

# OUTLINE HISTORY

OF THE

COMPILATIONS AND REVISIONS OF THE STATUTES OF THE COLONY  
AND STATE OF NEW JERSEY, 1717-1896.

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The following brief view of the Compilations and Revisions of New Jersey is an initial attempt in the gathering of certain historical data. In its preparation, an exhaustive search was made through the unindexed "Votes" of the colonial Assemblies—often, for further certainty, in the manuscript records—to the end that legislative action authorizing each volume might be ascertained. Customary sources of information such as the "Archives" of New Jersey, the "Proceedings" of the State Historical Society, and other reference works have been consulted. No claim is made for completeness, the desire being to have such brevity as is consistent with accuracy. The immense field of research, opened by a preliminary *resumé*, leaves much entertaining labor to be performed by subsequent investigation.

BRADFORD, 1717.

This folio compilation includes the session laws from 1703, in force in 1717, together with certain acts passed in 1718, 1719, 1720. No legislative sanction exists for the issuance of this book; expert opinions inclining to the belief that the volume was "made up" from a series of sheets which had been left over from time to time in printing the session laws. The compilation is named in honor of the famous colonial book-maker, William Bradford, "Printer to the King's Most Excellent Majesty."

KINSEY, 1732.

The earliest authority for this compilation is to be found in the votes of Assembly, July 3d, 1730, when Speaker John Kinsey is directed to revise and correct the laws of the Province of New Jersey then in force. In November of that year "proposals" for reprinting these laws were advertised in the Philadelphia *Weekly Mercury*.

NEVILL, 1752.

On the 18th of February, 1747-48, the House of Assembly directed Samuel Nevill, of Perth Amboy, and Philip Kearny, of Middlesex county, to collect the laws then in force in the Colony. Upon the 8th of October, 1750, the House ordered the results of Nevill's work to be committed to the press under his "Management, Direction, Care and Inspection." Private subscriptions were solicited until January 1st, 1751. The delay in issuing the work is explained in the New York *Post Boy* of that time, and is charged to the severity of the weather. Owing to this cause, subscriptions could not be forwarded.

## OUTLINE HISTORY.

## NEVILL, 1761.

A second volume of Nevill's compilation continued the acts to 1761. This was done by vote of the House of Assembly, April 18th, 1758.

## LEAMING AND SPICER, 1758.

By far the most important New Jersey compilation of the colonial period is the volume usually cited "Grants and Concessions," or by the names of the compilers. This magnificent folio contains the acts passed by the proprietary governments before 1702, as well as the "Constitutions" agreed upon between the Proprietors and the settlers. Such important state papers as Lord Cornbury's Commission, the "Surrender of 1702," the Monmouth Patent, Governor Nichols' commission and official letters, throwing light upon the ill-organized governments of East and West Jersey, are given in full. In the organization and *personnel* of the county courts from 1664 to 1702, the student of the genesis of the colonial period will find much of interest.

The legislative history of this volume commences upon the second day of February, 1750, when a house committee of seven was appointed to inspect the "Laws, Records and other fundamental Constitutions relating to the first settlement of New Jersey." Five years were consumed in this labor, most of which fell upon Aaron Leaming and Jacob Spicer, and it was not until March 27th, 1758, that the books were ready for distribution. The delay was caused by the demands upon the Legislature incident to the progress of the French and Indian war. "Leaming and Spicer" was reprinted at Somerville, New Jersey, July, 1881. This excellent reproduction is historically accurate, and is the only attempt ever made in this State to reprint a volume of colonial laws. The press was Honeyman & Company.

## ALLINSON, 1776.

Unlike other Colonial or State compilations or revisions, Allinson's compilation has an elaborate preface, which contains a curiously-worded dissertation upon laws and legislators, with apt citations from the Bible and the select works of William Penn. There is an apology for the lack of paper, which "stop'd the Press several Weeks at sundry Times," and the hope that "the Imperfection of Human Nature will plead Pardon" for defects. This was the first compilation since Nevill, which is said by Allinson to be "incomplete in the number of laws and not correct." Allinson's compilation is traced to the 5th of December, 1769, when the House ordered Speaker Cortland Skinner and James Kinsey to "collate all the laws" then in force. The work was delayed by the troubles of the approaching Revolution and by the legislators' quarrels with Governor William Franklin. On the 15th of February, 1774, Messrs. Skinner and Kinsey requested that Samuel Allinson succeed them. The book was issued in February, 1776.

