

**Genesis of the  
New Jersey State Library  
1703 – 1796**

*A Documentary History*

By John T. Shaw



*Affiliated with Thomas Edison State College*

2012



©2012 by the N.J. State Library.  
Published by the New Jersey  
State Library in Trenton, N.J.  
Printed in Lawrenceville, N.J.  
by Allegra Publishing.

*All illustrations in this history are from the State Library collection,  
photographed by John T. Shaw unless otherwise  
credited in the caption.*

## **Acknowledgments**

When I began investigating the history of the New Jersey State Library, my only intention was to discover for myself what the library was like in 1796 when it was founded. I was curious about the library's first books. What were they? Did we still have any in the collection? As it turned out, we did. My search turned into an adventure as one book led to another, and the story of the library's early years began to unfold. I was fascinated by what I discovered and eventually shared what I had learned with other staff members, one of whom was Colleen Dazé, the Director of the State Library Information Center. She encouraged me to continue my research and write the history you see here. Without her interest, encouragement, and support the work would not have been completed.

An early draft of the history was read and commented on by Joseph Felcone, Marc Mappen, Fred Sisser, and John Marcille. I was able to make many improvements based on their suggestions. My wife, Janet Jackson, read and listened to me read many early drafts. She helped by pointing out where the writing needed to be improved. I know that when it doesn't sound right to her, it isn't right.

I would also like to thank Cynthia Warrick for production help. She arranged for permissions for illustrations, worked to assemble the text and illustrations for the printer, and helped coordinate the overall project.

Finally, I would like to pay tribute to the many librarians who over the past two hundred years acquired, cataloged, and preserved the books I found in the library, books that are both the source and subject of this history. Without those librarians, there would be no history to write.

John T. Shaw, August 16, 2011

## DECLARATION

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Board of Health of the City of New York, and that the same has been compared with the original and found to be a true and correct copy thereof.

Witness my hand and the seal of the Board of Health of the City of New York, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Secretary of the Board of Health of the City of New York

\_\_\_\_\_  
City Clerk of the City of New York

\_\_\_\_\_  
Mayor of the City of New York

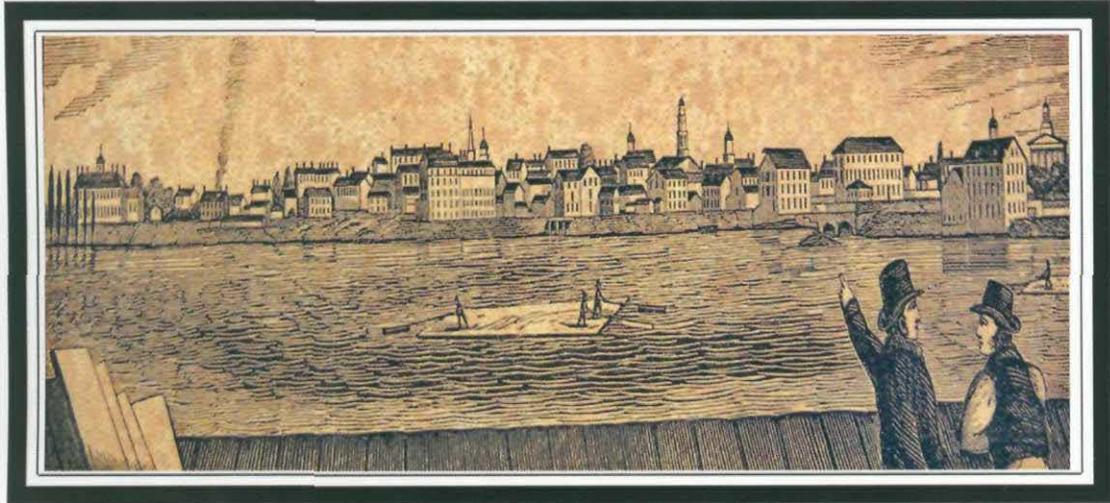


Figure 1. The original New Jersey State House was the first home of the State Library. The building can be seen on the far left in this picture of Trenton taken from a book published in 1844 (*Historical Collections of the State of New Jersey*, John W. Barber and Henry Howe).



Figure 2. The New Jersey State Library today, built in 1965 adjacent to the State House Annex.



Figure 1. A very faint caption or text block, likely describing the image above. The text is illegible due to low contrast and blurriness.



Figure 2. A very faint caption or text block, likely describing the image above. The text is illegible due to low contrast and blurriness.

**T**he New Jersey State Library has been providing library services to the government and people of New Jersey for almost as long as there has been a State of New Jersey. Exactly how long is open to debate and is one of the issues that will be discussed in this brief history. The library began as a collection of books used by members of the New Jersey Assembly. It consisted of books published by the government itself—laws, proceedings, ordinances, speeches—as well as books written and published by others, primarily books on law and government. As time went on the legislature broadened the collection with books on a wide variety of topics. At some point during its growth this collection of books and pamphlets became known as the legislature’s library and later as the state’s library. The collection was created by the New Jersey Colonial and later State General Assembly, and what we know of it comes to a great extent from the records of this body. Using the Assembly’s minutes, this article will document the growth of the collection from 1703 when a New Jersey law was printed for the first time to 1796, the year the collection became recognized as the New Jersey State Library.

The early library collection began as a collection of printed pamphlets and books, and these printed pamphlets and books were owned by the colonial government of New Jersey. The genesis of the library is thus closely tied to the early development of printing in America and to the history of New Jersey’s colonial and early state government. For these reasons you will find that the following text actually consists of three parallel narratives: the early history of printing in the middle colonies; the development of government in New Jersey; and the growth of the collection which became the New Jersey State Library. Before launching into these narratives though, I would like to explain the difficulties surrounding the selection of a date for the State Library’s founding and provide a justification for selecting 1796.

## **The Founding Date of the New Jersey State Library**

**T**he library community in New Jersey recognizes March 18, 1796, as the State Library’s founding date. On this date the New Jersey State Assembly issued the following resolution:

*Resolved*, That Maskell Ewing, Clerk of the House of Assembly be directed to enter on the Minutes of the House of this Day, the Titles and Names of the several Books now belonging to the Legislature, and that he be further directed to procure at the Expense of the Legislature a suitable Case for the keeping and Preservation of such Books; and further also, that he be responsible to the Legislature for the safe keeping and Preservation of the same.

*Votes and Proceedings*, 18 March 1796

Today the 1796 date is widely accepted as the library's founding date, but that was not always the case. In 1859 the State Librarian C. J. Ihrle wrote, "Fifty-five years have now elapsed since the New Jersey State Library had its origin" (Ihrle 1859, 1091). That would make the founding year 1804. William J. Rhees, Chief Clerk of the Smithsonian Institution, also used that date in a listing of libraries he published in 1859 (Rhees 1859, 227). Seventeen years later another date was selected as the founding year by Henry A. Homes, Librarian New York State Library, who wrote in 1876 that the New Jersey State Library was one of seven state libraries created "between 1824 and 1829" (Homes 1876, 293).

Which is correct, 1796, 1804 or 1824? In 1796 the legislature assigned to the clerk of the house the responsibility for managing the collection. He was also directed to inventory the collection, print a list of the books, and arrange for a cabinet to be built to house the collection. Later in 1796 the collection was referred to as the "state library" in a written document. In 1804 the first library catalog was printed along with a set of rules for use of the collection. In 1824 "An Act for the Gradual Increase of the State Library" provided for an annual appropriation to support the state library. A case could be made for each of these dates as the founding date. In fact there are other dates that one could consider. In 1794 the term "library" was first used in the Assembly's *Votes & Proceedings* to describe the books owned by the legislature. In 1809 the phrase "library of the state" appeared in the *Votes & Proceedings* for the first time. In 1813 the first statute concerning the library was passed and signed, "An Act concerning the State Library." In 1822 "An Act for the Better Preservation of the Books and Papers Belonging to the Legislature of this State" called for the creation of the position of State Librarian. The year you choose as the founding year depends on what you think are the defining characteristics of a "state library."

Let's consider for a moment how one might go about defining a "state library." A library probably needs at least some of the following features:

- A collection of books
- A recognized place for the books
- A scheme for arranging the books so any one title can be easily found
- A catalog listing the books
- A person providing ongoing management of the collection
- A source of funds to support the operation of the library and the growth of the collection
- A set of guidelines or rules covering the development and use of the collection

To be recognized as a state library, one might look for a few of the following attributes:

- The owner of the library being seen in some way as the state
- The library being recognized by users as the state library
- The users of the library being state employees or more broadly state residents
- The purpose of the library being at least in part to document and support the work of the state
- The existence of an official document identifying the library as the state library
- A law establishing the library as the state library
- The person responsible for the library having the formal title “state librarian”

Depending on the choice of features and attributes and on what one assumes about the library based on the few known facts, any one of a number of dates could have been selected as the founding date for the New Jersey State Library. There is certainly room for disagreement, but since the mid-1870s most historians working in New Jersey have chosen the 1796 date. The following three books published in 1875, 1877, and 1879 respectively use the 1796 date.

Everts & Stewart. “History of Mercer County, New Jersey.” In *Combination Atlas Map of Mercer County*. Philadelphia: Everts & Stewart, 1875.

Raum, John. *The History of New Jersey: From Its Earliest Settlement to the Present Time*. Philadelphia: J.E. Potter, [1877].

Fitzgerald, Thomas and Louis C. Gosson. *State of New Jersey Manual of the One Hundred and Third Session of the Legislature of New Jersey*. Trenton, N.J.: Fitzgerald & Gosson, 1879.

The actions required by the 1796 Assembly resolution, the continued growth and broadening of the legislature’s collection during that year, and the Clerk of the House of Assembly’s written reference to the collection as the “state library” when taken together provide considerable support to the selection of March 18, 1796 as the date of the state library’s founding.

Designating 1796 as the founding year, though, does not imply that there was no library or library collection supporting the work of state government in existence before that time. The fact is that the collection the Assembly directed Maskell Ewing to manage and inventory in 1796 was not new. It had been a working collection used by members of the New Jersey Assembly for many years.

## Maskell Ewing's List

After examining “the several books now belonging to the legislature,” Maskell Ewing produced a list of thirty-three titles which were published in the Assembly’s *Votes & Proceedings* (figs. 4 – 6). The following four additional titles should also have appeared on the list because they are known to have been acquired by the New Jersey Assembly before Ewing made his list and are still in the collection today: Kinsey’s *Acts of the General Assembly* (1732), the second volume of Nevill’s *Acts of the General Assembly* (1761), England’s *Statutes at Large* (1735), and Ferguson’s *Principles of Moral and Political Science* (1792). The items on Ewing’s list along with the four additional titles are the books and pamphlets known to have been owned by the State of New Jersey in 1796. At the time Maskell Ewing referred to this collection in a written document as the “State Library” (Ewing 1796) (fig. 15). Whether you consider it as such depends on your own definition of “state library.” The collection of books owned by the New Jersey Legislature in 1796 was certainly a library, and if not the “state” library, it was without question the foundation on which the state library was built.

The New Jersey Assembly beginning with its first session in 1703 kept minutes of all its actions, and in these minutes an entry was made whenever a book was published or purchased by the Assembly. These minutes when carefully examined provide a remarkably complete documentary history of the evolution of the collection. Much of this early history is documented in a thesis written by Mary Alice Quigley called *The Eighteenth Century Origins of the New Jersey State Library* (Quigley 1978). In her thesis Ms. Quigley identified most of the entries in the Assembly’s minutes that mention the acquisition of books by the legislature during the period 1738 to 1800. While her work was the starting place for the research presented here, I did extend the time period covered back to 1703 when the first Assembly of the Royal Colony of New Jersey began to meet.

## A Note about Eighteenth-Century Printing Style

This history uses many quotations from eighteenth-century publications. The quotations have been transcribed keeping the spelling, punctuation, capitalization, and use of italics as found in the original documents. At first this style may appear peculiar to you. The following explanation of eighteenth-century printing style provides some background.

Printers also applied, through much of the Century, some Rules of Style which the modern Reader may find odd if not awkward. For example, they began all Nouns with a capital Letter, thus distinguishing them from other Parts of Speech such as Adjectives, Verbs, &c. In the same Fashion, they capitalized Expressions of particular Emphasis, and Titles of Honor and Eminence. The Names of Persons and Places they not only began with capital Letters but usually set in *Italic* Type as well. Colonial Williamsburg 2005, ii.

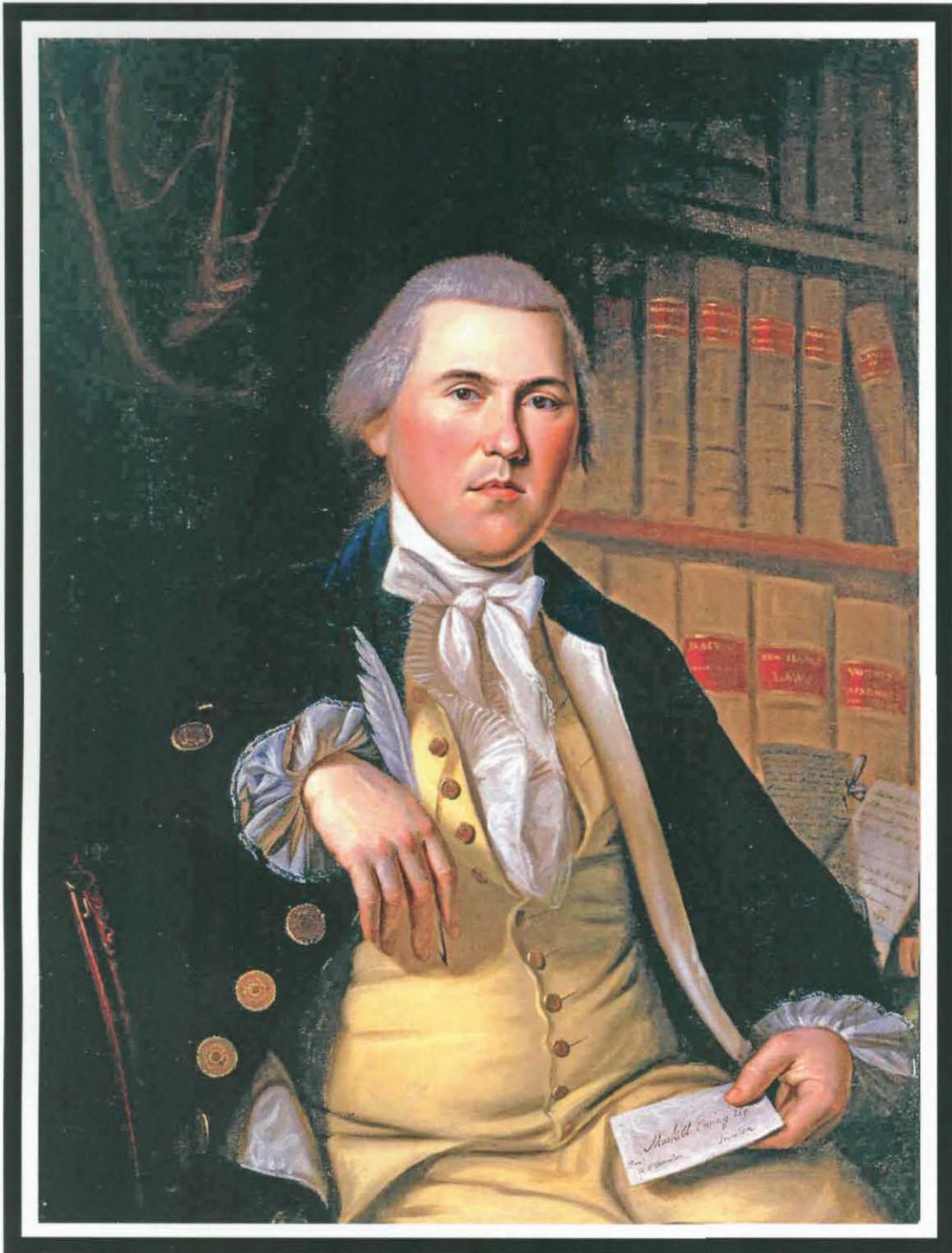


Figure 3. Maskell Ewing, Clerk of the New Jersey Assembly, was assigned responsibility for the “books belonging to the legislature” in 1796. He was also the first to refer to this collection in writing as the State Library. [Credit: Courtesy of The Biggs Museum of American Art, Dover, DE]

