominence.

## Supernaturally Summoned Witnesses

The most interesting portion of the Henderson-Boudinot account is that relating to the happenings on the morning of the Tennent trial, when his legal advisers met, apparently to begin preparations for the defense of their client. What took place at that time, as related in the *Log College*, which is taken from the original publication of the story in 1806, follows:

Upon inquiry as to what witnesses he had, Mr. Tennent answered that he did not know of any witnesses but God and his own conscience. Mr. Coxe replied: "If you have no witnesses, sir, the trial must be put off; otherwise you most certainly will be convicted. You well know the strong testimony that will be brought against you, and the exertions they are making to accomplish your ruin." Mr. Tennent replied: "I am sensible of all this, yet it never shall be said that I have delayed the trial, or been afraid to meet the justice of my country. I know my innocence, and that God whose I am, and whom I serve, will never suffer me to fall by these snares of the devil, or by the wicked machinations of his agents or servants. Therefore, gentlemen, go on to the trial."

Mr. Tennent left the conference and then, according to the original narrative, through witnesses apparently produced by supernatural means, the minister was acquitted. The statement which follows is apparently as it passed current for more than half a century and as it first appeared in print in 1806:

"Mr. Tennent had not walked far in the street, before he met a man and his wife, who stopped him and asked if his name was not Tennent. He answered in the affirmative and begged to know if they had any business with him. The man replied, 'you know best.' He told his name, and said that he was from a certain place in Pennsylvania or Maryland; that Messrs. Rowland, Tennent, Anderson and Stevens had lodged either at his house, or in a house where he and his wife had been servants (it is not now certain which) at a particular time, which he named; that on the following day they heard Messrs. Tennent and Rowland preach; that some nights before they left home, he and his wife waked out of a sound sleep, and each told the other a dream which had just occurred, and which proved to be the same in substance, to wit, that he, Mr. Tennent, at Trenton, was in the greatest possible distress, and that it was in their power and theirs only, to relieve him. Considering it as a remarkable dream only, they again went to sleep, and it was twice repeated, precisely in the same manner, to both of them. This made so deep an impression on their minds, that they set off, and here they were, and would know of him what they were to do. Mr. Tennent immediately went with them to the Court House, and his counsel, on examining the man and his wife and finding their testimony to be full to the purpose, were, as they well might be, in perfect astonishment. Before the trial began, another person, of a low character, called on Mr. Tennent, and told him that he was so harassed in conscience, for the part he had been acting in this prosecution, that he could get no rest till he had determined to come and make a full confession. He sent this man to his counsel also. Soon after, Mr. Stockton from Princeton appeared, and added his testimony. In short, they went to trial and satisfied the jury so perfectly on the subject, that they did not hesitate honorably to acquit Mr. Tennent, by their unanimous verdict of not guilty, to the great confusion and mortification of his numerous opposers."

## Many Important Details Lacking

The whole affair makes a good story with dramatic possibilities. At the same time it ignores many details, which would have added to the interest. The parish in Hunterdon County where Mr. Rowland, the travelling preacher, was only slightly known-the name of the prosperous farmer who was deceived and robbed by Tom Bell-the place where Tennent and Rowland were preaching-the names of the witnesses who were summoned by the remarkable dream-all these matters must have been well known at the time of the trial but are evidently regarded as not worthy of mention. Yet, notwithstanding these omissions of important details, there is ample basis for the story as shown by the records of the Supreme Court.

An examination of the facts by Richard S. Fields, Esq., of Princeton, afterwards judge of the United States District Court, and a further exhaustive study of the records by Chancellor Henry W. Green, lead to the conclusion that Tennent was represented by eminent and able counsel, men of the highest standing in the community. The case was regarded as an attempt to persecute an eminent minister, and his lawyers, actuated by their religious zeal and their regard for the honored pastor of the oldest church in the Presbytery, took all the steps necessary to bring out the truth in the case before the court. This is amply supported by the records of the court.

The conclusion reached by Richard S. Fields, Esq., is:

"On the whole, I am strongly inclined to believe, notwithstanding the affair from the beginning to end was not a little extraordinary, yet that there was nothing in it which may not readily be accounted for upon natural principles."

In 1868, Chancellor Green examined the old records still on file with the Supreme Court and rejects the idea that counsel went to trial without a thorough preparation and asserted "with perfect confidence" that the acquittal of William Tennent "was not effected by supernatural means, and that the attendance of the witnesses was not procured by a dream."

Whatever it was that actually happened, the fact remains that the Presbytery had been kept in turmoil for over a year and the verdict was hailed as a signal triumph over "the sons of Belial."

THE TRENTON DECREE, 1782, IN THE PENNSYLVANIA-

CONNECTICUT DISPUTE

In 1782 Trenton was selected as the meeting place of a Court of Commissioners appointed by the Continental Congress to hear and determine the controversy which involved a claim on the part of Connecticut to the jurisdiction and ownership of a considerable portion of northern Pennsylvania. The case was one of the most important ever tried in this city; the parties were two sovereign States and thousands of square miles of fertile land, now part of the State of Pennsylvania, were under dispute.

The decision in the case is known as "The Trenton Decree" and terminated a controversy which had been pending since 1757 and which caused intense ill-feeling between the two Colonies, with actual war for a considerable portion of that period.

In order to make the matter clear, it is necessary to go back more than a century previous, when the lands in the eastern part of this continent were parcelled out by the British Crown. The grants were usually in generous terms, but vague in description and with frequent overlaps, due to ignorance of the geography of America.

Under a charter issued in 1662 Connecticut received the land now embraced within the northern and southern boundaries of Connecticut and extending from Narragansett Bay on the east to the "South Sea" on the west. The charter excepted any land then under the dominion of any other Christian Prince or State, and assuming the South Sea to be the present Pacific Ocean, the charter gave the State of Connecticut a well-founded claim to a strip of land extending westward to the Pacific excepting only a strip of New York State. Connecticut also claimed priority by reason of a deed from the Indians in 1754, and by actual settlement in 1762. In 1681 the same King who issued the Connecticut charter granted a charter to William Penn for a tract of land which had for its northern boundary the 42nd degree of latitude, thus overlapping by one degree the grant made nineteen years before to Connecticut. For nearly a century Connecticut made no active claim to the land and it was only after all the territory within her undisturbed boundary had been preempted that she turned her eyes to the west.