## WILSON, 1784.

Upon June 24th, 1782, the House of Assembly resolved that Peter Wilson, member of that body from Bergen county, "revise and compile all the Laws that have been enacted by the Legislature of this State since the Establishment of the present Government" (July 2d, 1776). On the 19th of December, 1782, Peter Wilson reported his labors completed. James Ewing was authorized to inspect the press. On December 15th, 1784, the laws were distributed.

## PATERSON, 1800.

This revision was instituted by act of the Legislature, November 24th, 1792, whilst the revisioner, William Paterson, was Governor of New Jersey. As this work was practically a revision and *not* a compilation, the labors were greatly augmented. Eight years were consumed in its preparation, but when completed the book was justly pronounced the most complete work of its kind in America.

## WILSON, 1805.

This extremely rare compilation—of which but few copies are known—was a private enterprise. It contains acts in force from 1800 to 1804. Attached to the “Militia Act” are copies of general orders relating to military dress *et similitur*. James J. Wilson was the compiler.

## BLOOMFIELD, 1811.

The Joseph Bloomfield compilation was ordered by act of the Legislature passed February 13th, 1811. The volume contains the United States Census Returns (1790–1810).

## PENNINGTON, 1820.

A legislative commission created by an act of February 2d, 1819, directed to employ some fit and proper person to compile and revise the laws of New Jersey, chose William S. Pennington for that purpose. On the 13th of June, 1820, an act was passed providing for the printing of the Revision under the superintendence of Samuel Lewis Southard and Charles Ewing.

## HARRISON, 1833–1843.

On the 12th of February, 1833, an act was passed providing that the Governor employ “a fit and proper person or persons to compile and prepare for the press” public laws and “acts of incorporation,” passed since the last revision. Josiah Harrison was selected for this work, and he completed his labors about November 1st, 1833. In 1843, the compiler, upon his own authority, issued a supplemental volume known as Volume III.

## ELMER, 1838. ELMER (NIXON), 1855.

This is the volume usually called “Elmer’s Digest,” and for the first time presents the laws of New Jersey arranged topically. Previous compilations and revisions had presented the laws in chronological order. The compiler was Lucius Q. C. Elmer.

The digest, *in extenso*, contains the rules of the New Jersey courts, and the laws incorporating the larger cities and boroughs. A second edition of Elmer was printed in 1855, edited by John T. Nixon. This was also a private enterprise. The State, however, subscribed for both editions.

## REVISION OF 1845.

This was the second revision of the present century, the book being remarkable for the scientific arrangement of its titles. By virtue of the act of April 2d, 1845, Peter D. Vroom, Henry W. Green, William L. Dayton and Stacy G. Potts were authorized to “collate and revise” the public acts of the State. Such laws were to be laid before the Legislature for re-enactment. On the 18th of March, 1846, an act was passed authorizing the printing of this revision.

## ELMER AND NIXON, 1861-1868.

It was in 1861 that the third edition of Elmer's "Digest" was published, says the title page, "under the patronage of the Legislature." A valuable feature of this work is a monographic appendix, "Constitution and Government of New Jersey before the Revolution." The preface is dated July, 1861. The work was essentially a private enterprise. A fourth edition of this digest was published in October, 1868, "under the authority of the Legislature," act of April 16th, 1868.

## REVISION OF 1877.

By virtue of an act of the Legislature, approved April 4th, 1871, certain commissioners were appointed "to revise, simplify, arrange and consolidate" all the public acts of New Jersey at the time of their report. The commission consisted of Chief Justice Mercer Beasley, Associate Justice David A. Depue and the Hon. Cortlandt Parker. During the legislative session of 1874, the commissioners reported the results of their labors.

Through an error, several revised statutes were not acted upon by the Legislature. Nevertheless, a volume entitled "Revised Statutes of the State of New Jersey, Passed 1874," was issued. On the 1st of January, 1878, the final Revision was issued.

The Revision of 1877, as printed, contained, in addition to the acts revised by the commissioners, a compilation of all the general statutes of New Jersey then in force. This compilation was made by Garret D. W. Vroom, and the notes of adjudged cases were prepared by John H. Stewart, the entire work having been prepared for the press by these gentlemen under the appointment of the commissioners aforesaid.

## SUPPLEMENT TO THE REVISION, 1886.

The Supplement to the Revision of 1877 was prepared under authority of an act of April 5th, 1886. The volume was edited by Garret D. W. Vroom and William M. Lanning. The Legislature subscribed to this volume.