

Counterfeiting in Morris County, New Jersey

A Historical Perspective of John Pipes Sr.

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The Pipes Family Home Page

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The counterfeiting story in colonial America has been told in various places. The subject appears in several local history books and at least one book has been published devoted entirely to the subject. Much of the counterfeiting activity was reported in the New York, New Jersey and Pennsylvania colonies from 1730 to 1770, although it occurred in almost all of the colonies at one time or another before the revolution. Most of the written accounts focus on the general political situation at the time and the feeble attempts of the colonial government to control or stop the perpetrators. Counterfeiting was a rampant criminal activity during those years, so what were the motives of the people involved? We try to explain why anything as serious as this was allowed to continue and why men of high regard in the community were involved.

In general, the King's government and the men who held positions of authority in the colonies for the King regarded counterfeiting as a serious crime and the penalty proscribed in the law was death. However, there seems to have been no match between the law and the punishments meted out. The colonists themselves seem to have regarded the crime as less than serious, which may not seem so strange when you consider the times. The people appointed to manage the justice system seem to have been very sensitive to taking actions that might further antagonize the citizens to even higher levels of dislike for the King's rule.

Most citizens at that time conducted their business with others using the barter system, as the goods and excess produce they were able to secure from their farms were their only source of income. Working for pay was not the usual way of providing income. In addition, the King's government prohibited the colonies from producing their own money at a time when the English currency in circulation in the colonies was in very short supply. This supply problem led to the eventual wide spread use of coins supplied by the Spanish government and produced in South America, which came to be known as "Pieces of Eight" or "Spanish Dollars". The early issues of the coins used in the colonies were of generally poor quality and were manufactured in a manner which was easy to reproduce for anyone familiar with metal working. It required a metal slug or molten metal, a hand made die or mold, a hammer and a little larceny in the heart. The persons making the phony coins were sometimes referred to as "Coiners" or "Coyners" in the Olde English spelling observed on the court records.

All of these circumstances led many colonists to view the money as "not worth much anyway", "not reliable" and with much disregard. To make matters worse, many colonies started producing their own paper script which supposedly represented the metal coins used as backing or collateral, similar to our early use of "greenbacks" backed by gold and silver. These paper scripts were often not honored outside of the colony which produced them, nor even honored by every person or place of business in that same colony, leading to their lack of portability and exchange and to a general lack of regard for them. Another factor was the general lack of attention to fiscal matters by the government appointees, who often looked to England for direction and when it was not forthcoming, they elected to do nothing. Combining this lack of action with the general attitude of rancor between the appointed governors and the local elected assemblies and you end up with a situation that seemed to foster the lack of regard for local authority. The scripts also added a new twist because more people could acquire paper, ink and the plates needed to facilitate printing and copying and it didn't even require the ability to read or write.

The crime of counterfeiting was usually committed by two different levels of society. The most skillful and persistent perpetrators were small "gangs" of men who moved about and had only a limited ability to produce copies of the paper scripts but a persistence which made it profitable enough to take the risks involved. They seemed to be the type of men who typically committed petty crimes and misdemeanors and were usually in and out of the clutches of the local sheriffs and constables for one thing or another

anyway. They probably regarded this crime as another “easy mark”. They moved about and were very fluid and crafty in their ability to recruit locals to get involved and would strike quickly and then move on.

The second group of perpetrators are harder to understand as they were typically the type of men who were arrested with our John Pipes Sr. These were men of some substance; family men, landowners, church members and small business owners, all of them upstanding members of the community.

Some writers and family historians have tried to write this activity off as somehow being simply rebellion against the King and activity that typically led to the rebellion. I personally think that there were other factors involved and we will investigate those factors further on in the article.

Whatever the motives were, it is for certain that John Pipes Sr., Abraham Hathaway, Job Allen and several others were involved in counterfeiting in the mid to late 1740's. They were discovered, indicted and arrested in 1748. The sheriff at the time, a man named Caleb Fairchild, allowed them to escape, perhaps with a “wink”. They were later tried before a King's Court, given somewhat lenient sentences and released. They were later indicted again and made to appear for the escape from jail and made to post bonds and forfeit small fines. These second indictments and court appearances were held as late as 1752 and were apparently driven by Judge Robert Hunter Morris who had vowed to bring a halt to the counterfeiting.

From “Colonial and Revolutionary Morris County” by Dr. Theodore Thayer

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“When counterfeiting was rampant in Morris County, it was difficult to convict the perpetrators. Many of the counterfeiters were popular young men with many influential relatives and friends. Furthermore, many of the inhabitants did not look upon the crime as inimical to their interests; rather, they viewed the actions of the counterfeiters as clever and smart. In fact, to perhaps the great majority, the counterfeiters were popular heroes. They did not perceive the great harm which this form of lawbreaking could cause to a community. As early as 1744 there were several indictments against counterfeiters for altering paper money, but no arrests appear to have been made.