The proprietors of Pennsylvania maintained that when their charter was granted, the eastern boundary of New York State had been decided by the attorney-general of England to be the western boundary of Connecticut, and that this decision restored the lands westward to the Crown and laid them open to a new grant. Although Pennsylvania did not purchase from the Indians until 1768, and did not effect any settlements until a year later, she claimed that Connecticut obtained its deed by fraud, that undue influence was resorted to and that rum played an important part in inducing the Indians to execute the instrument.

Pennsylvania never admitted the claim of her sister Colony and ignored the grants made by Connecticut by making grants of the same lands to her own citizens. This led to conflicts between the settlers, at first confined to the land-owners themselves, but later some bloody clashes took place between the official representatives of the two States. In some cases settlements were completely destroyed. The settlers from Connecticut were called "Yankees" and those who claimed under grants of Pennsylvania were "Pennamites," and thus is derived what is known in history as the "Pennamite War."

Governor Hamilton of Pennsylvania issued a proclamation warning the trespassers off and enjoined all state officials to prosecute and bring to justice the intruders. He communicated with the governor of Connecticut who was firm in his position and refused to vacate. The Indians became threatening and in 1763 they fell upon all settlers alike and massacred them indiscriminately.

### **A State of Actual Warfare**

Actual warfare existed for about three years and the Connecticut men were assisted by some citizens of Pennsylvania who sympathized with them, claiming they were the victims of land speculators and that whatever Pennsylvania did they should recognize the titles as legitimate.



In 1773 commissioners were appointed by Connecticut to treat with the commissioners of Pennsylvania but nothing was accomplished and Connecticut boldly extended her authority by establishing local governments and assuming active control. During the Revolution there was a lull in the strife between the two States and both turned their attention to meet the common foe, but as the Revolutionary War drew to a close, preparations were made to continue the controversy. Instead of resorting to force, Pennsylvania took advantage of a section of the Articles of Confederation, which provided that the "United States in Congress assembled shall be the last resort of appeal in disputes and differences now subsisting or that may hereafter arise between two or more States, concerning boundaries, jurisdiction or any other cause whatever."

The petition was presented to the Continental Congress, which at once took cognizance and sent notice to Connecticut. After some delay an agreement was reached under which William Whipple of New Hampshire, Nathaniel Greene of Rhode Island, David Brearley and William Churchill Houston of New Jersey, Cyrus Griffin and Joseph Jones of Virginia, and John Rutledge of South Carolina were appointed commissioners to try the matter. Later it was learned that General Greene and John Rutledge could not attend and Thomas Nelson of Virginia and Welcome Arnold of Rhode Island were substituted. Congress approved the selection and constituted a Court of Commissioners. The two members from New Jersey, David Brearley and William Churchill Houston, were both members of the Bar and residents of Trenton.

### **The Commission's Decision**

The commission met in Trenton on November 12, 1782, and continued in session until December 30 following, and the case was presented by able counsel from Connecticut and Pennsylvania. The court declined to order notice to be given to the settlers who claimed the land, holding that the right of the soil did not come before them; that the question they were empowered to decide was solely that of jurisdiction. With this preliminary ruling and after hearing the arguments of counsel, the Court on Monday, December 20, 1782, gave its decision in these words:

"We are unanimously of opinion that the State of Connecticut has no right to the lands in controversy. We are also unanimously of opinion that the jurisdiction and preemption of all the territory lying within the charter boundary of Pennsylvania, and now claimed by the State of Connecticut, does of right belong to the State of Pennsylvania."

The "Yankee" settlers accepted the result as determining only the question of jurisdiction and not the title or right of the soil. They acquiesced in the verdict since their understanding was that they were not to be disturbed in their holdings. In this Pennsylvania did not agree, and when they learned that the troops sent to the Wyoming Valley to guard them against Indians were also present to protect the settlers under Pennsylvania titles as against those derived from Connecticut, the conflict was reopened. But it was the beginning of the end. The Connecticut settlers were compelled to go. Entire families were turned out of their homes and reduced to destitution and compelled to leave the Wyoming Valley. They suffered great hardships as they were driven by the troops some eighty miles from the Wyoming to the Delaware Valley. Their harsh treatment produced a reaction in Philadelphia and throughout Pennsylvania. Later it was learned that the commissioners in rendering "The Trenton Decree" also wrote a letter suggesting

to Pennsylvania that the settlers from Connecticut be permitted to remain undisturbed in their possession until proper steps could be taken to decide the controversy respecting the private right of soil. Public opinion was aroused and checked the further eviction of the settlers. Pennsylvania was criticized because of the treatment of the settlers and Connecticut because she retired from the controversy, leaving her settlers to fight for the land which they had purchased from their State.

In 1787 the matter was compromised by granting to the settlers seventeen townships in which settlements had been made before the decision was rendered, they to relinquish their claims to the other lands. This and the passage of a number of Acts by the Pennsylvania Legislature, and the appointment of a commission, finally adjusted the matter.

Although this commission was established by the Continental Congress, under authority of the Articles of Confederation to arbitrate and settle a controversy between what were then independent sovereign States, and despite the importance of the issue, very little mention of the matter is made in history. It evidently made very little stir in Trenton, because no mention of it is found in the early histories.

#### HENDRICKSON V. DE COW, 1832

It is not often that a court of justice is called upon to inquire into the doctrines and opinions of a religious society for the purpose of deciding whether they are right or wrong. A court is without power to make such inquiry for the purpose of enforcing any particular belief, but may inquire into it when substantial rights are involved. This was first decided in 1832 in a famous case known as Hendrickson v. De Cow which grew out of a difference of religious views in the Society of Friends. The basis of the action was as follows:

#### **Basis of the Action**

It appears that in 1827 there was a division in the Society of Friends; one party became known as the Hicksites, and the other as the Orthodox. The latter were connected with what was known as the Arch Street Yearly Meeting of Friends of Philadelphia; and the Hicksites, by whom De Cow was appointed, were connected with the Greene Street Meeting. At some date prior to the division, the Society of Friends of Chesterfield had made a loan to Thomas L. Shotwell who in turn had made a mortgage to Joseph Hendrickson, the treasurer of the School Fund of the Meeting. When the time came for the foreclosure of the mortgage, Shotwell admitted the debt but asserted that he had been warned that Hendrickson was no longer treasurer of the fund and that Stacy De Cow, as his successor, claimed the money represented by the bond and mortgage.

