

# STORIES of New Jersey

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NEW JERSEY WRITERS' PROJECT, WORK PROJECTS ADMINISTRATION  
44 Chestnut Street, Newark, New Jersey

## RICHARD STOCKTON



Richard Stockton was the New Jersey signer of the Declaration of Independence who had most to lose by his opposition to England. He was in a position to try hardest to heal the growing break between the mother country and her colonies, but when he saw the impossibility of his task he labored to establish the new country on a firm basis with the coolness and courage for which he was famous.

Stockton came of a long line of prominent Englishmen-- public officials and Crusaders -- and was himself a link in the chain of public service that the family forged in this country. The first Stockton in America arrived in 1656 and made his home originally on Long Island and then in Burlington, New Jersey. In 1696 the first of the family's land holdings in Princeton was acquired, and this tract of 400 acres, including the property on which Princeton University and the Princeton Theological

*Richard Stockton*

Seminary now stand, was enlarged to 5,500 acres shortly after.

The eldest in a family of eight children, Richard represented the fourth generation in America. He was born October 1, 1730 on the "homestead plantation" of the Stockton estate in Princeton which his father had inherited.

The family possessed ample means to educate the children in the most generous measure that the times afforded, and the eldest son was sent to the academy at Nottingham, Maryland, conducted by the Rev. Samuel Finley, who later became a president of Princeton. Richard attended the College of New Jersey and graduated with high honors in 1748, the year of the first commencement. He was the only one of that senior class in a college for Presbyterian ministers who was to join another profession. Stockton entered the law office of David Ogden of Newark and was licensed as an attorney in 1754. Elias Boudinot, later president of the Continental Congress, William Paterson and Joseph Reed, all of whom became famous lawyers in New Jersey, were among a group of bright young men who read and practised with him.

The brilliance of Stockton's mind and the power and logic of his pleadings brought him, within a decade, a large practise and a reputation of being one of the most eloquent lawyers in the colonies. Unlike most members of his profession, however, he showed a disinclination as a young man to enter public life,

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and in 1764 he wrote to Joseph Reed that "The publick is generally unthankful, and I never will become a servant of it, till I am convinced that by neglecting my own affairs I am doing more acceptable Service to God and Man."

His distaste for public life may possibly have been the result of his divided loyalties in the 10 or 12 years preceding the Revolution. Convinced as an American of the injustice of taxation without representation, he pleaded, argued and warned the British authorities. But as a loyal subject of the King, he dreaded separation from the mother country.

To study at first hand the events which were to lead to the crisis of Revolution, Stockton sailed from England in 1766 on a visit which was to last 16 months. His wife Annis, the sister of his friend Elias Boudinot, who had married Stockton's sister, remained in Princeton with their children. A loyal subject and a prominent American, Stockton enjoyed the confidence of the King and was consulted by leaders of Parliament on conditions in the colonies. His letters home were filled with interesting judgments of the men he met and the events he watched. William Pitt, he thought, had degraded himself and lost the respect of the people by accepting a title. Of others his opinion was similarly frankly expressed.

Stockton worried about the plan of the Chancellor of the Exchequer to increase the levies on the colonies and to send more troops there at the expense of the Americans. "I exceedingly fear," he said, "that we shall get together by the ears, and God only knows what is to be the issue!" He was as outspoken to prominent people in England as he was in his letters, for, as he said: "I am happy that I had nothing to ask of government, and, therefore, dare speak my sentiments without cringing." An article in the *London Chronicle* which was ascribed to Stockton held that the American colonies were not dependent on the mother country, as some Englishmen said.

While Stockton was in England, President Finley of Princeton died, and the trustees of the college elected Dr. John Witherspoon, the Scottish minister, as his successor. Though Witherspoon wished to go, his wife was unwilling to leave their native land, and it depended on Stockton to persuade her and gain for the American cause a gallant man who, like him, signed the Declaration of Independence.

The brilliance of the fashionable world and association with Britain's best minds and men of action made foreign travel very attractive to Richard Stockton, but in America he chose "to live and die." His family constantly occupied his mind, and he wrote to his wife frequently and sent her a continual stream of gifts, especially roots and bulbs for her "sweet little flower garden," as he called it. He returned home, still a loyal subject of the King, with approval from the government of Great Britain that he be a member of the executive council of New Jersey. He remained a councillor from 1768 until the end of Royal government, and in 1774 he was made Justice of the Supreme Court.

In that same year he designed a scheme, which, if London had only listened, might have left almost all of North America under the British flag. In a letter to Lord Dartmouth, Stockton proposed complete self-government for the colonies -- a system similar to the dominion form of government under which Canada and the other self-governing constituents of the British Commonwealth of Nations exist today. Stockton warned that unless some such arrangement were adopted "an obstinate, awful and tremendous war" might result.

As early as 1764, two years before his visit to England, Stockton had proposed that Americans of outstanding ability be given seats in the British Parliament, and in 1765, the year of the Stamp Act, he flatly denied the authority of Parliament over the colonies as long as they were unrepresented. His argument against the Stamp Act was a lawyer's argument, and it in no way impaired

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his position with the British authorities, for places of trust and honor continued to be conferred upon him almost to the eve of the war.