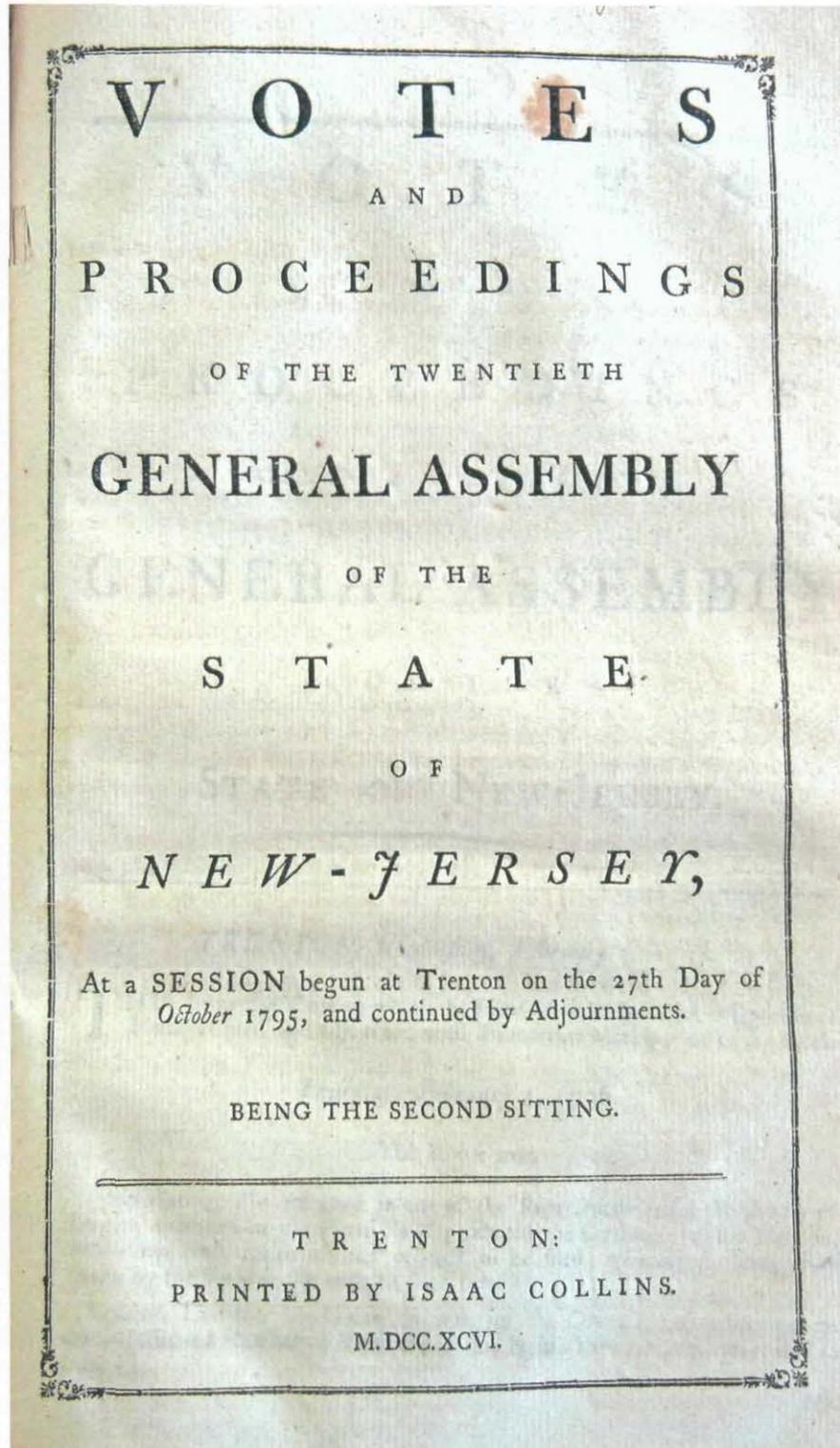


Figure 4. Title page from the *Votes & Proceedings* containing a resolution considered to be the founding document of the New Jersey State Library. It was printed by Isaac Collins in 1796.

( 65 )

*Ordered*, That Mr. Mayhew do carry the said Bills to the Council, and acquaint them that the same is passed by this House with their Amendments.

On Motion,

*Resolved*, That the Speaker have Power during the Recess of the Legislature, to convene the General Assembly whenever any extraordinary Occasion shall in his Opinion render the same necessary.

Mr. Haring, from Council, informed the House that Council had rejected the Bill, intituled, 'A further Supplement to the Act, intituled, "An Act for regulating Roads and Bridges.

Mr. Mayhew reported, that he had obeyed the Order of the House.

Mr. Condit, from Council, informed the House that Council had passed the Bill, intituled, 'An Act in Relation to Testimony in Prosecutions for publick Money;' the Bill, intituled, 'An additional Supplement to an Act, intituled, "An Act for raising a Revenue from certain Stages and Ferries, passed February 25, 1794;" and the Bill, intituled, 'An Act for defraying sundry incidental Charges,' without Amendment, and, that Council had rejected the Bill, intituled, 'An Act directing the Time and Mode of electing Representatives in the Congress of the United States for this State.

On Motion,

*Resolved*, That the diligent Attention, the upright and impartial Conduct of Ebenezer Elmer, Esq. in the Duties of his Station, as Speaker, have been such during the Sittings of the present Session, as to entitle him to the Approbation and Thanks of the House.

The following is a List of the Books on Hand belonging to the Legislature:

- 1 Acts of George II. in 17 Vols. Folio.
- 2 D'Ewes's Journals of the British Parliament in the Reign of Queen Elizabeth, 2 Copies Folio.
- 3 Journals of the Assembly of New-Jersey, 14 Vols. Folio.
- 4 Journals of the House of Representatives in the Congress of the United States, 3 Vols. Folio and three Pamphlets.
- 5 Do. of the Senate of the United States, 4 Vols. Folio and one Pamphlet.
- 6 State Papers and Votes of Assembly, 7 Vols. Folio, from 1745 to 1793.
- 7 Votes of Assembly, 2 Vols. Folio, from 1780 to 1793.
- 8 Massachusetts Laws, 1 Vol. Folio.
- 9 1 Vol. Laws of New-York, Folio.
- 10 1 Do. Pennsylvania Do.
- 11 1 Vol. Grants and Confessions by Leaming and Spicer.
- 12 1 Vol. Newell's Edition of the Jersey Laws.
- 13 1 Vol. Allinson's Do.
- 14 2 Do. by Wilson.
- 15 4 Vols. Pamphlets of the Jersey Laws, bound.
- 16 5 Vols. of New-Jersey Laws and Ordinances.
- 17 4 Vols. Journals of Council.

R

18

Figure 5. First page of the "List of the several books now belonging to the legislature" compiled by Maskell Ewing.

*Votes & Proceedings*, 18 March 1796

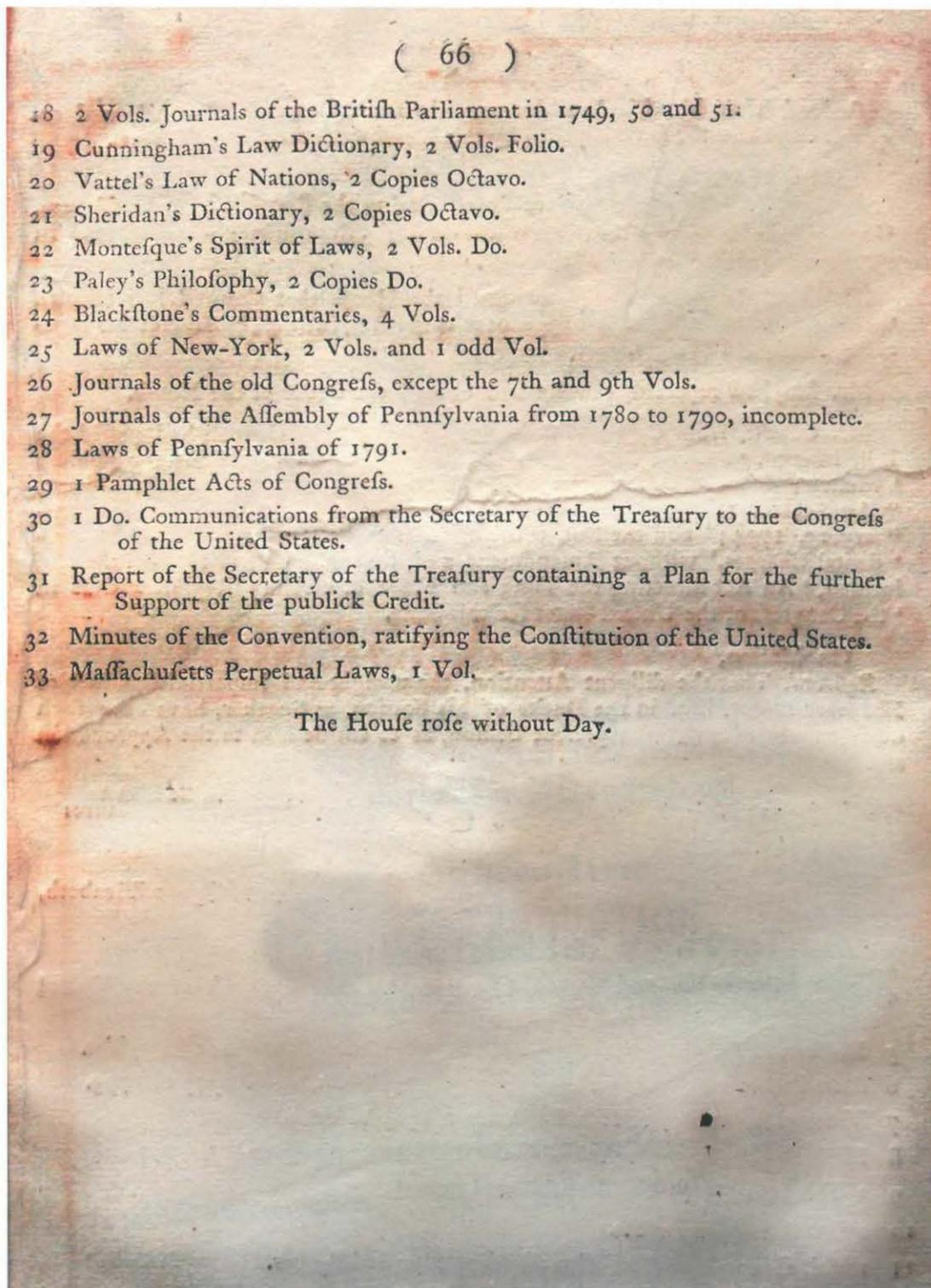


Figure 6. Second page of the "List of the several books now belonging to the legislature" compiled by Maskell Ewing.

*Votes & Proceedings*, 18 March 1796

If you keep these rules in mind and remember that spelling was much less consistent at the time, you will soon find that the quotations do not appear quite so unusual.

It is also worth noting that author-date reference notes are used for most of the references in this text. The full bibliographic description of each work cited will be found in the reference list at the end of this history. There is one exception to this citation style. All quotations taken from the General Assembly's printed minutes are cited at the end of each quotation as *Votes & Proceedings* followed by the date of the entry in the minutes. Using date rather than page is a more reliable way of citing the minutes, and including the *Votes & Proceedings* citations within the flow of the narrative emphasizes that this is a documentary history. The focus is on how the documents themselves tell the story of the library, and the story begins with the first session of the first Assembly of the Royal Colony of New Jersey.

## The New Jersey Colonial Assembly

There is no one event that brought the State Library into being. It did not suddenly appear. It evolved over a period of a hundred years. It wasn't until it had been around for awhile that someone came along and picked a date for its founding. In fact at first there was some disagreement about the date. This is not the case with the New Jersey Colonial Assembly. Its origin is clear and well documented. Its minutes provide a written record from the first day of the first session, and the minutes of its first session are available to us today both in manuscript form and in a later published transcription. The first page of the minutes begins

First Assembly. Journal and Votes of the House of Representatives of the Province of Nova Cesarea, or New Jersey in their first Sessions of Assembly begun at Perth Amboy the 10<sup>th</sup> day of November 1703. Transcribed from original document on file at the New Jersey State Archives.

From the actions of this first Assembly would come New Jersey's first printed document, very likely the first item in the collection that would become the New Jersey State Library. With our focus on beginnings, it might be worthwhile to examine the origins of this New Jersey Colonial Assembly. The Assembly was formed as part of the government of the Royal Colony of New Jersey. On April 15, 1702, New Jersey became a royal colony under the direct control of Queen Anne of England with the signing of the "Surrender from the Proprietors of East and West New Jersey, of their pretended Right of Government to Her Majesty" (Whitehead 1881, 452-461). Queen Anne appointed Lord Cornbury governor of New Jersey, and late in 1702 issued his commission and instructions which in a royal colony acted as a constitution for the province. Lord Cornbury's commission includes the following two statements:

And We do hereby give and grant unto You full Power and Authority, with the Advice and Consent of Our said Council from time to time as need shall require, to Summon and call General Assemblies of the Freeholders and Planters within Your Government in manner and forme as shall be directed in Our Instructions which will be given You together with this Our Commission.

And that you the said Lord Cornbury by and with the Advice and Consent of Our Council and Assembly or the Major part of them respectively, shall have full Power and Authority, to make, Constitute, and Ordain Laws, Statutes and Ordances, for the publick Peace, Welfare and good Government of Our said Province and of the People and Inhabitants thereof. Whitehead 1881, 489-500.

## **The Proprietary Years of the Colony of New Jersey**

It is important to note that Queen Anne took control of New Jersey from the proprietary governments of two already existing English colonies, East New Jersey and West New Jersey. In 1664 King Charles II asserted his claim to the land the Dutch called New Netherland. Charles gave the land to his brother James, Duke of York, who passed on a small section between the Delaware and Hudson rivers to John Lord Berkeley and Sir George Carteret, naming the colony after the Isle of Jersey in the English Channel.

Ownership and governance of New Jersey changed hands many times during the colony's first 38 years. The Dutch regained control of the region which they had called New Netherland for a short time from August 1673 to November 1674 at which time a treaty returned ownership to England. In 1676 New Jersey was divided into two colonies: East New Jersey and West New Jersey. In the year 1688 the two Jerseys were joined with other English colonies—Connecticut, Massachusetts, New Hampshire, New York, Plymouth, and Rhode Island—to form the “Territory and Dominion of New England in America,” with Boston as its capital. That arrangement soon fell apart, and the two Jerseys muddled along until 1702 when the proprietors surrendered political control to Queen Anne who combined the two Jerseys to form the unified Royal Colony of New Jersey.

During the proprietary period (1664 – 1702) New Jersey government records existed only in manuscript form. There were few printed books to be found in New Jersey and no printed government documents. In 1685 William Bradford opened a print shop in Philadelphia, and in 1693 he moved his printing operation to New York City where he became the first official printer for the Colony of New York and a few years later for New Jersey (McMurtrie 1936, 1-9). Bradford brought printing to New Jersey's colonial government, and his early printed documents were the first pamphlets and books in the collection that would eventually become the New Jersey State Library.

## The Government's Earliest Printed Documents

The oldest New Jersey government printed document known today is a four-page pamphlet with the text of one law, "An Act for Regulating the Purchasing of Land from the Indians," passed during the first session of the Assembly of the Royal Colony of New Jersey (Evans 1903, 1:168). The minutes of the Assembly state:

Accordingly Mr Speaker with ye House, went to Attend His Excellency in Council, where His Excellency was pleased to pass & Sign a Bill Entituled a Bill for Regulating ye purchasing of Land from ye Indians.

New Jersey [Colony] General Assembly 1703, 22, 13 December 1703.

William Bradford printed this law, and with multiple printed copies available for the first time, it seems likely that the New Jersey Assembly kept a copy for future reference. This would make it the first "of the Books on Hand belonging to the Legislature." The Historical Society of Pennsylvania owns an original of this publication which clearly shows when it was printed, where, and by whom: "Printed by William Bradford, Printer to the Queens most Excellent Majesty in the City of New-York, 1703" (fig. 7).

The publication shows the date 1703, but it might actually have been printed in 1704. At this time in England and its colonies the year began on March 25. January and February were considered the last two full months of the year. So if the law was printed during the period January 1 to March 24, 1704, by the current calendar, it would be considered to have been printed in 1703 according to the old calendar in use at the time. The bill was signed into law by the governor on 13 December 1703. The Assembly's minutes show the date as "13 X 1.703," which means the 13<sup>th</sup> day of the tenth month of the year 1703. December was the tenth month according to the old calendar. With a 1703 date the law could have been printed anytime from December 14 to March 24. The calendar used today with the year beginning on January 1 was not adopted by England until 1752.