The matter came into the Court of Chancery, both parties claiming to represent the ancient Society of Friends and as such entitled to the fund, and it was submitted to the chancellor to decide the true ownership. The chancellor had been counsel for one of the parties and declined to hear the case. He called to his aid Chief Justice Ewing and Associate Justice George K. Drake who sat as advisory masters. It was argued by most distinguished counsel and in the most elaborate manner. George Wood and I. K. Williamson appeared for the Orthodox, and G. D. Wall and S. L. Southard represented the Hicksites.

A week was consumed in the argument and in the reading of the testimony, which filled two large volumes. The case involved questions of law, of fact, and of theology. The argument took place in Trenton and the courtroom was crowded by the interested parties. Chief Justice Ewing, after a thorough and careful examination of the testimony and the arguments, and an investigation into the beliefs and differences of the parties, decided that the Arch Street Meeting was the Philadelphia Yearly Meeting of the Society of Friends, and that the Greene Street Meeting was not, thus upholding the Orthodox Friends. He declined to pass on the religious difference, if any, between the two parties, but, as a matter of law, decided in favor of the Orthodox party.

Judge Drake also wrote a long opinion in which he said that the division was based on a difference of religious views, which he examined at great length, and finally came to the conclusion that the large fund was established by the Orthodox Society by members who had no thought of diverting it into the hands of men who entertained views differing from those entertained by the contributors. He declined to express any opinion with regard to the doctrines entertained by the Hicksites, but held that, under the law, the fund should be awarded to the Meeting which had shown that they agreed in doctrine with the Society of Friends as it existed at the origin of the trust.

#### **Decision of the Court of Appeals**

The case was finally taken to the Court of Appeals presided over by Chancellor Seeley, who was the governor, and argued in July 1833. The decree of the Court of Chancery was affirmed, and in announcing the result Governor Seeley read a carefully prepared recommendation suggesting that the litigants should make an amicable compromise in regard to the property in dispute and the other property held by the Society. This was later carried out by a special Act passed February 11, 1836, which provided that the rights, estates and property of the incorporated Society of Friends should not be hurt, "endamaged" or affected by the division, secession or separation, which had occurred in the Society; that the personal and real estate should be divided equitably and ratably in proportion to the number of members who had joined or attached themselves to either of the said parties; and in case they could not agree upon such division, application might be made to the Court of Chancery for a proper division, and that such property should be held upon the same trusts, upon which the property was theretofore held. That the burial grounds were to be held forever in common for the burial of members of either side, and their descendants.

In pursuance of the provisions of the Act, the matter was compromised by the Society of Friends, some of the meeting houses, notably those in Trenton, Mansfield and Crosswicks were transferred to the possession of the Hicksites, but the funds were retained by the Orthodox.

#### **THE GOODYEAR RUBBER CASE AND THE VISIT OF DANIEL WEBSTER, 1852**

In March 1852 the case of the Goodyear Rubber Company v. Day was argued in the United States Circuit Court, and it brought to the city two very eminent men, -Daniel Webster, who was then filling the office of Secretary of State in the Cabinet of President Fillmore, and Joseph Choate, one of the greatest of American lawyers.

While the appearance of cabinet officers before the federal courts in private litigation would hardly be tolerated now, it was not uncommon in the early days. Webster at the time was heavily in debt, and as he stated in a letter to his son, he welcomed the ten thousand dollar fee he received to help him pay his creditors.

His appearance in Trenton aroused great interest. The Federal courtroom, at the State House, was too small to accommodate the great numbers wishing to hear him, and judge Grier adjourned the trial to the County Court House. The streets surrounding the Court House were thronged with eager admirers and a reporter of the local paper complains that when he arrived there at eleven o'clock the crowd was so great that he was unable to gain admittance.

### **Political Differences Ignored**

Although Mr. Webster at that time held the office of Secretary of State under a Whig administration, and expected the nomination for the presidency at the convention of the Whig Party which was to be held the following June, the citizens of Trenton, including the Democratic governor and the Democratic Legislature, ignored political considerations and gave him a hearty welcome as a great American. A committee, consisting of members of the Legislature and of the Judiciary, members of the Bar and citizens generally, was formed to tender him a dinner, and the invitation with the signers and reply of Webster makes interesting reading at this time

To the Hon. Daniel Webster:

"Sir: The subscribers, members of the Legislature and the Bar of New Jersey, and citizens of Trenton, learning that professional engagements would detain Mr. Webster a few days in this city, embrace the occasion without political distinction, to manifest to him their high sense of his character, abilities and services, by inviting him to partake of a public dinner, at such time during his sojourn amongst us, as will best suit his convenience.

We have the honor to be,

With great respect,

your most obedient servants"

G. A. Perdicaris, James Ewing, Phil. Dickinson, Jos. C. Potts, Sam'l R. Hamilton, Charles L. Pearson, Mercer Beasley, Wm. L. Dayton, William Brown, John Huyler, E. S. Doughty, John A. Boyle, John C. Beardsley, Wm. H. Conover, W. C. Alexander, Abr'm Hopper, Silas D. Canfield, John Manners, Jos. F. Randolph, A. O. Zabriskie, G. S. Cannon, James Applegate, Josephus Shann, James S. Bell, E. T. Carpenter, Stephen Congar, Alex M. Johnston, Josiah N. Bird, John J. Jackson, Wm. Halsted, William Pennington, John Hopper, A. S. Pennington, Beach Vanderpool, R. S. Field, Samuel Mairs, Charles Sitgraves."

Mr. Webster replied

"Trenton, N.J., Mar. 24, 1852.

"Gentlemen: I cannot well say how much honored I feel myself to be, in receiving an invitation from members of the Legislature, the Bar of New Jersey, and citizens of Trenton, without political distinction to accept from them a public dinner as a token of their respect. In the list of names attached to this invitation, I find those highly distinguished in public life, on the Bench and at the Bar, and as well known and as highly respected out of the State as within it. With many of them, it has been my good fortune to be associated in the counsels of the country, in the course of a public life not now a short one; and this renders the expression of their regard the more highly acceptable and grateful. But I am obliged to say, gentlemen, that my engagements do not allow me to avail myself of your kindness. I am here only for the purpose of fulfilling a professional obligation of long standing and as soon as the duty can be performed, I shall feel bound to return to Washington. Allow me, gentlemen, to thank you cordially for your kind invitation, and to assure you that it does now and will always give me sincere pleasure to renew and strengthen my friendly intercourse with those of you whom I have heretofore known and to cultivate the acquaintance of others, to whom I am as yet personally a stranger. I have the honor to be, Gentlemen,

Your very obedient servant,

Daniel Webster.