During the last years of this pre-Revolutionary period much of Stockton's thought and time was given to the development and adornment of "Morven," the charming estate which he had inherited at Princeton. This lovely place, which was given its name by his poetical wife, is one of the few houses in this country which have remained in the same family for almost 250 years. The pleasant, wide-winged structure of pinkish-red brick covered by wistaria vines stands west of the Battle Monument in Princeton in a gracious setting of lawn and trees. It was built by Richard, grandfather of the Signer, between 1701 and 1709. To this estate Stockton brought horses and cattle of the best breeds, and he assembled an art collection and a library among the finest of colonial times. He set out most if not all of the trees, including a row of catalpas on the street line.

Life at Morven was conducted in the most lavish splendor. A power in the public life of New Jersey and famous throughout the colonies and abroad, the dignified, polished Supreme Court Justice entertained frequently, and welcomed strangers as well as friends with all the elegance and formality of ancient hospitality. He was an accomplished horseman, a particularly skilled swordsman and adept in all the masculine sports which the time afforded and his wealth allowed him to enjoy. It would not be difficult to understand, therefore, if Richard Stockton had continued to counsel moderation in dealing with England. He had luxury and social position and the comfort of his family to lose. But above all, he was an essentially moderate man whose prudent opposition to the British government had kept within the bounds of his allegiance to the King. Despite all this, he followed his honest convictions and fought for independence.

Stockton resigned from the Royal Council, which was composed almost entirely of Tories and neutrals, and on June 21, 1776 was elected along with Abraham Clark, John Hart, Francis Hopkinson and Dr. John Witherspoon to represent New Jersey at the Continental Congress. The Provincial Congress, which had elected these representatives, also empowered them to join with other representatives in declaring the colonies independent. Although John Adams recorded that Stockton made "a short and energetic speech for independence," the *Public Journal* of Congress does not disclose the presence of any New Jersey delegate other than Francis Hopkinson at any time on or before July 4. The *Secret Journal* of the Congress states that the colonial representatives signed the parchment copy of the Declaration on August 2. Stockton affixed his signature at the head of the New Jersey delegation. The names of the group are at the bottom of the document in the second column from the right.

Defeated by William Livingston in 1776 for the governorship of the State after a tie on the first vote, Stockton refused to be named Chief Justice. He preferred, he said, the more active life of Congress. He served on important committees with Thomas Jefferson, Benjamin Rush, Robert Treat Paine, Francis Lightfoot Lee and others, and on September 26 Congress appointed him and George Clymer to go to Ticonderoga and report upon the condition of the army to John Hancock, President of Congress. They wrote two reports, which are preserved in the Library of Congress. Both are in Stockton's handwriting but are signed by him and Clymer. Stockton wrote from Saratoga that he had found the troops of New Jersey "marching with cheerfulness" but that "a great part of the men were barefooted and barelegged. . . There is not," he added, "a single shoe or stocking to be had in this part of the world, or I would ride a hundred miles through the woods and purchase them with my own money."

Upon his return from the North he was appointed to a Congressional commit-

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tee to devise means of helping General Washington in his effort to block the progress of Lord Cornwallis across New Jersey, but the enemy was on the march through the State before counter-measures could be taken, and Princeton lay in the path. Stockton, his wife and their six children fled to the home of his friend, John Covenhoven, in Monmouth County, but betrayed by Loyalists, the Congressman and Covenhoven were arrested during the night of November 30, 1776 and dragged in bitterly cold weather to the Perth Amboy jail. From there Stockton was carried to New York and lodged in the common jail. He was treated with such severity that Congress protested, and Washington was instructed to warn General Howe that future treatment of prisoners by the American army would match that accorded captives by the enemy. Congress adopted the resolution on January 3, 1777. Soon afterward Stockton was released in an exchange of prisoners, but his health was shattered by his mistreatment, and he never fully recovered.

He returned to his beloved Morven, which had been occupied as headquarters by Cornwallis during the 1776 assault on New Jersey, to find that it had been pillaged by British and Hessian troops in the general plundering of the neighborhood. The library and papers were burned, the art treasures ruined, the furniture used for firewood, the contents of the wine cellar consumed, the land laid waste and the horses and livestock driven away. One British soldier had slashed his sabre across the throat of a portrait of Richard painted by Copley. Though the picture has since been retouched, the mark of the blade is still visible. The plate and other valuable articles had been packed in three boxes and buried in the woods some distance from the house, but through treachery two boxes were discovered and fell into the hands of the soldiers. The third escaped detection and its contents were recovered by the family.

The depreciation of the Continental currency, in which Stockton had invested heavily, gravely depleted his fortune. A cancerous infection combined with his war injuries to make him an invalid until his life ended. He was not destined to see the triumph of the cause to which he had contributed so much. He died at Morven on February 28, 1781, in his fifty-first year, eight months before the British surrendered.

The body of Richard Stockton lies in an unmarked Quaker grave in the burial ground of the Friends' Meeting House at Stony Brook, but New Jersey commemorated her famous son in 1888 by placing a statue of him in Statuary Hall in the Capitol.



*Morven, Stockton's home at Princeton*