Throughout this history you will see publication dates with double years such as 1703/4. These occur with dates within the period January 1 through March 24 for years before 1752. This date format is used to indicate both the old date which you will see on the printed publication and the new date used in our current calendar.

Though the library does not have an original of New Jersey's first printed law, it does have an original of the second law which was included in the session laws printed by William Bradford later in 1704. The library also has two ordinances issued by Governor Cornbury also printed in 1704 by Bradford: *A Catalog of Fees Established by the Governor & Council for the Province of New-Jersey*, and *An Ordinance for Establishing Courts of Judicature*.

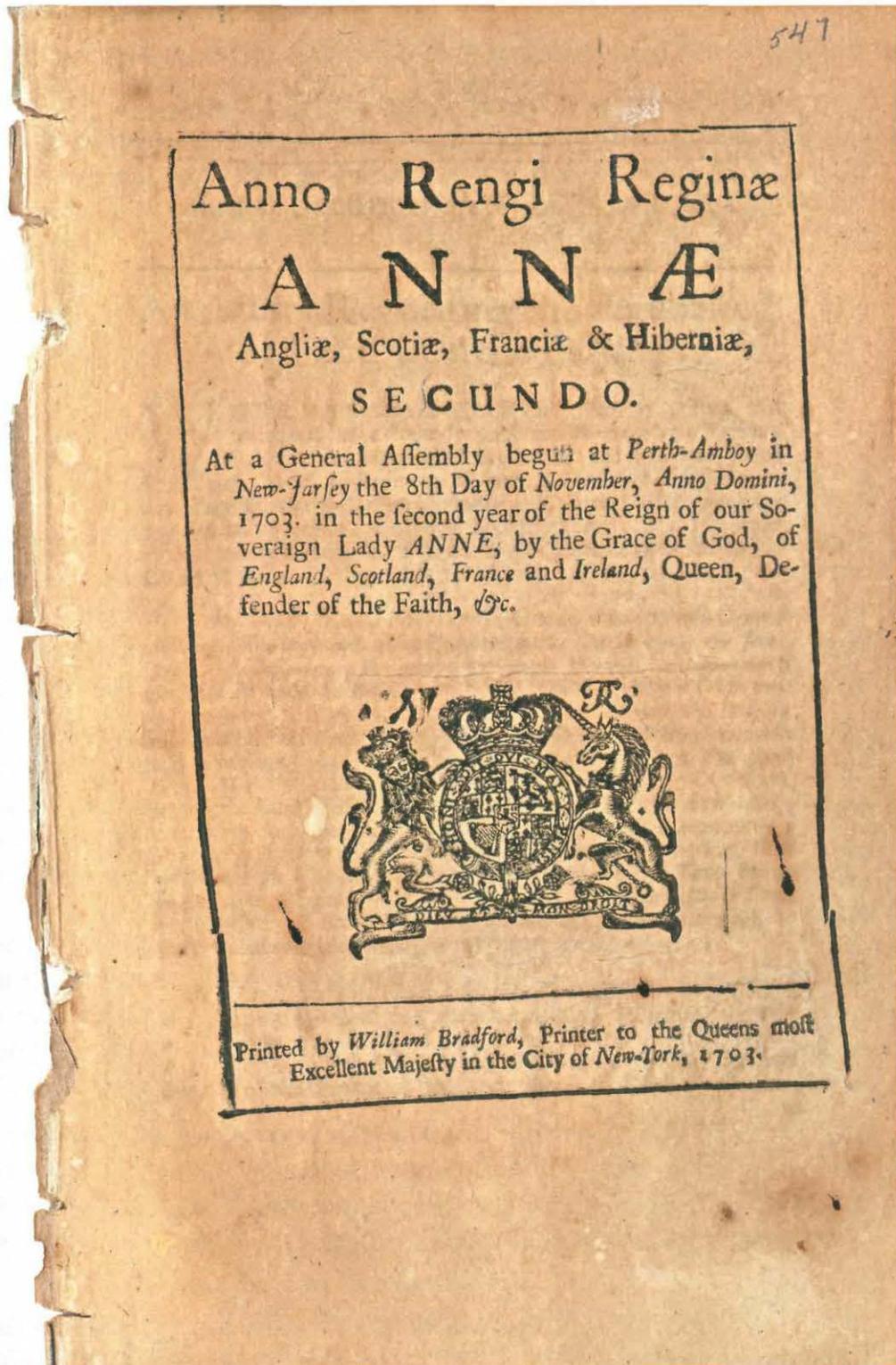


Figure 7. Title page of New Jersey's first printed government document. It was printed by William Bradford in New York City in 1703/4. [Credit: Courtesy of The Historical Society of Pennsylvania (HSP)]

The first printed law, the 1704 session laws, and the two ordinances are the earliest New Jersey printed government documents known today, and copies were most likely kept by the Assembly. Four printed documents may not be a library, but they do form the beginnings of the small reference collection used by members of the Assembly during the colonial period.

## The Assembly Begins the Regular Printing of Its Session Laws and Proceedings

There is no evidence that the legislature had any additional printing done until 1709. There is an early reference to the possible printing of the minutes of the Assembly in the *Votes & Proceedings*, 6 May 1707. This entry was transcribed from the original manuscript minutes and first published in 1872.

Motion being made and the question put, whether the proceedings of this house shall be printed, if a Printer can be got to do it? Did pass in the Affirmative. New Jersey [Colony] General Assembly 1872, 103, 6 May 1707.

Despite the affirmative vote, it is doubtful that any minutes were actually printed. The earliest printed minutes of the Assembly known today appeared in 1711.

The Assembly did arrange for the printing of some additional laws in 1709.

Ordered that Mr. Speaker & Captain Farmer agree with the printer for printing Such Acts and other things relating to this house as they shall think fitting. New Jersey [Colony] General Assembly, 1872, 182, 26 March 1709.

Not long after this order was issued by the Assembly, William Bradford published a collection of all New Jersey laws from the first passed in 1703 to those passed during the fourth Assembly first session which met from March 3, 1708/9 to April 4, 1709. During the following year, session laws for the 4<sup>th</sup> Assembly second session (May 25 – June 30, 1709) and the 5<sup>th</sup> Assembly first session (November 21, 1709 to January 31, 1709/10) were added to the compilation.

The first known printed minutes, called throughout this history the *Votes & Proceedings*, appeared in 1711. The session covered ran from December 6, 1710 to February 10, 1710/11. The following order appeared in the *Votes & Proceedings*.

*Ordered*, That the Votes of this House, and the several Addresses to his Excellency be forth-with Printed, as also all the Titles of those Acts that have past this House at this sitting, and that every Member of this House have an Exemplar of the same sent to them by the Printer, and one of each of the Acts of Assembly to the Clerk of the respective Counties.

*Votes & Proceedings*, 10 February 1710/11

It was published with the title *A Journal of the Votes of the General Assembly of Her Majesties Colony of Nova-Caesarea or New-Jersey, in America*.

After 1711 the Assembly regularly issued printed versions of its session laws and minutes (*Votes & Proceedings*). By 1725 the *Votes & Proceedings* were being printed weekly.

*Ordered, That William Bradford do Print the Votes and Proceedings of this House Weekly. And that the Clerk of this House do prepare a Copy for him every Fryday.*

*Votes & Proceedings, 10 June 1725*

The library has in its collection many original printings of the early session laws, law compilations, and minutes of the Assembly, publications printed during the period 1704 to 1723. They were all printed in New York City by William Bradford.

### **The First New Jersey Imprints**

The first time a New Jersey printed document appeared with a place of publication other than New York City was in 1723. Some of the session laws printed by William Bradford in 1723 specify Perth-Amboy as the place of publication. These are the first known printed publications with a New Jersey location included in the imprint. Some historians believe that William Bradford moved a printing press to Perth Amboy in 1723 because he had a contract to print money, called at the time bills of credit, for the Colony of New Jersey, and that while his press was there, he printed the 1723 session laws.

Other historians doubt that a printing press was actually moved to Perth Amboy because not all the printed copies have Perth Amboy in the imprint. Some show New York. Douglas Crawford McMurtrie who made a close study of the seven surviving copies of the publication found four with Perth Amboy in the imprint and three with New York. He determined from differences in the paging and layout that these seven copies are representative of three different issues or printings. The existence of three issues and the two different imprints has led some historians to believe that Bradford did not actually move his press to Perth Amboy but merely used the name in the imprint for copies he sold to the New Jersey Assembly.

Those who believe a press was brought to New Jersey point out that William Bradford did print bills of credit for New Jersey in 1723, and that he owned property in Perth Amboy and may have had a house there at one time. Whether he actually did any printing in New Jersey, though, we will probably never know. Printed in New Jersey or not, it is a fact that the 1723 session laws are the earliest known publications to show a New Jersey location in the imprint (McMurtrie 1935, 1-8).

There is evidence that William Bradford was not the Assembly's first choice for printing the bills of credit (money) in 1723. Shortly after approving "An Act for an Additional Support of this Government, and Making Current Forty

Thousand Pounds in Bills of Credit, &c.," the Assembly issued the following order:

*Ordered*, That if *Samuel Keimer* the person appointed by this house to print the Bills of Credit to be made Current by an Act passed this present Sessions . . . shall by Death, Sickness, or Otherwise, be rendered incapable to Print the said Bills, and what else is by the Resolves of this House ordered to be Printed, Then and in such Case, six Members of this house . . . or any two of them, are hereby appointed to joyn with one, or more, of his Majesty's Council to agree with some other fit Person to Print the said Bills of Credit, and what else is appointed by this House to be printed.

*Votes & Proceedings*, 30 November 1723

It is not known why the Assembly selected Keimer to print the money or why after being selected he did not do the work. Up to this time William Bradford had done all the printing for the Colony of New Jersey. Keimer was new to the area having just opened a print shop in Philadelphia. Until Keimer's arrival William Bradford and his son Andrew who in 1713 established a printing business in Philadelphia were the only printers in the area (Wall 1963).

Samuel Keimer did not print the New Jersey money in 1723, but he did earn himself a small place in history by hiring a promising young man as his assistant. When Benjamin Franklin first arrived in Philadelphia in October of 1723, he approached Andrew Bradford about a job. Bradford did not need any help at the time, so he referred Franklin to the new printer in town, Samuel Keimer, who hired him a few days after meeting him (Franklin 1987, 1330). Though apparently offered the work printing New Jersey notes in 1723, Keimer did not do the work. At this time William and Andrew Bradford continued to receive all of the government work from New Jersey.

Andrew Bradford began printing the New Jersey session laws in 1725 and continued to print them for many years. He did lose the business to Samuel Keimer in 1728 but regained it the following year. New Jersey needed new printed money in 1728 to replace the notes printed in 1723, and Keimer was selected to do the work.

Samuel Keimer moved a printing press to Burlington, New Jersey, so that government officials could closely monitor the printing of the money. Benjamin Franklin, who after spending some time in London was again working for Keimer, did most of the work (Franklin 1987, 1357-1358), and while printing the money also produced the 1728 New Jersey session laws (fig. 8). In this case historians are in agreement that this printing was done on New Jersey soil. The publication printed at Burlington is either the first or second one printed in New Jersey depending on your view of the 1723 session laws printed by William Bradford.

The title page of the 1728 session laws hints at an interesting peculiarity about the Colony of New Jersey.

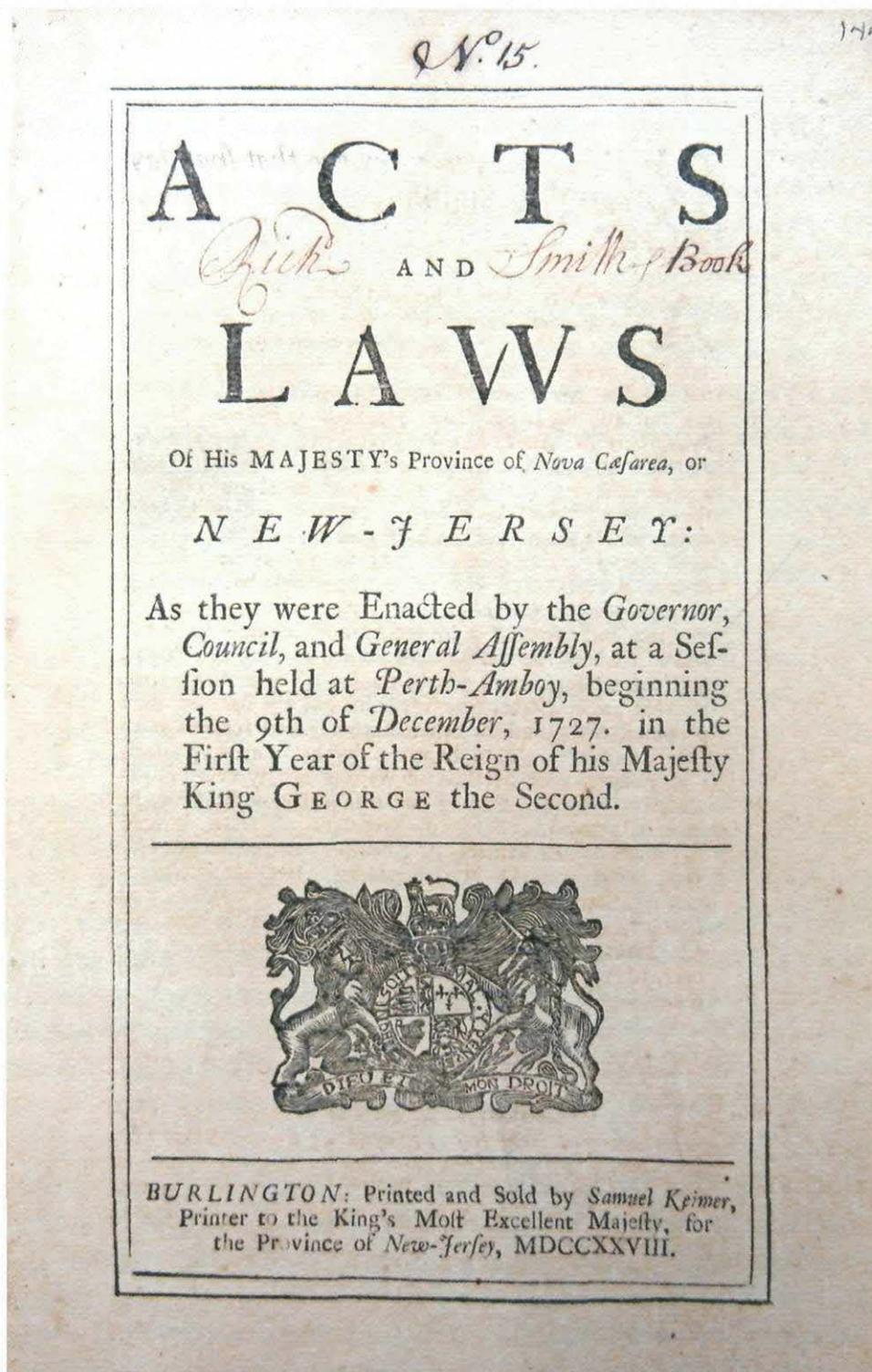


Figure 8. Title page of the first publication known to have been printed on New Jersey soil. It was printed in 1728 in Burlington, New Jersey. Samuel Keimer moved a press temporarily to Burlington to do the work, most of which was done by his young assistant Benjamin Franklin.

- Title: Acts and Laws of His Majesty's Province of Nova Caesarea, or New-Jersey: As They Were Enacted by the Governor, Council, and General Assembly, at a Session Held at Perth-Amboy, Beginning the 9<sup>th</sup> of December, 1727. in the First Year of the Reign of His Majesty King George the Second.
- Imprint: Burlington: Printed and Sold by Samuel Keimer, Printer to the King's Most Excellent Majesty, for the Province of New-Jersey, MDCCXXVIII [1728].

The title states that the Assembly met in Perth Amboy yet the imprint states that the printing press was located in Burlington, supposedly because that's where the government officials were. From 1702 to 1776 New Jersey had two capitals, Perth Amboy and Burlington; and the legislature moved back and forth between the two towns. This was a holdover from the period when New Jersey was actually two colonies, East and West New Jersey. Both capitals were maintained after the two colonies were merged.