Webster's declination, however, did not prevent another form of public honor tendered him. For on the same day at noon he was given a reception by Governor George F. Fort and the Legislature. The committee appointed waited upon him at his hotel and escorted him to the House of Assembly where he was presented to the Speaker and the members of the House. Mr. Zabriskie, the spokesman, welcomed him in a brief, formal address to the legislative halls of the State of New Jersey, and Webster, after the applause of greeting had subsided, replied in kind.

### **Goodyear Patent Upheld**

The case of Goodyear v. Day which was the reason for Webster's presence in Trenton was brought to test the validity of Goodyear's rubber patent.

Charles Goodyear had been experimenting with rubber for over a decade, and during his experimental period he had spent not only his own money, but the money of others, and for sometime was confined to a debtors' prison which, in a letter written therefrom, he referred to as "this hotel, which, after all, is perhaps as good a resting place as any this side of the grave." At last, however, he discovered the real secret and in 1844 obtained a patent covering the process for vulcanizing India rubber, which soon became a useful and important product. The principal elements in Goodyear's discoveries were the application of certain chemicals and of a greater amount of heat than had formerly been employed.

Goodyear claimed that his patent had been infringed by Day, and to this a defense was made that Goodyear was not the first inventor, and that the patent was void. The case was brought to trial in Trenton during the month of March, 1852. Webster, in the course of his argument, had occasion to make personal allusion to Goodyear as follows

"I believe that the man who sits at this table, Charles Goodyear, is to go down to posterity in the history of the arts in this country, in that great class of inventors, at the head of which stands Robert Fulton; in which class stand the names of Whitney, and of Morse, and in which class will stand 'non post longo intervallo,' the humble name of Charles Goodyear."

The years since then have proved that Webster was a good prophet. He himself proved at the time that he was a good lawyer, for though his opponent was the distinguished and brilliant Joseph Choate, Webster was successful and the Goodyear patent was upheld.

#### THE LEWIS MURDER CASE, 1863

Charles Lewis, a large man, powerfully built, and a mysterious character, had murdered a man named Rowand, a jeweller in Princeton, and had robbed his store. He was captured in Millstone upon being identified by Robert S. Woodruff, later judge of the Court of Common Pleas of Mercer County, who happened to be there at the time and had read of the murder. From the description given of the murderer, he recognized him in the hotel at that place and gave the alarm; Lewis was taken into custody by a couple of constables and a search of his room discovered evidence which materially helped in securing his conviction.

In the trial of Lewis the State was represented by the then prosecutor, John F. Hageman, and the illustrious Frederick T. Frelinghuysen, the attorney-general, who was later United States Senator and Secretary of State. Lewis, on the other hand, was not wanting in friends who had the means to procure for him able defenders. He was represented by a New York lawyer named Dunphy, who bore a formidable reputation, and associated with him was an English barrister named Edwin James, who practised in New York for a few years and then returned to England. Attorney-General Frelinghuysen's conduct of this case was characterized by Mr. James as one of the ablest forensic endeavors that he had ever witnessed.

The evidence against the defendant was wholly circumstantial, but quite convincing, and the jury promptly returned a verdict of guilty and the man was executed in April 1863, the first criminal executed in Mercer County. So mysterious was Lewis, and so obviously able to procure the best of talent for his defense, which gave evidence of his having powerful friends, that the belief was widespread that a rescue might be attempted at the time of his execution. To prevent this, Company A of the New Jersey National Guard was placed on guard at the Court House. The execution, however, took place without a hitch and the culprit was afterwards photographed in his coffin, some of the photographs being extant and in the possession of Trentonians at the present time.

Although in those days murder trials were not "played up" by the newspapers to such a degree as is the custom of the present era, in its day and generation the Lewis case aroused an exceptionally active general interest and long held its place in the public eye.

## ***Medicine and Doctors***

by Lewis Levin, M.D.

Prepared at the request of F.W.G.

In the early years of its history Trenton, in common with the rest of New Jersey, had only a limited number of men who had received medical training in Europe. The profession here as elsewhere was composed chiefly of men who, without liberal education, lived a year or two with a practitioner of any sort, read the few books within their reach, and then assuming the title "doctor" set themselves out as competent to cure disease.

Well up to the middle of the eighteenth century "doctoring" in the sparsely settled districts was considered a trade and not a profession. It was only in the larger towns and cities that some of the physicians were intelligent in their practice.

During the French and Indian War association with British medical officers who accompanied the troops and established military hospitals in the Colonies served to raise the standard of local American physicians, who prompted by the evident superiority of the British surgeons took occasion to read their books, to inspect their military hospitals, to observe their practice and to learn from their experience.

### **The State Medical Society Organized**

After the organization of the New Jersey Medical Society in 1766, a change for the better in medical education took place. One of its first acts was to ordain that no student be taken as an apprentice unless he had a competent knowledge of Latin and Greek. No member of the society was permitted to take an apprentice for less than four years, three of which had to be spent with the master and the fourth, if desired, in some school of physic in Europe or America.

It is interesting to note that in 1795, and again in 1825, Princeton College entertained plans for the establishment of a medical school. In both instances the project failed of accomplishment.

In 1771 the New Jersey Medical Society petitioned the Colonial Legislature to enact a bill, "regulating the practice of medicine." This bill was passed in 1772 and provided for the licensing of physicians by judges of the Supreme Court following an examination before a board of medical men. The standards of attainment were raised, students were stimulated to greater study, and quackery met with a serious setback.

In 1818, under an amended charter received from the Legislature, the society's parliamentary proceedings were carried on by delegates chosen from each County. It was not, however, until 1848 that the District Society of Mercer County was formed. Under the direction of the Medical Society of the State of New Jersey, Drs. John H. Phillips, Henry P. Welling, James B. Coleman, John McKelway and Francis A. Ewing, all residents of Mercer County, formed themselves into a society called the District Medical Society of the County of Mercer.

Dr. McKelway was chosen its first president, Francis A. Ewing, vice-president, John H. Phillips, secretary, and George R. Robbins, treasurer. Dr. James B. Coleman was appointed to deliver the first essay before the society.

### **Mercer County Society Establishes Censor**

In January 1849 a board of censors was organized with James B. Coleman as senior censor. To each member of the board a specific subject was assigned for the examination of candidates for membership: George R. Robbins, anatomy and physiology; John McKelway, surgery and practice of medicine; James B. Coleman, chemistry and pharmacy; and John H. Phillips, materia medica, midwifery, diseases of women and children. That the censors were capable of censoring as well as licensing is indicated by their recommendation to the district society and the Medical Society of New Jersey, advising the revocation of the license of Dr. James B. McClintock of Trenton because of his connection with a firm manufacturing medicines from secret formulae.

### **The Society Grows in Membership and Influence**

In October 1855 the society recommended to the city that a city hospital be established.

The succeeding years found the society growing in membership and influence. It maintained a strict code of ethics, expelling those of its members who strayed from its principles. Several members of the society served with the Union forces during the Civil War. Their dues to the society were remitted because of that service.

Dr. David Warman was an active member and read several papers of interest. One of these, called "Female Physicians," regarded women as particularly unfitted for the profession. Dr. Warman, in November 1870, read a paper on the need of a hospital in Trenton and offered a motion, which was carried, approving the efforts of the German Catholics of the city who were then fostering a movement to build a hospital, which later became St. Francis' Hospital. A city dispensary was recommended and a charter was obtained by Dr. Warman in May 1871.

The Mercer County Medical Society has continued actively under the same principles bequeathed to it by its founders. It has a present membership of about one hundred twenty-five out of a total number of physicians practising in Trenton of about one hundred sixty.

' The officers are: Dr. R. B. Seely, president; Dr. Joseph S. Vanneman, vice-president; Dr. Dunbar Hutchinson, secretary; and Dr. Harry North, treasurer.



## Biographical Sketches of Some Early Physicians

Following are short biographical sketches of some of the more eminent physicians who have practised in Trenton. It would be manifestly impossible to include all even of the prominent doctors in the limited space allotted to this subject.

*Thomas Cadwalader*, the first burgess of Trenton and a physician of eminence in his day, was born in 1707, son of John Cadwalader, a Welshman who came to America in 1699 with William Penn. His medical education consisted of two years study with his uncle, Dr. Evan Jones, after which he studied at the Royal College of Surgeons at London, graduating in 1730. For another year he studied anatomy under Cheselden.

Dr. Cadwalader was a believer in inoculation for smallpox and did much to popularize the practice in Trenton and Philadelphia. In 1745 he wrote a paper entitled, "An Essay on the West India Dry Gripes," which was published by Benjamin Franklin.

Dr. Cadwalader was elected the first burgess of the Borough of Trenton, in 1746. That he was interested in educating the masses is shown by his donation of £500 for the founding of a public library in Trenton.

He was a teacher as well as a practitioner of medicine, delivering what were probably the first lectures in America on anatomy in 1752. In 1769 upon the founding of the present American Philosophical Society he was chosen one of its vice-chancellors, an office he filled until his death which occurred on November 14, 1779. He is buried in the Friends' Meeting burying ground on East Hanover Street.

*William Bryant* was a son of William Bryant, a commander in the merchant service between New York and London. Dr. Bryant was a successful practitioner in Trenton. At the time of the Revolutionary War he was well advanced in years. In 1778 he made the acquaintance of Dr. Nicholas de Belleville, becoming greatly attached to this brilliant young Frenchman. He persuaded the physician to seek his release from the military service and settle in Trenton. Thereafter Dr. de Belleville and Dr. Bryant were associated together in the practice of medicine. For further particulars, see the sketch in Chap. II, "Trenton and Trentonians in the Revolutionary Era."

Dr. Bryant died in 1783. His will provided generously for all of his relatives, indicating that for his times he was a rich man.

*Isaac Smith* was born in 1740. He graduated from Princeton in 1755 and tutored there in 1757. At the outbreak of the Revolutionary War he was commissioned Colonel, First Regiment, Hunterdon County Militia. He resigned to accept the appointment as justice of the Supreme Court of New Jersey, February 15, 1777, which office he held for eighteen years. He was then elected to Congress. These public duties forced him to withdraw from the practice of medicine though he retained interest in his profession as shown by his regular attendance at the meetings of the medical society. He had joined the Medical Society of New Jersey in 1767. For further

particulars, see his sketch in Chap. II, "Trenton and Trentonians in the Revolutionary Era." He died August 29, 1807.

*John Beatty* was born December 19, 1749, in Hartsville, Pa., the son of a clergyman, and the grandson (on his mother's side) of John Reading, Colonial governor of New Jersey, 1746-47 and 1757-58. He was graduated from Princeton in 1769, and studied medicine under Dr. Benjamin Rush, of Philadelphia. He practised first in Princeton. In 1774 he married Mary Longstreet of Princeton, who died in 1815. Dr. Beatty's second wife was Catherine Lalor, widow of Jeremiah Lalor and daughter of Barnt De Klyn. She died in 1861, at the age of eighty-eight years.

Dr. Beatty enlisted in the Revolutionary army in 1775. He rose quickly from Captain and then Colonel in 1776, to Commissary General of prisoners, 1778 to 1780, at which time, with peace assured, he resigned. He returned to his practice in Princeton. At the close of the war Dr. Beatty was elected the first president of the Medical Society of New Jersey upon the resumption of its meetings. In 1795 he was elected secretary of State (serving for ten years) and removed to Trenton, occupying a residence at what is now 205 West State Street.

Dr. Beatty held many public offices. He was New Jersey delegate to the Continental Congress 1783-85 ; representative of Middlesex County at the State convention ratifying the Federal Constitution, 1787; speaker of the Assembly, 1789, delivering at that time in behalf of the New Jersey Legislature a congratulatory address to General Washington upon his election as President; member of Congress, 1793 ; and secretary of State of New Jersey, 1795-1805.

He was superintendent of the construction of the bridge between Bloomsbury (later South Trenton) and Morrisville, Pa. In 1815 he was elected to the presidency of the Trenton Banking Company, continuing in that capacity until his sudden death of apoplexy in 1826. He is buried in the graveyard of the First Presbyterian Church.

*Nicholas de Belleville* was born in 1753 at Metz, France. He studied medicine under his father's tuition and then entered the medical schools and hospitals of Paris. After seven years study he received his diploma. He was held in high esteem and respect by his teachers.

Shortly after his graduation he met Count Casimir Pulaski, who was then about to embark for America to recruit a legion for the army of the Colonies. Dr. de Belleville was induced to join with him in his undertaking. His duties as a military surgeon led him to Trenton, where he met Dr. William Bryant, then an old physician, who persuaded Belleville to settle in Trenton as a practitioner. Thus, after about fifteen months of military life, he left the service and settled in Trenton in 1778. He married Ann Brittain.

Dr. de Belleville was well liked for his social qualities and general intelligence as well as his medical ability. He attained great prominence as a physician and, was well known by the eminent medical men of Philadelphia. He had a large and lucrative practice. He was the family attendant of Joseph Bonaparte who was then living in Bordentown.