Note that when a title page transcription like the one above appears in this history, the information is divided into two sections: Title and imprint. Title is short for title and statement of responsibility and includes all the text on the title page other than the imprint. Along with the title itself it includes any reference to authors, editors, and organizations involved in preparing the publication for the printer. The imprint consists of place of publication, publisher/printer name, and date of publication.

After working for Samuel Keimer on several occasions, Benjamin Franklin opened his own printing business in Philadelphia in 1728. He printed the *Session Laws* for New Jersey during the period 1733 to 1739 and the Assembly's *Votes & Proceedings* from 1740 to 1742.

## The First Official Compilation of New Jersey Laws

The printing of New Jersey laws and the Assembly's minutes had become routine by the year 1730 when the Assembly arranged for the publication of a compilation of all New Jersey laws.

Resolved, *Nemine Contra dicente*, That the Acts of Assembly of this Province now in Force, and such as may be passed this Sessions, shall be Revised and Corrected by the Speaker, and then printed and bound up in one Volume, by such Person or Persons, and at such reasonable Price, as the said Speaker shall appoint and agree with, of which Acts so to be printed, there shall be provided One Hundred and Twenty Copies, for the several Uses following.

*Votes & Proceedings*, 3 July 1730

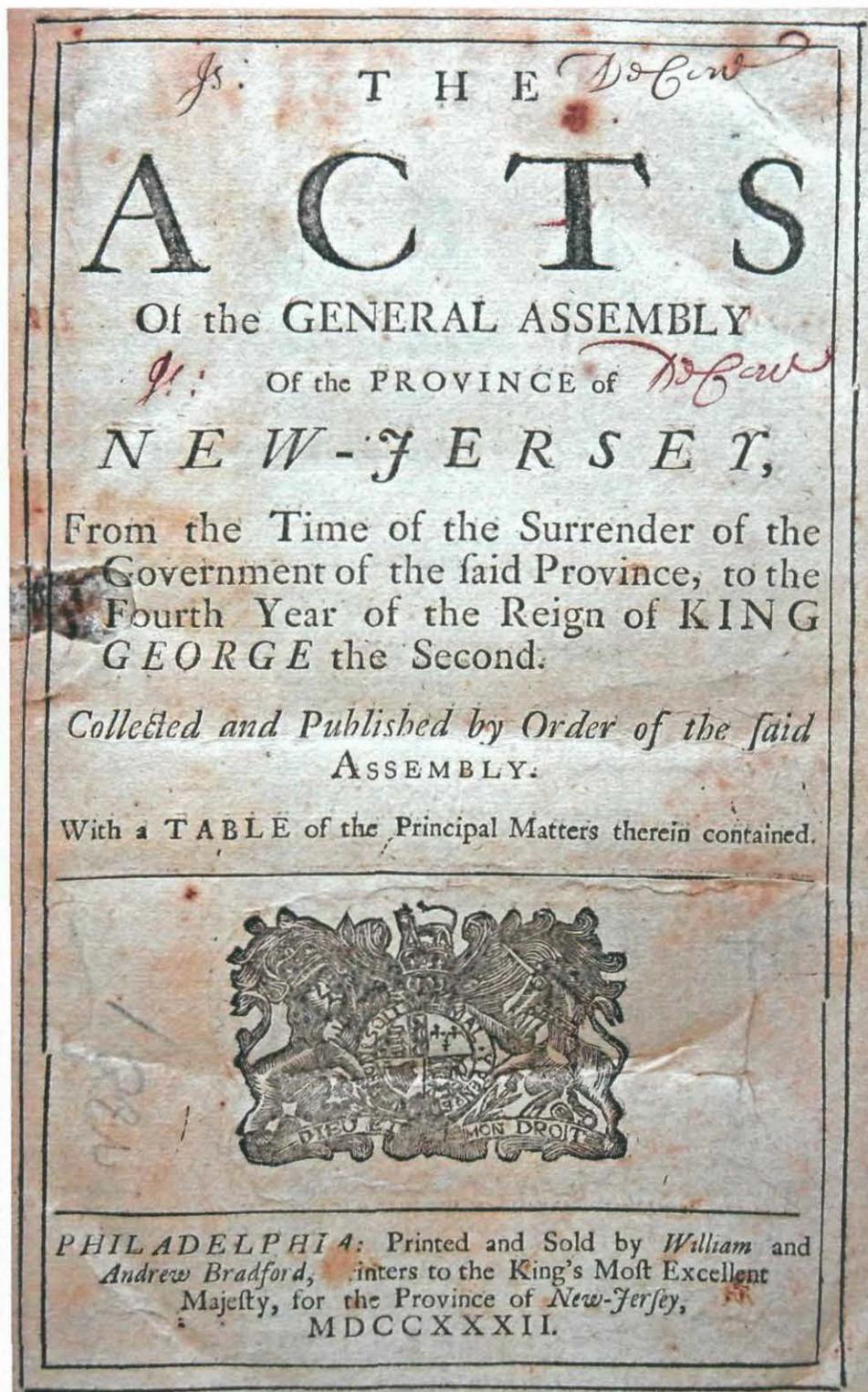


Figure 9. Title page of the first compilation of New Jersey laws prepared under the direction of the Assembly. It was printed in Philadelphia by Andrew Bradford in 1732.

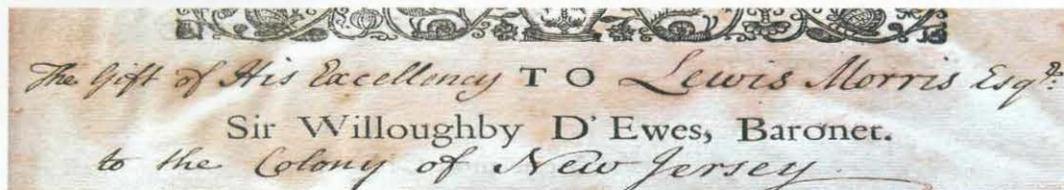
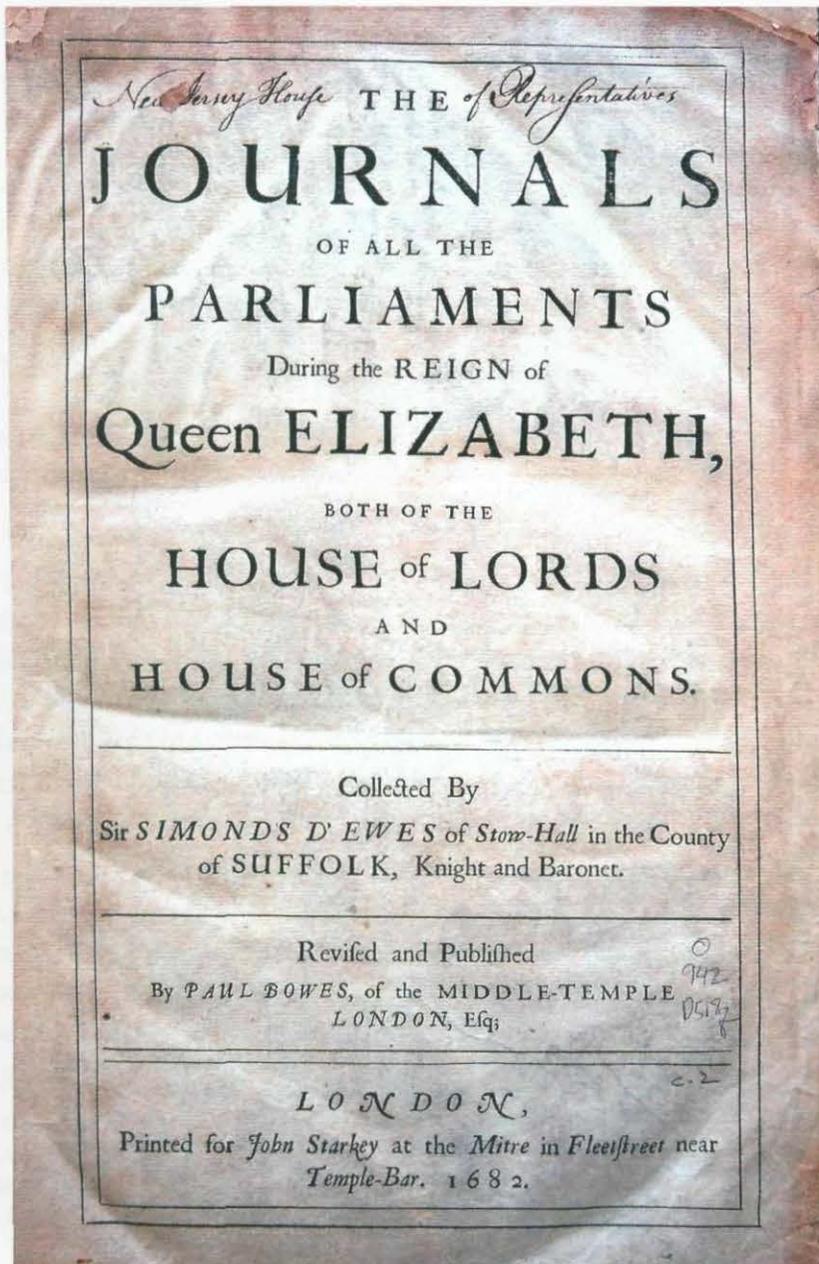


Figure 10. Title page of the first book other than ones produced by the government itself known to have been acquired by the New Jersey Assembly. The inscription on the page following the title page reads "The Gift of His Excellency Lewis Morris Esq. to the Colony of New Jersey."

William Bradford had issued law compilations in 1709 and 1717, but this would be the first compilation produced under the direct supervision of the Assembly (Falcone 1992, 137-138). The publication was edited by John Kinsey and is usually referred to as “Kinsey’s Laws,” though his name does not appear on the title page (fig. 9). The book was published in 1732 with the following information on the title page:

- Title: The Acts of the General Assembly of the Province of New-Jersey, From the Time of the Surrender of the Government of the said Province, to the Fourth Year of the Reign of King George the Second. Collected and Published by Order of the said Assembly. With a Table of the Principal Matters therein contained.
- Imprint: Philadelphia: Printed and Sold by William and Andrew Bradford, Printers to the King’s Most Excellent Majesty, for the Province of New-Jersey, MDCCXXXII [1732].

During its first thirty-five years the New Jersey Assembly acquired a sizable collection of printed documents. The library today still has forty-three of these documents in its collection: sixteen session laws, three law compilations, nine minutes of the Assembly, along with ten ordinances and five other publications issued by the governor. At this point the collection consisted only of publications created by New Jersey’s colonial government and is probably better characterized as the Assembly’s document repository rather than a library, but this began to change in 1738.

### The Library’s “First Book”

From 1703 to 1738 New Jersey had its own assembly, council, and courts, but it shared its governor with New York. For many years the New Jersey legislature attempted to change this situation. There is an entry in the *Votes & Proceedings* in 1730 indicating this desire.

Resolved, That the having a distinct Governor for *New-Jersey* in the Opinion of the said Committee, was for the Advantage of this Province. Resolved also, That an humble Address be prepared and brought into the house for their Approbation, by the Speaker, to present to his Majesty, entreating him, that whenever he shall please to put a Period to the Government of the present Governour, that then he will be pleased to bestow a distinct Governour on this Province.

*Votes & Proceedings*, 4 July 1730

In 1736 a petition was sent to the King again asking that New Jersey have its own separate governor. A printed copy of this petition is still in the library’s collection today. In 1738 the request was granted and Lewis Morris became New Jersey’s first governor independent of New York. Governor Lewis Morris influenced the development of the Assembly’s collection of printed documents by presenting to the Assembly a book from his personal library.

Whereas *D'Ew's Journal of the Parliament in Queen Elizabeth's Reign* was made a Present of to this House; *Ordered*, That it be lodged in the Clerk's Hands for the Use of the House.

*Votes & Proceedings*, 24 November 1738

This is the first documented case of the New Jersey Assembly acquiring a publication not of its own making. The book was published in England and provides transcriptions of the activities of the English Parliament during the reign of Queen Elizabeth. The title page shows the following information.

Title: The Journals of All the Parliaments during the Reign of Queen Elizabeth, both of the House of Lords and House of Commons. Collected by Sir Simonds D'Ewes of Stow-Hall in the County of Suffolk, Knight and Baronet. Revised and Published by Paul Bowes, of the Middle-Temple, London, Esq.

Imprint: London, Printed for John Starkey at the Mitre in Fleetstreet near Temple-Bar. 1682.

The transcriptions were the work of Sir Simonds D'Ewes and they were published after his death by his nephew Paul Bowes. The book presented to the Assembly is in the library's collection today (fig. 10) and has on its dedication page a handwritten note stating: "The Gift of His Excellency Lewis Morris Esq. to the Colony of New Jersey." It is the second item on the inventory list prepared by Maskell Ewing in 1796.

The presentation of this book to the Assembly marked the first step in the broadening of the Assembly's collection, and it prompted further acquisitions by the Assembly. Just five days after receiving the book from Governor Morris, the Assembly requested that some additional law books be purchased for the use of the members.

*Ordered*, That the Treasurer of the *Eastern Division* do procure the Laws of the Province of *New-York*; And, That the Treasurer of the *Western Division* do procure the Laws of the Province of *Pensilvania*; And deliver them to the Clerk for the Use of the House, as soon as they can.

*Votes and Proceedings*, 29 November 1738

As mentioned earlier, New Jersey had two capitals at this time: Perth Amboy and Burlington. From 1719 until the State of New Jersey took control of the office in 1775, there were also two treasurers, one for the eastern division and one for the western division of the colony. Not long after requesting law books from New York and Pennsylvania, the Assembly requested a set of books from England.

On a Motion made it is *Ordered*, That the Treasurer of each Division do provide a compleat set of the *Statutes at large*, for the Use of the House, also the *Statutes abridged*, both of the latest Edition.

*Votes & Proceedings*, 15 January 1738/9

A 21 October 1742 entry in the *Votes & Proceedings* records receipt of these volumes.

According to Order the Six Volumes of the Statutes at large were brought into the House: *Ordered*, That at the Beginning of each Volume the Clerk write, *This Book belongs to the Colony of New-Jersey*. Which being done, the said Books were committed to the Care of Mr. *Richard Smith*, jun. one of the Members of this House.

*Votes & Proceedings*, 21 October 1742

When Lewis Morris became governor of New Jersey in 1738, the colony began using a new printer named John Peter Zenger for some of its work. Morris knew Zenger during an earlier period when William Cosby was governor of New York and New Jersey and Morris was the leader of the political opposition. Zenger opened a print shop in New York City in 1726 and began publishing a newspaper, the *New York Weekly Journal*, in 1733 shortly after Cosby became governor. Since William Bradford was the official printer for New York and New Jersey publishing a newspaper that was in support of Cosby's administration, Zenger's newspaper became the voice of the political opposition.

Angered by articles written by Lewis Morris and others appearing in Zenger's newspaper, Governor Cosby had Zenger arrested for libel in 1734. At his trial Zenger's defense attorney argued that everything written about the governor that had appeared in Zenger's newspaper was true. At the time this was not a valid defense because the law stated that "truth of a libel could not be admitted in evidence." Criticism of the government was libel whether true or false.

After an impassioned speech by Zenger's defense attorney, the jury returned a verdict of not guilty. "The trial of Zenger first established in North America the principle that in prosecution for libel the jury were the judges of both the law and the facts. The liberty of the press was secure from assault and the people became equipped with the most powerful weapon for successfully combating arbitrary power, the right of freely criticizing the conduct of public men." (Rutherford 1904, 131). Three years later Lewis Morris was appointed Governor of New Jersey, the first governor of a New Jersey no longer administratively linked to New York.

When Lewis Morris became governor, John Peter Zenger began to receive some of the colony's printing business. He printed the *Votes & Proceedings* and several speeches for the Assembly (fig. 11). His work with New Jersey lasted only a year, though. Benjamin Franklin, who had been printing the session laws since 1733, took over the printing of the *Votes & Proceedings* in 1740. Zenger continued to publish his newspaper in New York until his death on July 28, 1746 (Rutherford 1904, 128).

## The Reference Collection Grows During the 1750s

From the very beginning members of the Assembly had been interested in the laws passed in other colonies. In 1750 more New York and Pennsylvania law books were requested.