Dr. de Belleville's reputation drew many students to him and of these he was a devoted teacher. Several years before his death, on December 17, 1831, he withdrew from active practice, but always maintained close contact with his profession.

*Plunkett Fleeson Glentworth* was the son of George Glentworth, M.D., and Margaret, daughter of John Linton. He was secretary of the University of Pennsylvania, 1791; a fellow of the College of Physicians; a founder of the Academy of Fine Arts; and trustee of the Society of the P.E. Church for the Advancement of Christianity in Pennsylvania. During the residence of George Washington in Philadelphia, he was attended by Dr. Glentworth, who is thus mentioned by Washington in a letter under date of April 20, 1797: "Thanks to the kind attention of my esteemed friend Dr. Glentworth . . . than whom no nobler man nor skilful physician ever lived, I am now restored to my usual state of health." Dr. Glentworth was a warden of St. Michael's Church, 1820-24.

He was buried in St. Paul's churchyard, Philadelphia, January 19, 1833.

*John McKelway* was born in Glasgow, Scotland, January 7, 1788, the son of Alexander McKelway. He graduated from the University of Glasgow in 1813 or 1814 and came to America in 1817, locating in Trenton after one year spent in Lancaster, Pa. He was married in Scotland before he emigrated and his wife joined him after he had settled in Trenton.

Dr. McKelway was a prominent physician in Trenton and was noted for his rigid observance of the ethics of the profession.

He was postmaster of Trenton, 1842-43, having been appointed by President Tyler. In May 1848 Dr. McKelway and four other physicians were appointed by the New Jersey State Medical Society to organize the Mercer County Medical Society.

A few years before his death, Dr. McKelway slipped on an icy pavement, fracturing his hip. This necessitated his retirement from active practice. He died in Trenton, April 23, 1877, at the age of ninety, and lies buried in Mercer Cemetery.

*Patrick McCaffrey* was one of South Trenton's most familiar figures from 1851 to the early '70's. Born in Carlow County, Ireland, in the early years of the nineteenth century, he came to this country about 1843, settling first in Hollidaysburg, Pa., but removing to Trenton about 1851, following the establishment of the New Jersey Steel and Iron Works and the John A. Roebling plant, where many of his fellow Irishmen had found employment.

The late Lewis Parker, another well-known citizen of South Trenton, wrote some years ago of Dr. McCaffrey as a familiar acquaintance "neat in his attire, with a mild, benevolent face and an eye that fairly sparkled with humor." He invariably wore a high hat and carried a cane. Throughout his professional career, he always travelled afoot. Dr. McCaffrey was a graduate of the Dublin School of Medicine. His residence was on South Warren Street, opposite historic Bloomsbury Court, and he appears to have accumulated considerable means in his local practice, retiring in 1872 to spend his later years near Pittsburgh, Pa., adjoining a convent of the Sisters of

Mercy, where three of his daughters had become nuns. He died September 9, 1890, at the patriarchal age of eighty-eight.

Before leaving Trenton the Mercer County Medical Society, of which Dr. McCaffrey had been an active member, presented him with a goldheaded cane, passed resolutions at the loss of an associate "much endeared by long residence in Trenton and by eminently gentlemanly deportment," and closed by electing him to honorary membership.

Dr. McCaffrey has the distinction of being the first Irish Catholic physician to practise in Trenton. He was prominent in the affairs of old St. John's Church and his youngest daughter, Anna, was an early organist of the parish choir, as well as the first teacher in the parochial school, opened in 1854.

*James Beakes Coleman* was born in Trenton, October 6, 1805. He was the son of James and Sarah B. Coleman (Quakers), and the brother of Isaac P. Coleman, a well known physician of Pemberton, N.J. Dr. James B. Coleman received his early education in Trenton. For a time he worked in a drug store. Later he studied medicine under Dr. Nicholas de Belleville. He received a degree in medicine from Yale in 1829. He practised two years in Philadelphia, six years in Burlington County, N.J., and then in 1837 moved to Trenton where he remained until his death.

Dr. Coleman's preference was for surgery and he was one of the best surgeons of his locality. He was well versed in many fields of science and contributed to various periodicals and newspapers. He frequently gave public lectures, chiefly on natural philosophy, chemistry, vegetable physiology and phrenology.

Dr. Coleman was a creditable painter, doing many portraits of his friends. He also did caricature work for the newspapers. He was a frequent reader of papers before medical associations, among them a paper on "Drainage of City of Trenton" being highly commended.

Dr. Coleman was at one time president of the board of health, a manager of the New Jersey State Lunatic Asylum, a pension examiner, and three times president of the New Jersey State Medical Society.

His wife was the daughter of the Rev. Dr. Frederick Beasley, rector of St. Michael's Church, Trenton, 1830-36, and sister of Chief Justice Mercer Beasley of the New Jersey Supreme Court. A son, H. Waldberg Coleman, also became a prominent physician.

*Edward Ingleton Grant*, the son of William and Martha Roe Grant, was born in Trenton, November 11, 1812. He graduated from Princeton College in 1833 and received his early medical education under the tutelage of Dr. James T. Clarke, taking his medical degree from the University of Pennsylvania in 1837. He located at once in Trenton. He married in 1839 May Westcott Roe, of Woodbury, N.J.

As a physician, Dr. Grant was successful and popular. This was due to his earnest endeavor to arrive at the correct diagnosis which he was the better enabled to do by his constant perusal of current medical literature.

Dr. Grant was a vestryman (1860-70) in St. Michael's Church.

He died March 13, 1871, at the age of fifty-nine years.

*Charles L. Pearson* was born in Philadelphia, about 1822, the son of a retired merchant, Isaac L. Pearson, who moved to Trenton in 1850. Dr. Pearson never practised his profession but devoted his time to matters that were of special personal interest to him. He received his education from the Moravian School near Bethlehem, Pa., the schools of Philadelphia, and from Yale where he attended the medical lectures. In 1844 he received a license from the Medical Society of New Jersey.

In association with his father he developed a fine garden on their estate on the southwest corner of West State and Calhoun Streets. Because of the presence in the rear of the grounds of a glen through which a spring flowed the estate was named "Glen Cairn." Dr. Pearson's chief hobby was timepieces. He never permitted one to vary the fraction of a second from another.

He was a director in the Trenton Banking Company, and one of the managers of the Trenton Savings Fund Company.

His wife, Mary, was the daughter of the Hon. George Woodruff, attorneygeneral of Georgia, who owned Oaklands, the present site of the Trenton Country Club.

Dr. Pearson died suddenly on the street in Philadelphia in 1883.

*John Woolverton* was born in Delaware Township, Hunterdon County, N.J. He received his early education in the township schools. In 1847 he entered the University of Pennsylvania, receiving his M.D. in 1849. In later years Lafayette awarded him the degree of A.M.

After his graduation, Dr. Woolverton moved to Trenton, practising here for almost forty years. He became one of Trenton's most popular and successful physicians and was always the friend of the young practitioner.

Dr. Woolverton found time to serve his community in various capacities: State senator, 1868; member of Council, 1886; mayor of Trenton; for several years member of the board of freeholders; president of the board of school trustees. He was surgeon-in-chief to St. Francis' Hospital from the day of its opening to the day of his death. He was president of the State Medical Society in 1862 and was active in free masonry, attaining to the 33rd degree.

He continued in active practice until his death, September 14, 1888.

*Cornelius Shepherd*, of Quaker parentage, was born January 20, 1827, in Buckingham Township, Pa. His preliminary education was received at the Doylestown Academy and the private school at New Britain. He taught school for two years. Ambitious for advancement, he entered the office of Dr. G. R. McCoy of Doylestown and "read" medicine for one year. He then entered the University of Pennsylvania, graduating in 1861.

Dr. Shepherd located in Trenton, in the Mill Hill district of South Broad Street. He was especially interested in public education, serving fourteen years as member of the board of education and superintendent of public instruction. He was for eight years member of the State board of education.

He was president of the board of trade, member of the local board of health and in 1894 member of the State board of health. Dr. Shepherd was president and member of the staff of St. Francis' Hospital, member of the New Jersey Historical Society, and member of the State Charities Aid Society. He was physician to the New Jersey State Prison and pension examiner during the first Cleveland administration.

He died October 7, 1903. His son Ireneus was also a physician.

*William W. L. Phillips* was born in Lawrence Township, Mercer County, N.J., February 19, 1829. He was descended from a long line of Jerseymen, his great-great-grandfather having been a resident of Maidenhead (now Lawrence Township) in the latter part of the seventeenth century.

Dr. Phillips entered the Sophomore class of Princeton in 1845 and was graduated in 1848. He subsequently studied in the Jefferson Medical College, Philadelphia, graduating in 1851. He at once located in Trenton and the latter part of that year married Margaret Sarah, daughter of Dr. John and Isabella McKelway of Trenton.

Dr. Phillips' wife died six years after their marriage. He married for his second wife Meta McAlpin.

Dr. Phillips became a member of the Mercer County Medical Society July 22, 1851. At the outbreak of the Civil War he assisted in the organization of the First New Jersey Cavalry, Volunteers, and proceeded to the front as surgeon to that regiment. He was promoted Surgeon-in-chief to the Second Division, Cavalry Corps, Army of the Potomac. He participated in a number of engagements, the most prominent one being the Battle of Gettysburg. The Roll of Honor, on the stone porch of the old church at Gettysburg, contains his name inscribed among those whose services were particularly outstanding.

After his return to Trenton he again resumed active practice and also became interested in civic matters. He was one of the organizers of the board of health, was interested in the formation of a public park and was one of those responsible for the present sewer system. He was the leader in the movement towards the establishment of Mercer Hospital. He was for some years surgeon to the New Jersey State Prison.

Toward the close of his life, impairment of health compelled him to give up the strenuous life of a successful physician. He became medical director to the National Soldiers' Home at Fortress Monroe, where he died April 17, 1896. He is buried in Riverview Cemetery.

*Charles H. Dunham* was born at Piscataway, Middlesex County, N.J., March 24, 1839. He is descended from the Rev. Edmund Dunham, who came from England in 1681. His ancestor was the founder of the Seventh Day Baptist Church. On his maternal side he was descended from

Pontius Stelle of France, whose son, born in New York in 1683, later became pastor of the Piscataway Baptist Church.

At the age of sixteen Dr. Dunham entered the service of Dr. David C. English of New Brunswick. Subsequently he was associated in Elizabeth with Dr. Thomas L. Hough, and in 1858 he came to Trenton and was a clerk in the drug store of Isaac D. James. In 1861 he began to "read" medicine with Dr. Thomas J. Corson, afterwards entering the University of Pennsylvania from which he was graduated in 1864. He passed his examinations for Assistant Surgeon, U.S. Army, and served aboard the hospital steamer *State of Maine*.

After the Civil War Dr. Dunham returned to Trenton and formed a partnership in the drug business with Isaac D. James. This continued until 1874. Subsequently he practised medicine at his office and residence, 129 South Warren Street.

Dr. Dunham was on the staff of St. Francis' Hospital for seventeen years. He was county physician and superintendent of public schools. He was married in 1867 to Anna L., daughter of ex-sheriff Amos Sickel.

He died in 1893.

*Joseph L. Bodine*, son of Daniel B. and Elizabeth (Lamb) Bodine, was born at Pemberton, Burlington County, N.J., June 26, 1839. He was of Huguenot descent. Dr. Bodine's father was twice mayor of Trenton. His grandfather was a prominent landowner in Burlington County and his great-grandfather, John Bodine, was an officer in the Continental Army, serving throughout the Revolutionary War.

Dr. Bodine received his early education in the schools of Pemberton and later attended the Trenton Academy. He and his brother, afterwards the Rev. William B. Bodine, a prominent clergyman of Philadelphia, attended Princeton College and were graduated in the class of 1860, both being among the first five of this class. Dr. Bodine then took up the study of medicine with his uncle, former Governor George Franklin Fort, and also attended the University of Pennsylvania, graduating in the class of 1865. After a year's internship at the Episcopal Hospital of Philadelphia he began the active practice of his profession in Trenton. He was successful from the outset and gained considerable reputation in the treatment of mental diseases. He was much in demand as a consultant and was for many years chief-of-staff at St. Francis' Hospital and consulting physician to the New Jersey State Prison. He was a frequent orator before the American Social Service Association. He was also a prolific contributor to medical journals, particularly on the subject of insanity and mental disease. He was appointed by Governor Ludlow as a member of the State sinking fund commission, rendering valuable services in that capacity. He was for many years a vestryman of St. Michael's Church.

Dr. Bodine married Frances P. Davis, October 7, 1874. He died while in the prime of life, January 2, 1889. Two children survive him, Joseph L. Bodine, well-known judge of the United States District Court, and a daughter, Elizabeth.