*Ordered*, That Mr. *Van Buskirk* do purchase two sets of the Laws of the Colony of *New-York*, and that Mr. *Leaming* purchase two sets of the Laws of *Pennsylvania*, one Set of each to be lodged at *Perth-Amboy*, and the other at *Burlington*, with the Clerks, for the Use of the House.

*Votes and Proceedings*, 6 October 1750

This order was duplicated by two later ones. The laws of Pennsylvania were again requested February 16, 1750/1, and the laws of New York on October 2, 1751. Two sets were purchased to reduce the number of papers and books that needed to be transported back and forth between the two capitals, Perth Amboy and Burlington, as the Assembly alternated its sessions between the two sites.

It appears that the Pennsylvania laws were probably added to the collection in late 1751 or early 1752.

*Resolved*, That in and by the said Bill when passed into a Law, there be paid . . . To *Samuel Smith*, for two Sets of the *Pennsylvania* Laws, purchased by him, *three pounds, Thirteen Shillings and six-pence*.

*Votes & Proceedings*, 11 October 1751

They were purchased from David Hall, a partner in Benjamin Franklin's printing and book selling business in Philadelphia. This can be seen in a settling of Samuel Smith's accounts in 1753.

By Cash paid *David Hall* for 2 *Pennsylvania* Law Books: 3 : 13 : 6.

*Votes & Proceedings*, 8 June 1753

The library has in its rare book collection a bound volume containing *The Charters of the Province of Pensilvania and City of Philadelphia* (B. Franklin, 1742) and *The Laws of Pennsylvania* (B. Franklin, 1742). The following handwritten note appears on the title page of the Charters: "Purchased for the House of Representatives of the Province of New Jersey by Their order By Samuel Smith Treasurer" (fig. 12). Today Samuel Smith is primarily remembered as the author of the first general history of New Jersey, *The History of the Colony of Nova-Caesaria, or New-Jersey: Containing, An Account of Its First Settlement, Progressive Improvements, The Original and Present Constitution, and Other Events, to the Year 1721. With Some Particulars Since; and A Short View of Its Present State* (Printed by James Parker in 1765).

According to the *Votes & Proceedings*, December 22, 1752, the Assembly requested more English law books.

[ 1 ]

The SPEECH of His Excellency LEWIS MORRIS, Esq;  
 Captain General and Governour in Chief in and over His Ma-  
 jesty's Province of Nova Caesarea, or New-Jersey and the Terri-  
 tories thereon depending in America, and Vice Admiral in the  
 same, &c.

*See N. 10  
 of Votes p. 3*

*Gentlemen of the Council and Assembly;*

*October 1738.*

**I**T is with great Pleasure I meet this first General Assembly of the Pro-  
 vince of *New-Jersey*, by His Majesty now made independent on the  
 Governour of *New-York*. This has been a Favour so great in its Kind,  
 and so long and earnestly desired by the Inhabitants, that I persuade  
 my self it will meet with all the grateful Returns in the Power of a  
 People who are so particularly oblig'd by it, and who are to reap all the  
 Benefits that such an Indulgence must naturally produce

HIS Majesty esteems it His greatest Glory to make all His Subjects as  
 happy as their Circumstances will admit Him to do; and His Royal Good-  
 nefs in granting your Requests, shews, That the remotest of His Subjects, as  
 well as those under His more immediate Administration, are equally the  
 Objects of His Royal Care; and I doubt not will produce in you Sentiments  
 suitable to the Opportunity you now have (almost beyond your Expectation)  
 given you to express in the most proper and agreeable Manner.

*Gentlemen of the Assembly;*

THE Duty of my Station obliges me to acquaint you, That the Support of  
 the Government has been for ~~some~~ <sup>some</sup> time expired, and it is necessary that proper  
 Provision be made for it. I have been often a Witness of the Willingness and  
 Readiness of the Assemblies of this Province to Support His Majesty's Govern-  
 ment over them, when administred by the Governour of *New-York*, even when  
 they conceived the Exercise of it by such a Person not wholly consistent with  
 the Interest of the Inhabitants. This gave Rise to the Petition presented to His  
 Majesty, for the Alteration now made in their Favour; in which they affirm-  
 ed, *That they were equally willing and able to support a distinct Governour with  
 divers of the Neighbouring Colonies who enjoy'd that Privilege under His Majesty.*

THIS has been one Inducement to grant the Requests made unto him;  
 and, as a farther Instance of His Royal Goodness, appointed a Person well  
 known to you, and whose Conduct in a Station amongst you, not very dif-  
 ferent from the Present, you have more than once had Experience of.

HIS Majesty having been graciously pleas'd to grant the Prayers of the  
 Petitions, I believe you will think it a Duty incumbent on you to make good  
 on your Part the Assurances given in order to obtain the Favour desired; and  
 I will make no Doubt but that your Deeds will correspond with your Words, in  
 raising such an ample Support for His Government, in such a Manner, and  
 for so long a Duration, as will be adequate to the Occasion you now have of  
 doing of it, this being the most likely Method to induce His Majesty to con-  
 tinue the Favours already granted, and to make farther Additions to them.

Mr. Speaker;

WHEN I recommend the raising of a Support for the Government, I  
 would not be understood to mean only a Salary for the Governour (which is  
 but a Part of that Support) but also the Salaries of other Officers, and a suitable  
 Provision for the other necessary and contingent Charges, without which the  
 Government cannot well be administred.

WHEN The Provision for the Officers of the Government falls under  
 your Consideration, I would recommend to you to distinguish between the Officer  
 and the Office, and not to suffer the ill Conduct of an Officer to be any In-  
 ducement

I believe well know.

THE Thing is done, and at no small Expence, which I persuade my self  
 will be duly consider'd of by you.

LEWIS MORRIS,

Printed by John Peter Zenger, 1738.

*0  
 34719  
 N53*

Figure 11. First page and bottom of last page of a speech delivered to the New Jersey Council and Assembly by Governor Lewis Morris. It was printed by John Peter Zenger in New York in 1738.

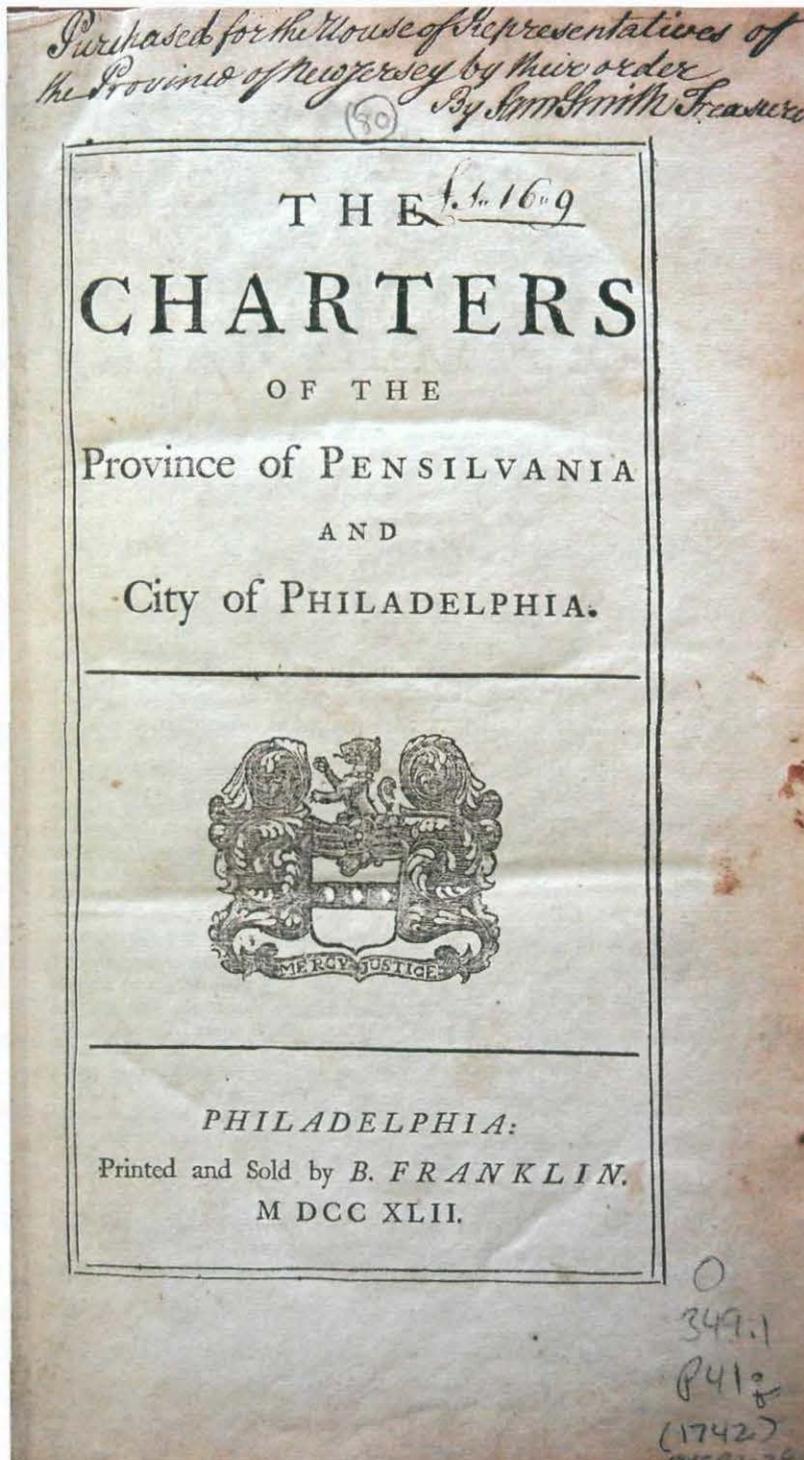


Figure 12. Title page of a document printed by Benjamin Franklin in 1742. The inscription reads "Purchased for the House of Representatives of the Province of New Jersey by Their order by Samuel Smith Treasurer."

*Ordered*, That the Committee of Correspondence do direct the Agent of this Province to purchase for the Use of this Province, one Sett of the Publick Acts of Parliament of *Great-Britain*, since the Seventh Year of his present Majesty, and transmit them to *Philadelphia*; together with two Sets of the Votes of the Honourable House of Commons, for three Years past, and to continue to transmit the publick Acts of Parliament and Votes as the same shall become printed. *Votes & Proceedings*, 22 December 1752

This order intended to supplement the six folio volumes of the *Statutes at Large* obtained in 1742. The library currently has seventeen volumes of the *Acts of Parliament During the Reign of George II* that most likely were received as the result of the order. The library also has two volumes of the original *Votes of the House of Commons* mentioned in the order.

### **The Publishing Activities of the 1750s**

In 1752 the calendar changed and for the first time January began the year. December 31, 1751, was followed by January 1, 1752. And to realign the year with the sun, September was shortened to nineteen days. September 2<sup>nd</sup> was followed immediately by September 14<sup>th</sup>. Finally the old Julian calendar was replaced by the Gregorian calendar in Great Britain and its colonies.

In this same year the Assembly published a major compilation of all New Jersey laws. The project began with an order issued in late 1747.

*Ordered*, That Mr. *Nevill*, Mr. *R. Smith*, Mr. *Cooper*, and Mr. *Kearney*, be a Committee to inspect all the Laws passed in this Colony, together with the Minutes and other Papers which they can procure, whereby they can get any Information concerning what Laws are now in Force, and make report thereof to the House, together with what Laws are expired, repealed, or disallowed of by the Crown, in order that the Laws in Force may be revised, corrected, and Re-printed. *Votes & Proceedings*, 27 November 1747

Samuel Nevill worked on this project over the next four years reporting to the Assembly on his progress from time to time.

Mr. *Nevill* from the Committee appointed to inspect all the Laws passed in this Colony, &c. reported, that they have carefully inspected all the Laws passed in this Colony, since the Surrender of the Government in 1702.

*Votes & Proceedings*, 15 February 1747/8

Mr. *Speaker* [Samuel Nevill] informed the House that Mr. *Kearny* and himself had made some Progress in collecting the Laws now in Force in this Colony into one Body.

*Votes & Proceedings*, 13 December 1748

*Ordered*, That the Laws of this Province, as now compiled by Mr. *Speaker* [Samuel Nevill], be committed to the Press, under his Management, Direction, Care and Inspection. *Votes & Proceedings*, 8 October 1750

The new compilation of laws was finally issued in 1752. Printed by William Bradford in Philadelphia, it appeared with the following title page (Felcone 1992, 139-143):

Title: The Acts of the General Assembly of the Province of New-Jersey, From the Time of the Surrender of the Government in the Second Year of the Reign of Queen Anne, to this Present Time, Being the Twenty Fifth Year of the Reign of King George the Second. Collected and Published by Order of the General Assembly of the Said Province. By Samuel Nevill Esq.; Second Justice of the Supreme Court of Judicature of the Said Province.

Imprint: Printed by William Bradford, Printer to the Kings Most Excellent Majesty for the Province of New-Jersey, MDCCLII [1752].

The book was published forty-eight years after William Bradford printed a New Jersey law for the first time in 1703/4. In this case the printer was William Bradford's grandson William Bradford III. He started his printing career as an apprentice to his uncle Andrew Bradford in 1733 and became Andrew's partner in 1739. He left the partnership after about a year. In 1742 he established his own printing business in Philadelphia (McMurtrie 1936, 55). From 1703 to 1753 New Jersey used the services of six printers, two working in New York and four in Philadelphia.

- William Bradford of New York City (fig. 7)
- Andrew Bradford of Philadelphia (fig. 9)
- Samuel Keimer of Philadelphia (fig. 8)
- John Peter Zenger of New York City (fig. 11)
- Benjamin Franklin of Philadelphia (fig. 12)
- William Bradford III of Philadelphia (fig. 14)

There were no printers in New Jersey for the Assembly to use until 1754 when James Parker opened a print shop in Woodbridge. Despite the fact that William Bradford III was New Jersey's official printer at the time, Parker was given the job of printing the 1754 *Votes & Proceedings* (fig. 13).

*Ordered*, That *James Parker* do print 273 Sets of the Votes of this House, being first perused and signed by the Speaker. *Votes & Proceedings*, 29 April 1754

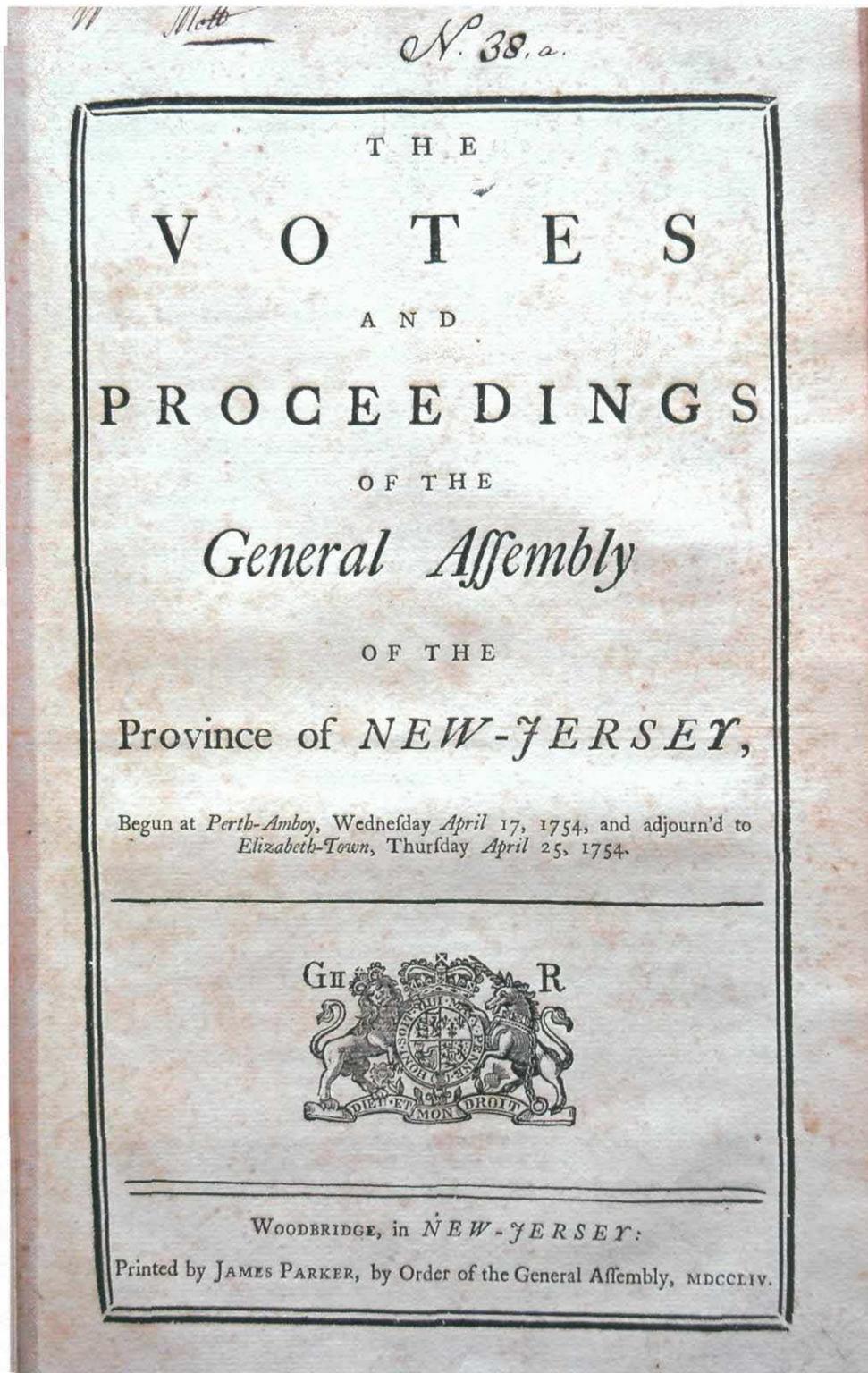


Figure 13. Title page of the *Votes & Proceedings* printed by James Parker shortly after he established the first permanent printing business in New Jersey in 1754.

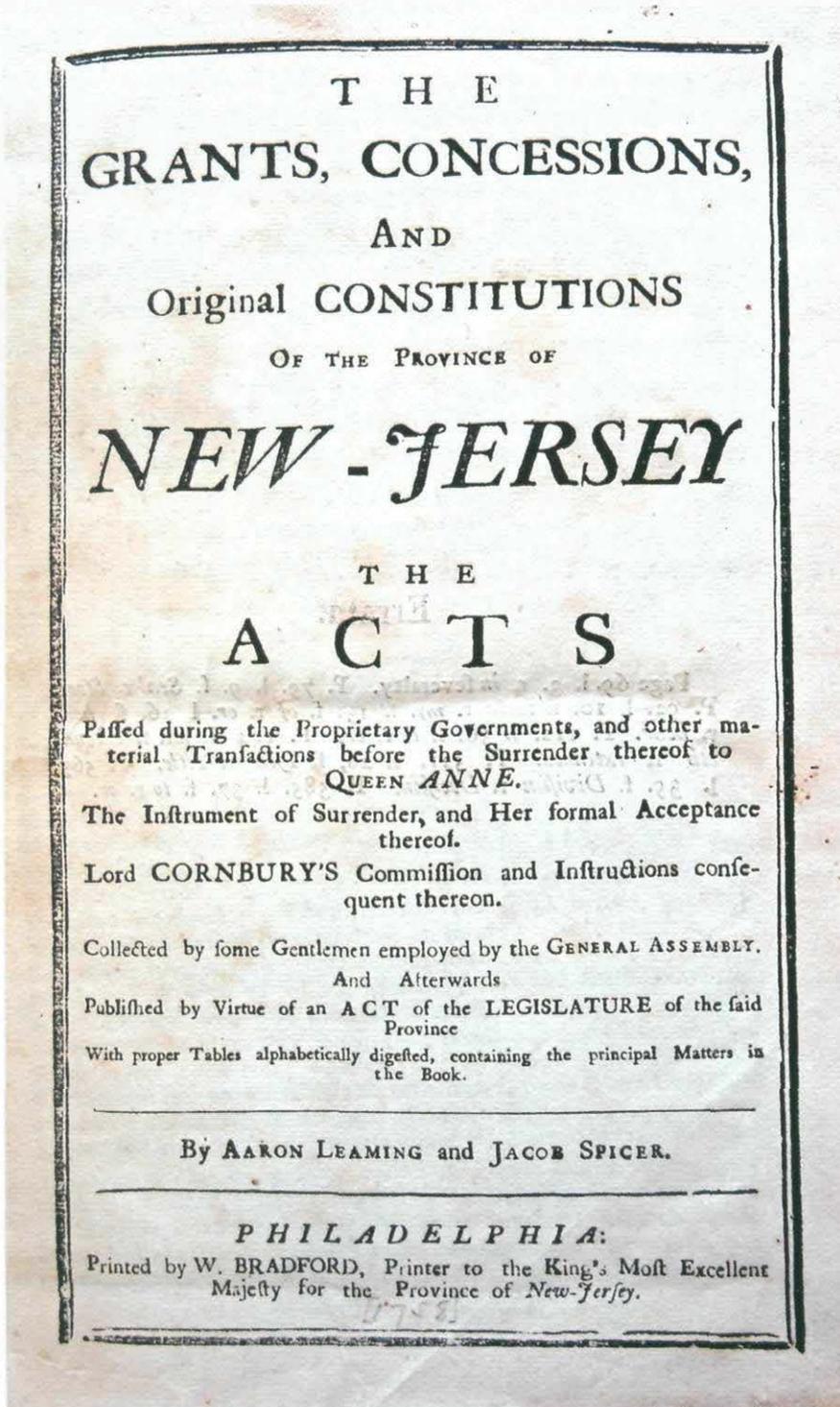


Figure 14. Title page of Leaming and Spicer's *Grants and Concessions* printed by William Bradford III in Philadelphia in 1758.

Four years later on September 6, 1758, Parker was named the official printer for the Colony of New Jersey by King George II (Bond 2010, 262). James Parker learned the printing trade as an apprentice to William Bradford in New York City and later worked for Benjamin Franklin in Philadelphia. With Benjamin Franklin's help, he opened his own printing business in New York City in 1742. Twelve years later in 1754, Parker turned over the day-to-day operations of the New York press to his partner William Weyman and returned to Woodbridge, the town of his birth, to open the first permanent printing business in New Jersey (Bond 2010, 211). Parker printed all but two of the Assembly's *Votes & Proceedings* during the period 1754-1770. Parker also printed the first history of New Jersey, a book written by Samuel Smith who was mentioned earlier as Treasurer of the Western Division of New Jersey. To accommodate the printing of Smith's history, Parker had a printing press set up in Smith's hometown of Burlington.

### Leaming and Spicer's Grants and Concessions

Early in the 1750s members of the Assembly became interested in collecting, preserving, and studying the colony's earliest laws, laws passed during the proprietary period, 1664-1702. A committee was established to pursue this interest.

*Ordered, That Mr. Lawrence, Mr. Cooke, Mr. Hancock, Mr. Spicer, Mr. Fisher, Mr. Wetherill, and Mr. Leaming, or any three of them, be a Committee to inspect the Laws, Records, and other fundamental Constitutions relating to the first Settlement of New-Jersey, in each Division.*

*Votes & Proceedings, 2 February 1750/51*

Five days later the committee submitted its report and the Assembly issued the following order:

The House taking the said Report into Consideration, after due Deliberation thereon, do agree thereto, *nemine Contradicente*. *Ordered, That exact Copies of all the Concessions and Agreements made by the Proprietors of New-Jersey, with the People at the first Settlement thereof; and all the Laws past during the Proprietary Government; together with all other Records, Instruments and Papers relating to the fundamental Constitution of this Colony, be printed with all convenient dispatch, and collected in one Volume.*

*Votes & Proceedings, 7 February 1750/51*

Despite the directive to proceed "with all convenient dispatch," the work proceeded slowly. Three years later in mid-1754, the Assembly was still reviewing documents.

*Ordered, That Samuel Smith, Esq., do forthwith send to this House, all the Copies of the Records and Papers relating to the original Constitution of the*

Colony, by the next Stage; and that the Clerk of this House do send him a Copy of this Order. *Votes & Proceedings*, 6 June 1754

After reviewing all the documents, the Assembly again said that they should “be printed with all convenient Dispatch,” which in this case amounted to another four years. The finished book was finally delivered on March 27, 1758.

One hundred and fifty-six Volumes of Papers, relating to the original Constitution of this Colony, being laid before the House, were now distributed according to the Act of Assembly.

*Votes & Proceedings*, 27 March 1758

Much of the preliminary work on the book was done by Samuel Nevill and Samuel Smith. The final editing and preparation for printing was done by two representatives from Cape May, Aaron Leaming and Jacob Spicer (Felcone 1992, 144). It is often referred to as Leaming and Spicer’s *Grants and Concessions*, a title that leaves out its most important content, the “original constitutions of the province.” The title page provides a much more complete description (fig. 14):

Title: The Grants, Concessions, and Original Constitutions of the Province of New-Jersey. The Acts Passed during the Proprietary Governments, and other Material Transactions before the Surrender thereof to Queen Anne. The Instrument of Surrender, and Her Formal Acceptance Thereof. Lord Cornbury’s Commission and Instructions Consequent thereon . . . By Aaron Leaming and Jacob Spicer.

Imprint: Printed by W. Bradford, Printer to the King’s Most Excellent Majesty for the Province of New-Jersey. [1758]

The work on this project brought together and made readily available many important documents some of which would certainly have been lost over time. When work began some of the colony’s founding documents apparently were not even in the possession of the government.

*Ordered*, That the said *Samuel Nevill, Robert Lawrence, William Cooke, John Wetherill, Thomas Bartow* and *Samuel Smith*, Esqrs. or any one of them, do make diligent enquiry and search for the Instrument or Record of the Surrender made by the Proprietors of this Colony, at the Surrender of the Government to the Crown: And also for what Concessions were entered into by the Crown at the Time of the Acceptance of such Surrender in behalf of the people. *Votes & Proceedings*, 7 February 1750/51

Of all the documents in the book, the 1677 “Concessions and Agreements of the Proprietors, Freeholders, and Inhabitants of the Province of West New Jersey” is the most widely known and studied. C. M. Andrews, an authority on colonial government characterized it as “the broadest, sanest, and most equitable charter draughted for any body of colonists up to this time” (Angle 1954, 16).

The publishing of the 1752 *Acts of the General Assembly* and Leaming and Spicer's *Grants & Concessions* along with the Assembly's purchases of books for its reference collection reveal the importance members of the Assembly placed on the gathering and preservation of information for their use and for the use of future generations. The year 1754 saw an early attempt to organize and manage their reference collection.

*Ordered*, That all the Statutes, Laws and Books, belonging to the Eastern-Division of this Province, purchased for the Use of the House of Assembly, be brought into the House for the Perusal of the Members; and that at the End of this Sessions they be lodged with *John Johnston*, Esq., one of the Members of this House, for the further Use of this House, he giving a List of such Books, and a Receipt to the Clerk of the House for the same.

*Votes & Proceedings*, 5 June 1754

About a year later Samuel Nevill and Charles Read were given the responsibility for the two collections.

*Ordered*, That Mr. *Nevill* have the Care, Keeping and Custody of all the Statutes, Laws, &c. belonging to the Eastern Division of this Colony, that have been purchased for the Use of the General Assembly; and that Mr. *Read* have the Care and Custody of those belonging to the Western Division as aforesaid, and that they respectively give Receipts to Mr. Speaker for such Books, and see the same forth coming to the General Assembly when by them required.

*Votes & Proceedings*, 18 August 1755

## The Reference Collection Settles a Controversy

The *Votes & Proceedings* of 1754 provides a close look at how members of the Assembly used their growing collection of books and pamphlets. Several groups opposed the seating of Samuel Nevill as a member of the Assembly because he was also a judge on the Supreme Court.

Several Petitions, all of one Tenor, from a Number of the Freeholders, Inhabitants of the County of *Middelsex*, were presented to the House, setting forth, that the Electing of the Honourable *Samuel Nevill*, Esq., a Representative to serve in General Assembly, (he being one of the Judges of the Supreme Court) is contrary to the Laws of *Great Britain*, and an Act of this Province, entitled, *An Act for securing the Freedom of Assemblies*; which were read, and ordered a second Reading at three o'Clock this Afternoon.

*Votes & Proceedings*, 4 October 1754

A committee was appointed to look into the matter—

*Ordered*, That Mr. *Read*, Mr. *Spicer*, Mr. *Johnston*, Mr. *Hancock*, and Mr. *Holmes*, be a Committee to inspect the Laws of *Great Britain*, and of this Province, relating to Persons disqualified to sit in the House of Commons and General Assembly, and make Report thereof.

*Votes and Proceedings*, 5 October 1754

The committee reported its findings ten days later—

*Ordered*, That *Charles Read*, Esq., from the Committee appointed to inspect the Laws of *Great Britain*, and of this Colony, relating to Persons disqualified to sit in the House of Commons and General Assembly, do make the following Report to the House.

*Votes and Proceedings*, 15 October 1754

The committee examined and cited a number of printed sources in its report. The following phrases naming various sources are taken from the committee's two-page report:

“That by an Act of the General Assembly, passed in the 4<sup>th</sup> Year of his present Majesty, Chap. L. Sec. 2. it's declared...”

“...we have accordingly inspected the same, and do find, that by an Act of Parliament passed in the 4<sup>th</sup> *Ann*, Chap. VIII. Sec. 26...”

“That by an Act of the 1<sup>st</sup> of George the First, Chap. LVI. Sec. I...”

“...which Pensioners, by Jacob's Law Dictionary, are rendered...”

“...and by Chambers, it's defined to be...”

“And yet you may read . . . in the Parliament Roll, *Anno*. 31. H. 6.”

“...with which Jacob's Law Dictionary, and Lex Parliamentaria, page 182, 183, in Substance agree.”

“That by Dewes' Journal of the House of Lords and Commons, during the Reign of Queen Elizabeth, Page 67, 71, and 99, the Judges of the King's Bench...”

“...founded upon the Common Law of England, or the Customs or Usage of Parliament, as reported by the said 4<sup>th</sup> *Inst.* Jacob's Law Dictionary, and Lex Parliamentaria...”

*Votes and Proceedings*, 15 October 1754

The *Acts of the General Assembly*, the *Acts of Parliament*, and the *Dewes' Journal* all appear in Maskell Ewing's list as belonging to the legislature in 1796. The other titles may have been in the collection and later withdrawn or they may have been personal copies owned by individual members.

“Jacob's Law Dictionary” refers to *A New Law-Dictionary: Containing, The Interpretation and Definition of Words and Terms used in the Law* written by Giles Jacob. Its first edition appeared in 1729. An extremely popular work that went through twelve editions by 1800, it offers unparalleled insights into Anglo-American law during the eighteenth century. The library currently holds an 1811 edition corrected and greatly enlarged by T. E. Tomlins.

“Chambers” refers to a very early encyclopedia written by Ephraim Chambers and published in 1728. The library holds an original 1728 edition. This work was widely used in the 18<sup>th</sup> century and was originally planned to serve as the basis for the French *Encyclopaedia* of Diderot.

*Lex Parliamentaria* is a comprehensive treatise on the history of the rules, customs and practices of the English Parliamentary system. The first of many editions appeared in 1689. William and Andrew Bradford reprinted a London edition in New York in 1716 (Evans 1903, 1:252).

The Assembly’s reference collection of books was instrumental in the settling of this and many other controversies.

The House resuming the Consideration of the Matters alledged against *Samuel Nevill*, Esq., being disqualified to sit in the House of General Assembly, and having duly considered the Report of the Committee relating to Persons disqualified to sit in General Assembly; and the Laws of *Great Britain*, and of this Province in such Cases provided; and upon due Deliberation had thereof, the Question was put, Whether Mr. *Nevill* do sit in the House or not? It passed in the Affirmative. *Ordered*, That Mr. *Nevill* do resume his Seat in the House.  
*Votes & Proceedings*, 15 October 1754

## From the Grants and Concessions to the Revolution, 1758 - 1776

**S**amuel Nevill, who edited the compilation of laws printed in 1752, did much of the work on the *Grants & Concessions*, and whose election was questioned in 1754 was again put to work on a new publishing venture in 1758. (Falcone 1992, 152-155.)

*Ordered*, That a second Volume of the Laws of the Province be prepared for the Press.  
*Votes & Proceedings*, 18 April 1758

The work went much faster this time—

Pursuant to the Order of the House the last Session, Mr. *Nevill* laid before the House, the Acts of Assembly of this Province, passed since the printing of the first Volume.

*Votes & Proceedings*, 12 August 1758

The book was printed by James Parker in Woodbridge, New Jersey.