*William Elmer* was born in Bridgeton, N.J., December 14, 1840, of a family that counted several generations of physicians.

Elmer attended Princeton College, graduating in the class of 1861. He received his medical degree from the University of Pennsylvania, 1864. He practised for four years in Bridgeton and then moved to Trenton where he continued his practice until his death.

Dr. Elmer soon had an extensive practice among the leading families of Trenton. He was a member and an elder of the First Presbyterian Church. He was one of the organizers of the State board of health, was president and treasurer of the Mercer County Medical Society, and was also for twenty years corresponding secretary of the New Jersey State Medical Society and later president of that organization. He was a member of the American Medical Association and the American Academy of Medicine.

Dr. Elmer in 1869 married Alice Gray of Columbia, Pa., who died in 1888 leaving four children. The three sons all graduated from Princeton and fill high positions in the professional and commercial worlds. Walter Elmer, the second son, is a well-known orthopaedist of Philadelphia. Dr. Elmer lived at 44 West State Street. He died July 18, 1908, and lies buried beside his wife in Riverview Cemetery.

*Charles Potts Britton* was born in Trenton 1845. His preliminary education was obtained in the local schools. He was graduated from the School of Medicine, University of Pennsylvania, in 1873. He practised in Trenton and was a member of the staff of the St. Francis' Hospital. He was appointed to the staff of the New Jersey State Hospital for the Insane, which position he occupied for six years. In 1882 he purchased the drug business established by Isaac James, fifty years before, on Warren Street, just south of State. In 1894 he removed this business to the new pharmacy in the Masonic Temple building, corner State and Warren Streets. In 1882 he married Katherine G. Kirby, daughter of Dr. Kirby, for many years a resident physician of the State Hospital.

Dr. Britton was a member of the New Jersey State Medical Society and the New Jersey State Pharmaceutical Association. He was also a member of the Trenton board of health. He lived at 126 West State Street until his death March 29, 1912.

*Thomas H. MacKenzie* was born in Nova Scotia in 1847. He received a classical education at Dalhousie College, Halifax, and completed his medical studies at Harvard Medical School in 1871. He soon came to Trenton, living first on Centre Street and later removing to East State Street.

He was surgeon-in-chief on the staff of the St. Francis' Hospital for over twenty years. He was city physician for three years; physician to the New Jersey State Prison; president of the Mercer County Medical Society; superintendent of public schools.

In 1878 Dr. Mackenzie married Miss Helen H. Buchanan of Trenton. A son, Egbert, also became a physician.



He died October 20, 1920.

*William Smith Lalor* was born in Hamilton Township, Mercer County, April 16, 1848, on the Lalor Homestead, known as "Bow Hill," originally built and occupied by Barnt DeKlyn, whose daughter Catherine married as her first husband Jeremiah Lalor, an ancestor of the above.

Dr. Lalor was educated at the Lawrenceville School and was graduated from Princeton in 1869. He then studied medicine under Dr. John Woolverton, later attending the University of Pennsylvania, receiving his M.D. degree in 1872. He then opened his office in Trenton, continuing in active practice until his death. He was a man of striking personality and unbounded energy and quickly gathered about him a large practice. He was a member of the State and Mercer County Medical societies, having been president of the latter body in 1882. He was city physician for four years; member board of school trustees for three years; superintendent of public instruction 1876-77; member of the board of health for seven years; appointed examining pension surgeon during President Cleveland's administration; County physician for four years; and physician to Deaf Mute School for several years.

Dr. Lalor died suddenly January 18, 1919. He is buried in Riverview Cemetery.

*Frank V. Cantwell* was born in Trenton, February 27, 1862, son of Peter P. Cantwell. In 1881 he began his medical course in the University of Pennsylvania, was graduated in 1884, and in May 1885 began the practice of medicine in Trenton. He became surgeon at the St. Francis' Hospital in 1887 and thereafter continued as a brilliant and resourceful operator, whose ability was the result of constant research and reading. He was county physician for a period.

Dr. Cantwell wrote considerably for the medical journals and his writings were highly valued by the medical profession at home and abroad.

In 1898 his health failed and he went to El Paso, Tex., where he remained for two years. He returned to Trenton in 1900 and resumed his practice. In 1908 he discontinued operating but received patients in his home office.

Dr. Cantwell served as pension examiner during President Cleveland's term; served on the city board of health; and was a member of Common Council. He was consulting physician to the State Prison in 1894-96.

Dr. Cantwell died March 11, 1910, aged forty-eight years, and was survived by his wife Alice (Burns) Cantwell and two children, Frank and Alice. He is buried in St. Mary's Cemetery.

There are many other Trenton practitioners, some perhaps equally as prominent as those whose sketches have been given, who deserve to be mentioned here-though only a line can be allowed to each for lack of space. Among those who have passed away in recent times were *Dr. R. R. Rogers, Sr.*, and his son by the same name; *Dr. Horace G. Norton*, at one time president of the board of trade; *Dr. John W. Ward*, for many years superintendent of the State Hospital; *Dr. H. M. Weeks*, who after years of practice in this city became superintendent of the State Epileptic Village at Skillman, succeeded in turn by his son, Dr. David F. Weeks, the present

superintendent; *Dr. Ezra M. Hunt*, who practised little if any locally but was secretary of the State board of health for several years; *Dr. A. H. Worthington*, a prominent homeopathic practitioner; *Dr. James D. Tantum*, noted for his generous benefactions to Mercer Hospital; *Dr. J. K. Young*, who subsequently attained a high place as an orthopaedic surgeon in Philadelphia; *Dr. C. H. McIlvaine*, Trenton's first resident oculist; *Drs. Lyman* and *Charles B. Leavitt*, father and son; *Dr. Horace G. Wetherill*, who practised here successfully for years before settling in Denver, where he became a prominent physician, now retired; and *Drs. Sarah E. Smith* and *E. F. Hollinshead*, who were among the earliest women physicians in Trenton. Of the older physicians still living in Trenton and who have had a long and successful career are *Dr. William A. Clark*, now retired, who began his practice here in 1879, and *Dr. Nelson B. Oliphant*, still on the active list after forty-seven years spent in the work of his profession in this community.

Acknowledgment is made to the many physicians whose valuable information concerning the lives of the above deceased physicians has made possible these sketches. Particularly to *Dr. William A. Clark* am I indebted for his services in gathering much of the biographical data. Most of the early medical history is taken from *Stephen Wickes' History of Medicine in New Jersey*.