Title: The acts of the General Assembly of the province of New-Jersey. Volume the second : from the year 1753, being the twenty-sixth of the reign of King George the Second ... to the year 1761, being the first of King George the Third . . . collected and published by order of the General Assembly of said province, by Samuel Nevill.  
Imprint: Woodbridge, N.J. : Printed by James Parker, printer to the King's Most Excellent Majesty, for the province, 1761.

From time to time the *Votes & Proceedings* mentions the need for boxes, cases, or shelves for housing its reference collection. For example in 1768 payment was made for a chest.

To *John Johnston*, Esq., £ 30 : 3 : 0, to pay for Chairs and Tables for the Assembly and Council Rooms, Fire-wood, and a Chest to hold the Books and Papers. *Votes & Proceedings*, 3 May 1768

Payment was made in 1769 for a book press.

*Resolved*, That the Sum of £ 5 : 5 : 7, be paid to Mr. Speaker, in full of his Account for a Book Press in the Assembly Room at *Amboy*; Postage of Letters, and Carriage of the Assembly Boxes. To which the House agreed. *Votes & Proceedings*, 2 December 1769

“Carriage of the Assembly boxes” refers to the fact that the books and papers of the Assembly had to be shipped back and forth between Perth Amboy and Burlington between sessions. The following entry also mentions this fact.

*Ordered*, That the respective Clerks of this House, do, as soon as they have entered the Minutes of any future Sitting in the Journals of the House, send the Boxes with the Papers, to the other Clerk, in order that they may be ready for the Use of the House at their next Sitting afterwards. *Votes & Proceedings*, 6 March 1762

It is likely that the last book added to the Assembly’s reference collection during the colonial period was a compilation of laws edited by Samuel Allinson (Felcone 1992, 155-158).

Mr. *Kinsey* and Mr. *Skinner* desiring the House would appoint some other Person or Persons to Revise and Reprint the Laws of the Province, and informing the House that *Samuel Allinson*, Esq. was willing to undertake the same; *Resolved*, That the said *Samuel Allinson* be appointed to that Service. *Votes & Proceedings*, 15 February 1774

Following the usual practice, copies would be reserved for the Assembly—

*Ordered*, That when the said Laws are printed and neatly Bound in Calfskin, and Lettered, that the said *Samuel Allinson* do deliver, to be paid for by this Colony . . . To the Clerks of the Assembly for their own Use, each one, to the said Clerks for the Use of the House, 4 [copies]. *Votes & Proceedings*, 15 February 1774

Eleven months later—

Mr. *Allinson* informed the House that he had made great Progress in revising the Laws, and was ready to commit the same to the Press, but had delayed it

until he had the Approbation of the House.

*Votes & Proceedings*, 13 January 1775

A committee appointed to inspect the work reported—

Mr. *Fisher* from the Committee appointed to inspect the Laws as prepared by Mr. *Allinson* for the Press, reported, that in Conjunction with a Committee of the Council they had inspected the same, and approved of the Method.

*Ordered*, That Mr. *Allinson* do proceed to print the same forthwith.

*Votes & Proceedings*, 18 January 1775

There was one last problem that the Assembly had to deal with—

Mr. *Allinson* informing the House that there will be great Difficulty in getting Calfskin to bind the Laws of this Colony when printed, and that Sheepskin can be easier procured and cheaper: *Ordered*, That he bind the same in tanned Sheepskin.

*Votes & Proceedings*, 18 January 1775

The printing was completed early in 1776 by Isaac Collins—

Title: Acts of the General Assembly of the province of New-Jersey : from the surrender of the government to Queen Anne, on the 17th day of April, in the year of our Lord 1702, to the 14th day of January 1776 : to which is annexed, the ordinance for regulating and establishing the fees of the Court of chancery of the said province : with three alphabetical tables and an index / compiled and published under the appointment of the General Assembly, and compared with the original acts, by Samuel Allinson.

Imprint: Printed by Isaac Collins, printer to the King, for the province of New Jersey, 1776.

Isaac Collins opened a printing business in Burlington, New Jersey, in 1770. In the fall of 1775 Collins printed the last session laws of the old royal assembly and the proceedings of the new revolutionary Provincial Congress. Collins was still printing for New Jersey in 1796 (fig. 4).

## The American Revolution

In April 1775 the American colonies began an armed rebellion against Great Britain with the battles at Lexington and Concord. Shortly thereafter residents of New Jersey began to set up a second parallel government with the establishment of a provincial congress which began meeting in Trenton on May 23, 1775. For about six months New Jersey had two governments because the Colonial Governor, Council, and Assembly continued to function until the beginning of December 1775 while the Provincial Congress began meeting the previous May.

The Provincial Congress of New Jersey held a number of sessions with the last ending August 21, 1776, by which time The Provincial Congress had become

the official government of New Jersey operating under the name The Convention of New Jersey. This body created a constitution for the new state.

*Ordered*, That Mr. Green, Mr. Cooper, Mr. Sargeant, Mr. Ogden, Mr. Elmer, Mr. Hughes, Mr. Covenhoven, Mr. Symmes, Mr. Condict and Mr. Dick, be a Committee to prepare the draught of a constitution. (New Jersey [State] Provincial Congress 1879, p. 474, 24 June 1776)

On the question, Whether the draught of the constitution, formed on the report of the Committee of the Whole, be now confirmed, or be deferred for further consideration? It was carried for confirming now. (New Jersey [State] Provincial Congress 1879, p. 488, 2 July 1776)

Copies of the constitution were quickly printed for distribution.

*Ordered*, That one thousand copies of the draught of charter rights be immediately printed and dispersed among the inhabitants of this Colony. (New Jersey [State] Provincial Congress 1879, p. 489, 3 July 1776)

Isaac Collins finished printing 1,000 copies of New Jersey's first state constitution on July 6. A printed copy also appeared in *Dunlap's Pennsylvania Packet* on July 15, 1776. It had to appear in a Pennsylvania newspaper because no newspapers were published yet in New Jersey, and New York was under attack by the British. British troops occupied New York City on September 15, 1776, and remained there until leaving after the war on November 25, 1783. The library has an original of the Dunlap newspaper in its collection:

Title: Dunlap's Pennsylvania Packet or The General Advertiser.  
Philadelphia: Printed by John Dunlap, at the Newest Printing-Office  
in Market-street, where Subscriptions at Ten Shillings per Annum,  
Advertisements, &c. are thankfully received for this paper.

John Dunlap began publishing his newspaper in November 1771. He was the first to print copies of the Declaration of Independence.

The Provincial Congress declared itself the new government of the State of New Jersey on July 18, 1776.

*Resolved*, That this House from henceforth, instead of the style and title of the Provincial Congress of New Jersey, do adopt and assume the style and title of the Convention of the State of New Jersey. (New Jersey [State] Provincial Congress 1879, p. 511, 18 July 1776)

At the time the state was without a newspaper, but that would soon change. The New Jersey Assembly played an active role in establishing one. On October 11, 1777, Governor William Livingston sent a message to the legislature stating:

*Gentlemen*, It would be an unnecessary Consumption of Time to enumerate all the Advantages that would redound to the State from having a Weekly News-Paper printed and circulated in it.

*Votes & Proceedings*, 11 October 1777

The Assembly took this proposal into consideration on November 5, 1777.

His Excellency's Message of the 11<sup>th</sup> *October* last, respecting the Printing of a publick News-Paper in this State, was read; *Ordered*, That Mr. *Harris*, Mr. *Houston* and Mr. *Rodgers*, be a Committee to confer with Mr. *Isaac Collins*, Printer to the State, concerning the Terms on which he will undertake to print and circulate such Paper, and make Report to the House.

*Votes & Proceedings*, 5 November 1777

The committee met with Isaac Collins that same day, and Collins replied that he was willing if the Assembly would, "give him some encouragement and assistance." The committee reported back to the House:

Your Committee are clearly of Opinion that a well-conducted Gazette would at any Time, but especially in the present Conjunction, be of very essential Benefit to the good People of this State.

Your Committee therefore beg Leave to recommend this Matter to the Patronage and Encouragement of the House, and to propose that Mr. *Collins* have the Assurances he requests for the Term of one Year. Whereupon, *Resolved*, That this House will give Encouragement to Mr. *Collins*, in publishing a Weekly News-Paper in this State, agreeably to the Terms mentioned in the said Report.

*Votes & Proceedings*, 5 November 1777

On December 5, 1777, the first issue of *The New-Jersey Gazette* was distributed, and it included the following statement: "Subscriptions are taken in by all the members of the Legislature of New Jersey," an interesting addition to the responsibilities of a legislator. Isaac Collins continued to publish this paper until 1786, first from Burlington and later from Trenton.

## The Reference Collection Survives the Revolution

**D**uring the war the Assembly, now the State Assembly, continued to have its minutes and acts printed, but there is no evidence of any other books being added to the collection. In fact much of the collection may have been in storage at various locations. The government moved a great deal during this period. What could not be easily moved had to be stored, and sometimes moved from storage if the British threatened the area.

Major hostilities ended with the surrender of General Cornwallis at Yorktown, October 19, 1781. It was over a year, though, before a preliminary treaty was signed on January 20, 1783. An official proclamation suspending all

further hostilities was issued on April 19, 1783, but the official treaty ending the war was not signed until September 3, 1783.

At the end of the war, the Assembly had to retrieve its reference collection from various locations. In some cases items turned up in individuals' homes. In the case that follows, the Clerk of the Assembly was sent to recover items from a person residing in Burlington.

The House having been informed that there are in the Possession of *Richard Smith, Esq.*, at *Burlington*, sundry Books and Papers belonging to the House of Assembly. *Ordered*, That *Maskell Ewing, jun.* Clerk of the Assembly, be directed to call upon the said *Richard Smith, Esq.*, for such Books and Papers as may be in his Possession, belonging to the House of Assembly, and also call upon any person who may have Chairs or other Furniture in their Possession belonging to the House of Assembly, and to give him or them a Receipt for the same; and also, that he lay the same before the House of Assembly at their next Sitting.

*Votes & Proceedings*, 14 August 1784

The Clerk of the House reported, that, agreeably to the Order of the 14<sup>th</sup> Day of *August* last, he had called on *Richard Smith, Esquire*, of *Burlington*, and had received from him one Book containing Laws of *New-York*, and one other Book called *D'Ewe's Journals of Parliament*, in the Reign of Queen *Elizabeth*, and two Bags of Publick Papers which he had not examined, and which now wait the Order of the House; he further reported that he could not find, on Enquiry, that there were any other Papers or other Furniture in the Possession of any Person in *Burlington*, belonging to the House of Assembly.

*Votes & Proceedings*, 28 October 1784

## After the Revolution, 1784-1796

Eventually as the government recovered from the war years, the Assembly began to publish and acquire new books for its reference collection. The legislature published a collection of laws in 1784 to update the one published in 1776.

Title: Acts of the Council and General Assembly of the State of New-Jersey, from the Establishment of the Present Government, and Declaration of Independence, to the End of the First Sitting of the Eighth Session, on the 24th Day of December, 1783; With the Constitution Prefixed. To Which Is Annexed, An Appendix, Containing the Articles of Confederation of the United States, &c. With Two Alphabetical Tables and an Index. Compiled under the Appointment of the Legislature, By Peter Wilson, A.M.

Imprint: Trenton: Printed by Isaac Collins, Printer to the State of New-Jersey. M.DCC.LXXXIV [1784].

Around 1785 the legislature began to receive the *Journals of the Continental Congress*. Two copies were sent to each state by the Secretary of the Continental

Congress, Charles Thomson, “one for the Legislative, and the other for the Executive Branch of Government.”

A Message from his Excellency the Governor, by Mr. Secretary *Reed*, accompanied with the following Papers, *to wit* . . . No. 54 Journals of Congress that have been transmitted to the Governor of *New-Jersey*, by the Secretary of Congress, for the Use of the Legislature.

*Votes & Proceedings*, 27 October 1785

The library currently holds thirteen volumes published from 1777 to 1788. The thirteen volumes cover sessions from September 5, 1774 to November 3, 1788.

While the federal government was sending documents to the state, the state was also expected to send certain state documents to the federal government.

The Resolution of Congress directing Application to be made to the Executives of the several States, for thirteen Copies of the legislative Acts thereof, since the first of *September* 1774; one Set to be retained for the Use of Congress, and one other Set for the Delegates of each State, exclusive of its own Acts, for the Use of the Legislature thereof, was read the second Time; whereupon, *Resolved*, That the Treasurer be directed to purchase of *Isaac Collins*, Printer, thirteen Volumes of the last Edition of the legislative Acts of this State, and forward the same to the Secretary of Congress.

*Votes & Proceedings*, 29 October 1785

## The Brearley Acquisition

In 1790 the Legislature decided to buy books from the estate of David Brearley.

On Motion, *Resolved*, That Messrs. *Kitchel*, *Rutherford* and *Anderson*, be authorized to purchase of the Executors of the Last Will and Testament of *David Brearley*, Esquire, deceased, for the Use of this State, such printed Laws and other Papers relative to the State, as they shall conceive to be useful to the Legislature.

*Votes & Proceedings*, 27 October 1790

David Brearley was a signer of the Constitution, chief justice of the New Jersey Supreme Court, and the first federal judge for the district of New Jersey. When he died in 1790, his “extensive library of 532 volumes, mostly on law, history, and politics was sold to friends, lawyers, and political leaders for more than £250 to raise money.” (Scarinci 2005, 247).

Mr. *Kitchel*, from the Committee authorized to purchase of the Executors of the Honorable David Brearley, deceased, for the Use of the State, such Books as they conceive would be of Use to the Legislature, reported, That pursuant to the Authority vested in them by the House, they have purchased the following Folio Volumes, *viz*.

- A complete Set of the Laws of *New-Jersey*, both public and private, from the Year 1741, to the Completion by *Wilson*.

- A Volume containing an incomplete Set of the Laws from the Year 1703, to 1741, in which is also bound a Collection of Ordinances respecting the Chancery and Courts of *New-Jersey*.
- Votes of Assembly from the Year 1745 to 1790.
- A Volume containing an incomplete Set of the Votes, from the Year 1703 to 1745, in which is also bound *Indian* Treaties and some other Matters respecting the Division and Partition Lines of the State.
- Journals of Council complete. (\*)
- Minutes of the Joint-Meeting complete. (\*)
- Grants, Concessions, and original Constitutions of *New-Jersey*. (\*)

The whole bound and lettered in sixteen Volumes, and that the Cost of the same amounts to Twenty-seven Pounds. To which Report the House agreed.

*Votes & Proceedings*, 30 October 1790

The titles followed by (\*) carry David Brearley's signature and can still be found in the collection today. The library also has one volume of session laws 1741 to 1756 with a David Brearley bookplate (probably the first item above).

## The Founding of the New Jersey State Library

The 1790s brought important changes to New Jersey. A permanent seat of government was established.

*Be it Enacted by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same, That Trenton, in the County of Hunterdon, shall henceforth be considered as the Seat of the Government of this State. (Act Passed at Burlington, 25 November 1790)*

The Assembly's possessions were moved to Trenton.

On Motion, *Ordered*, That *Maskell Ewing*, the Clerk of the Assembly, be directed to apply to *James Parker*, Esquire, in whose Charge and Care the Furniture of the General Assembly is at *Amboy*, and cause them to be removed from *Amboy* to *Trenton*, the Place established by Law for the Seat of Government.

*Votes & Proceedings*, 25 November 1790

A statehouse was built and the Assembly along with its reference collection moved into the building.

A Motion was made, and carried in the Affirmative, that the House adjourn to meet at the State-House: The House accordingly adjourned to meet at the State-House, on Monday next [29 October 1792], at ten o'Clock in the Morning.

*Votes & Proceedings*, 26 October 1792

Books continued to be added.

## Genesis of the New Jersey State Library, 1703-1796

---

On Motion, *Resolved*, That the Clerk of the Assembly be directed to purchase, for the Use of the Assembly, three Copies of Allinson's Edition of the Laws of New-Jersey.  
*Votes & Proceedings*, 26 October 1792

In 1794 the word "library" appeared for the first time in the *Votes & Proceedings* as a name for the "Books belonging to the House."

The Speaker laid before the House, a Pamphlet presented to the House from John Beatty, *esquire*, containing Papers between Mr. Jefferson and Mr. Hammond, which was ordered to be placed in the Library for the Use of the House.  
*Votes & Proceedings*, 23 January 1794

This brings us to 1796, the year Maskell Ewing made his list and took on his new responsibilities. There were other significant events involving the library that same year. A number of books were purchased.

Mr. Emlay, from the Committee appointed to inquire and report what Books it may be useful and necessary to purchase for the Use of the Legislature, reported as follows: That in Addition to the Books now in Possession of the Legislature, the following Books will be useful and necessary:

- Two Sets of Cunningham's Law Dictionary.
- Two Sets of Sheridan's Dictionary.
- Two Sets of Blackstone's Commentaries.
- Two Sets of Montesquieu's Spirit of Laws.
- Two Sets of Paleys Moral Philosophy.
- Two Sets of Vattel on the Law of Nations.
- Two Sets of Ferguson's Political and Moral Science.
- Two Sets of the Constitution of each State in the Union.

To which the House agreed; whereupon, *Resolved*, That Maskell Ewing, Clerk of the General Assembly be, and he is hereby authorized and directed to purchase during the Recess of the Legislature, the Books above mentioned for the Use of the Legislature.

*Votes & Proceedings*, 10 March 1796

It is clear from these choices that the Assembly was broadening the focus of the collection. Five of these titles are still in the library's collection today.

Cunningham, T. *A New and Complete Law-Dictionary, or General Abridgment of the Law*. 3<sup>rd</sup> edition. Two volumes. London, MDCCLXXXIII [1783].

Sheridan, Thomas. *A Complete Dictionary of the English Language, Both with Regard to Sound and Meaning . . .* 4<sup>th</sup> edition, corrected and enlarged by the author. Two volumes. London, MDCCXC [1790].

Blackstone, William. *Commentaries on the Laws of England*. Four volumes. Oxford, [1765 – 1769].

Paley, William. *The Principles of Moral and Political Philosophy*. 7<sup>th</sup> edition corrected. Philadelphia, M.DCC.LXXXVIII [1788].

Ferguson, Adam. *Principles of Moral and Political Science: Being Chiefly a Retrospect of Lectures Delivered in the College of Edinburgh*. Two volumes. Edinburgh, 1792.

After ordering these books and inventorying the collection, Maskell Ewing arranged for Jonathan Doan (or Doane) to build a “case” for the books. A receipt dated October 22, 1796, shows that Maskell Ewing arranged for the legislature to pay Jonathan Doan £23/2/10 for time and materials (fig. 15).

Maskell Ewing Esq to Jonathan Doan For Work and Materials for Book Case for State Library. (Handwritten receipt dated October 22, 1796, on file at the New Jersey State Archives)

Now the collection had a permanent home and was considered, at least by Ewing, the “State Library.” That brings us to the end of this brief history which is, of course, only the beginning of the story of the New Jersey State Library. I will close by providing some indication of what the next one hundred years would bring and make a few final observations about the founding year 1796.

## The Collection Begins to Broaden, 1796 - 1800

Late in the 1790s the Assembly began to acquire books on a wider variety of topics as members became interested in new issues such as the building of the state’s first prison.

The engrossed bill, intitled, “An act for erecting a state prison,” was read and compared; On the question, Whether the same do pass? It was carried in the affirmative. *Votes & Proceedings*, 28 February 1797

It appears that some members of the Assembly were interested in doing background reading on the subject.

On motion, *Ordered*, That the clerk of this house be directed to purchase for the Legislature, the works of John Howard, containing the history of prisons. *Votes & Proceedings*, 10 March 1797

As a result of the motion, a two-volume work was added to the library collection. The following information is taken from the title page of the first volume.

Title: The State of the Prisons in England and Wales, with Preliminary Observations, and an Account of Some Foreign Prisons and Hospitals. By John Howard, F.R.S. the Fourth Edition.

Maskell Ewing Esq.  
 to Jonathan Doan Esq.  
 For Work and Materials for Book Case for State Library  
 October 22<sup>d</sup> 1796

588 feet Boards @ 15s	£4-8-2
12 Days work Joseph Green @ 10/-	12-0-0
1 1/2 lb David Doan @ 10/-	7-5-0
5 lb Nails @ 1s	5-5-0
6 pair Butt Hinges @ 2s	12-0-0
6 lb Doys Saws @ 9d	4-10/-
4 large Closet Locks @ 3s	12-0-0
2 do do @ 2s	4-0-0
6 Brass handles @ 1s	6-0-0
6 Yentcheons @ 3d	1-6-0
50 Trunk Nails 50 Springs	1-0-0
2 Day work Daniel Phillips @ 10/-	20-0-0
12 lb white Lead @ 1s 3	15-0-0
1/2 Gall <sup>n</sup> Oyl	5-7 1/2
Litharge Spirits temperature 8	1-3-0
1 lb Putty	1-0-0
Painting	15-0-0
1/2 Day work James Dunbar	5-0-0
	£23-2-10

October 29<sup>th</sup>  
 For removing the Mupary belonging to the State  
 house and for Nails Boards work &c repair  
 ing do

	£1-6-3
	£24-9-1

Figure 15. Record of payment stating “Maskell Ewing Esq. to Jonathan Doan For Work and Materials for Book Case for the State Library October 22, 1796.” [Credit: Courtesy of the New Jersey State Archives, Department of State]

Imprint: London: Printed for J. Johnson, C. Dilly, and T. Cadell. MDCCXCII [1792].

The book apparently got some use. The following note appears under the heading “Missing” in the first “Catalogue of Books Belonging to the Legislature of New-Jersey” printed in the *Votes & Proceedings*, 24 February 1804: “Howard’s view of Prisons, 2 vols, 8vo [octavo, size of the book]. Supposed to be at the State Prison.” The two volumes were eventually returned. Both can be found today in the library’s rare book collection.

Members of the Assembly had a continuing interest in maps and geographical information. In 1797 they requested a geography book and atlas.

*Resolved*, That the clerk of the Assembly be directed to purchase for the use of the Legislature, the system of geography lately published by Matthew Carey, with his general atlas.

*Votes & Proceedings*, 3 November 1797

The result was the addition of the following two books to the collection.

Title: A New System of Modern Geography or, A Geographical, Historical, and Commercial Grammar; and Present State of the Several Nations of the World.... By William Guthrie, Esq. The Astronomical Parts Corrected by Dr. Rittenhouse. In Two Volumes. The First American Edition, Corrected, Improved, and Greatly Enlarged.

Imprint: Philadelphia: Printed by Mathew Carey. Feb. 1. MDCCXCIV [1794].

Title: Carey’s General Atlas.

Imprint: Philadelphia: Published by Mathew Carey, May 1, 1796.

Carey’s *General Atlas* was intended to be a supplement to Guthrie’s *Geography*.

In 1798 the Assembly added newspapers to the library collection.

*Ordered*, That the clerk be directed to send alternately to Gershom Craft and Matthias Day for their papers.

*Votes & Proceedings*, 27 October 1798

There were two newspapers in town at the time: *The Federalist*; *New-Jersey Gazette*, published by Gershorn Craft and *The State Gazette & New-Jersey Advertiser*, published by Matthias Day.

The legislature published its last compilation of New Jersey laws enacted during the 18<sup>th</sup> century in 1800.

Title: Laws of the State of New Jersey, Revised and Published Under the Authority of the Legislature, By William Paterson.

Imprint: New Brunswick: Printed by Abraham Blauvelt. MDCCC [1800].

## The Library Comes of Age

In 1804 the legislature produced a catalog of the books in the library and a set of rules.

Mr W. Coxe, from the committee appointed to make a catalogue of the books in the Library belonging to the Legislature and to draught Rules for the regulation of the same, made a report as follows: *A Catalogue of Books belonging to the Legislature of New-Jersey.*

*Votes & Proceedings*, 24 February 1804

The Committee appointed to examine and report the state of the Library, and what new books may be wanted for the same, Report, That the preceding schedule contains a list of all the books in the Library, and those which are missing as accurately as their means of information enabled the committee to ascertain them—They suspect that there are some other books which have been lost, but which they have no means of discovering.—They recommended the following resolution. *Resolved*, That the following Rules be adopted for the regulation and preservation of the books in the Library.

*Votes & Proceedings*, 24 February 1804

The 1804 library catalog contains seventy-five titles (about 200 volumes), more than twice as many as the 1796 inventory.

The library entered statute law for the first time when *An Act concerning the State Library* was passed at Trenton on February 12, 1813. The position of State Librarian was created by *An Act for the better preservation of the Books and Papers belonging to the Legislature of this State*, which was passed November 16, 1822. An ongoing source of funding was provided to the library by *An Act to provide for the gradual increase of the State Library*, which passed December 31, 1824.

## Conclusion

Was 1796 the critical year? Is that the year the “State Library” came into existence? Was Maskell Ewing the state’s first librarian? In 1796 he

- Purchased a number of books for the collection.
- Produced and published a list of “the several books now belonging to the legislature.”
- Arranged for a case to be built to house the collection.
- Was given responsibility “for the safe keeping and preservation” of the collection.
- Referred in writing to the collection as the “State Library.”

The collection was certainly getting a lot of attention that year, but history tells us that not much of this activity was new.

- Since 1738 the Assembly had been ordering books for its collection.
- In 1754 John Johnston was asked to provide “a list of such books” in the collection.
- On numerous occasions including ones in 1768 and 1769 the Assembly arranged for boxes, chests, and a book press to be built to house the collection.
- In 1755 Samuel Nevill and Charles Read were made responsible for “the care, keeping and custody” of the collection.

The only “first” among the 1796 activities may be the last one. Ewing may have been the first to call the collection the “state library,” at least the first to do so in writing, and I am inclined to agree with him. Given the history as it is known today, it seems quite reasonable to call New Jersey’s 1796 legislative library the “State Library.” From 1796 on the library grew steadily in both size and influence. In 1822 William Prall, the first officially designated “state librarian,” took charge of the collection and made many improvements (Prall 1824, 8). Separately published printed catalogs listing the items in the collection were issued in 1838, 1847, and 1853 by which time the collection had grown to 7,800 volumes (Rhees 1859, 227). The books belonging to a private law library owned and operated by the Law Association of New Jersey were merged with the state library’s collection in 1857 bringing the total number of books to about 10,000 (Ihrie 1858, 494).

The second half of the nineteenth century saw the library’s growth accelerate. The number of volumes went from 10,000 to over 30,000 in thirty years (Hamilton 1888, 5). By 1883 the library was widely recognized as an important institution in the state, being described in one publication as follows:

The State Library occupies a southern wing in the capitol, and has been growing with the building for a hundred years. At the present time the State library and the law library are consolidated, the former occupying the galleries and the latter the alcoves on the floor, the institution being admirably arranged and excellently governed. It is the gem of the State-house. (Woodward and Hageman 1883, 530)





# References

## References

- Angle, Paul M. 1954. *By These Words: Great Documents of American Liberty, Selected and Placed in Their Contemporary Settings*. New York: Rand McNally & Company.
- Bond, Gordon. 2010. *James Parker: A Printer on the Eve of Revolution*. 2d ed. Union, N. J.: Garden State Legacy.
- Colonial Williamsburg. 2005. *The Printer in Eighteenth-Century Williamsburg: An Account of His Life and Times, and of His Craft*. Williamsburg Craft Series. Williamsburg: Colonial Williamsburg.
- Evans, Charles. 1903. *American Bibliography*, vol. 1. Chicago: Blakely Press.
- Everts & Stewart. 1875. "History of Mercer County, New Jersey." In *Combination Atlas Map of Mercer County*, 5-16. Philadelphia: Everts & Stewart.
- Ewing, Maskell. 22 October 1796. Handwritten note listing charges for work and materials for cabinet built by Jonathan Doan. New Jersey State Archives.
- Felcone, Joseph J. 1992. *New Jersey Books 1698-1800: The Joseph J. Felcone Collection*. Princeton: Joseph J. Felcone Inc.
- Fitzgerald, Thomas F, and Louis C. Gosson. 1879. *State of New Jersey Manual of the One Hundred and Third Session of the Legislature of New Jersey*. Trenton, N. J.: Fitzgerald & Gosson.
- Franklin, Benjamin. 1987. "The Autobiography." In *Benjamin Franklin: Writings*. The Library of America. Distributed to the trade in the United States and Canada by Viking Press.
- Hamilton, Morris R. 1888. "Annual Report of the State Librarian of the State of New Jersey, for the Year 1887." In *Documents of the One Hundred and Twelfth Legislature of the State of New Jersey and the Forty-Third Under the New Constitution*, New Jersey, Legislature, General Assembly, vol. 2, document 11. Trenton, N. J.: The John L. Murphy Publishing Co.
- Homes, Henry A. 1876. "State and Territorial Libraries." In *Public Libraries in the United States of America: Their History, Condition, and Management, Part I*, U. S. Department of the Interior, Bureau of Education, 292-308. Washington, DC: Government Printing Office.
- Ihrie, C. J. 1858. "[Report] to the Honorable Senate and Assembly of New Jersey." In *Minutes of Votes and Proceedings of the Eighty-Second General Assembly of the State of New Jersey, Convened at Trenton January 12, 1858*, New Jersey, Legislature, General Assembly, 494-495. Camden, N. J.: Mickle & Hood.
- Ihrie, C. J. 1859. "State Librarian's Report to the Legislature of New Jersey for the Year 1858." In *Appendix to the Minutes of the General Assembly, Eighty-*

- Third Session*, New Jersey, Legislature, General Assembly, 1089-1092. Salem, N.J.: Printed by Sharp & Chew.
- McMurtrie, Douglas C. 1935. "A Further Note on the New Jersey Acts of 1723." *Proceedings of the New Jersey Historical Society*, 53 no. 1 (January): 1-8.
- McMurtrie, Douglas C. 1936. *A History of Printing in the United States*, vol. 2. New York: R. R. Bowker Company.
- New Jersey (Colony) General Assembly. 1872. *Journal and Votes of the House of Representatives of the Province of Nova Cesarea, or New Jersey, in Their First Sessions of Assembly, Began at Perth Amboy, the 10<sup>th</sup> Day of November, 1703*. Jersey City: Printed by John H. Lyon.
- New Jersey (State) Provincial Congress. 1879. *Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey*. Trenton: Printed by Naar, Day & Naar.
- Prall, William L. 1824. "[Report] to the Honourable the Legislative Council and General Assembly of the State of New-Jersey." In *Votes and Proceedings of the Forty-Eighth General Assembly of the State of New-Jersey at a Session Begun at Trenton on the Twenty-Eighth Day of October, One Thousand Eight Hundred and Twenty-Three*, New Jersey, Legislature, General Assembly, 8-12. Trenton: Printed by James J. Wilson.
- Quigley, Mary Alice. 1978. *The Eighteenth Century Origins of the New Jersey State Library*. Masters thesis, State University of New York College at Oneonta.
- Raum, John. 1877. *The History of New Jersey: From Its Earliest Settlement to the Present Time*. Philadelphia: J. E. Potter.
- Rhees, William J. 1859. *Manual of Public Libraries, Institutions, and Societies, in the United States, and British Provinces of North America*. Philadelphia: J. B. Lippincott & Co.
- Rutherford, Livingston. 1904. *John Peter Zenger, His Press, His Trial and a Bibliography of Zenger Imprints*. New York: Dodd, Mead & Company.
- Scarinci, Donald. 2005. *David Brearley and the Making of the United States Constitution*. Trenton, NJ: New Jersey Heritage Press.
- Wall, Alexander J., Jr. 1963. "William Bradford, Colonial Printer." *Proceedings of the American Antiquarian Society*, 73 no. 2 (October): 361-384.
- Whitehead, William A., ed. 1881. *Documents Relating to the Colonial History of the State of New Jersey*. Archives of the State of New Jersey, First series, vol. 2. Newark, N. J.: Daily Advertiser Printing House.
- Woodward, E.M. and John F. Hageman. 1883. *History of Burlington and Mercer Counties*. Philadelphia: Everts & Peck.

## **ABOUT THE AUTHOR**

John Shaw received an undergraduate degree in mathematics and a master's degree in library science. He then went to work as a librarian at Bell Laboratories, the research and development unit of AT&T.

Over the next 29 years he managed various research libraries for AT&T, first in Bell Laboratories and later AT&T Laboratories.

In 2005, he began his second career at the New Jersey State Library managing and providing research support for its genealogy and local history collection. As he delved into the State Library's history, he read that the library was founded in 1796. Because of his curious nature, he investigated the library's rare book collection with an eye to learning about the library's history and its earliest books. This publication reveals what he discovered.