Then in 1747, a whole ring of counterfeiters and passers of counterfeit bills were arrested and jailed. The number and good station in life of most of the men reveal the prevailing disposition toward counterfeiting. The names of the arrested were: Timothy Conner, Seth Hall, Jonathan Hathaway, John Pipes, Job Allen, Andrew Morrison, Abraham Southerd, Samuel Blackford, Sylvanus Totten, and David Brant, all of Morristown. In addition there were Abraham Hathaway, Jacobus Vanetta, John McNeal, Joshua Robins, Abraham Anderson, Robert Livingston, Court Timery, and Isaac Woortman. Through the laxity of Sheriff Caleb Fairchild, all the prisoners broke jail and escaped to the homes of friends and relatives. Governor Jonathan Belcher and his Council agreed that counterfeiters could not be convicted in Morris County and proposed that henceforth they be removed from the county for trial. The Assembly, however, disagreed, and the proposal was dropped. Chief Justice Robert Hunter Morris wanted Sheriff Fairchild prosecuted for allowing the prisoners to escape but no action was taken.

It was not until the Court of Oyer and Terminer was established in Morris County in 1750, with Chief Justice Nevill presiding, that some of the counterfeiters were again arrested and brought to trial. David Brant was found guilty, fined £25, jailed for three months, and put on good behavior for seven years. Ebenezer David was fined £5, ordered to stand in the pillory one hour, jailed for six months, and put on good behavior for nine years. Jeremiah Wright received a fine of £10 for assisting the counterfeiters and was put on good behavior for seven years. Finally, Peter Salter was fined twenty shillings and put on good behavior for two years for counterfeiting pieces of eight. These sentences were light; after all, the law prescribed the death penalty for counterfeiters.

It was not until 1752 that the county had another session of the Oyer and Terminer Court. This time nine persons were charged with assisting counterfeiters. The culprits, almost all of whom had been indicted in 1747, were Abraham Hathaway, Jonathan Hathaway, Job Allen, Andrew Morrison, John Pipes, Timothy Comer, Sylvanus Totten, Seth Hall, and Samuel Blackford. The Court, perhaps for lack of evidence, decided not to try the men at the time. They were all released in their own recognizance and ordered to appear at the next court. When it met again in September 1753, the men simply were given small fines on charges of misdemeanor and dismissed.

Although the punishments handed down by the Court in 1750 and 1753 were light, the actions of the Court were such that counterfeiting did not again appear in Morris County for nearly twenty years.”

Although the record above did not mention the punishment handed down to our John Pipes, the sentence was recorded in the minutes of the courts. It appears that John Pipes was not tried in Morris County for this particular crime and we can see that he was indicted more than once. A careful reading of this next entry raises questions. The government at the time had concerns about trying these men in Morris County and apparently his trial was held outside of Morris. I obtained this record from the *Joint Free Public Library of Morris County and Morristown*. It is contained in a letter written in 1959 by a local researcher named Henry Pilch, who was writing to Edwin Baldwin of the Genealogical Society of New Jersey. The letter is in the vertical file on the Pipes Family at the library. The letter states that the record is “copied from the Morris County minutes of the Court of Oyer and Terminer and is on Microfilm MF LH 0010.” A later search for this entry in the microfilms was unsuccessful. A researcher in the Joint free Library named Cheryl Turkington wrote in a letter dated



1994, that she was unable to find this same entry in the records. I believe the original entry was from Hunterdon County and the town of Trenton. Why else mention Trenton Pillory or the phrases “from Trenton” or “to the borders of Morris County” or use the Hunterdon Sheriff? Either his trial was moved to Hunterdon County or he was indicted separately in that county.

The entry as reported in the letter reads thus: “The King vs. John Pipes. Convicted by the Jury for a Publick Cheat in Uttering Counterfeit Money of New Jersey. Sentence - That he pay a fine of Five Pounds to the King; that he stand two hours in the Common Pil-

lory in Trenton this day between the hours of one and six; that he find surety for his good behavior for three years, himself in £100 and one surety in £50 and then to be carted along the publick road which leads from Trenton to the house of Barent Simons where the fact was committed; and so on to the borders or confines of the County of Morris, with a rope about his neck. And the sheriff of the County of Hunterdon is hereby ordered to see the said sentence put in execution; as also to summon such constables to attend the same, as he shall judge necessary, who are commanded to give their attendance accordingly”

And as we shall see, there is slightly more to this story than is apparent. We shall return to that part of the story, but first we need to cover some terms and some history of the money and the times.

The definition of the term “Oyer and Terminer”

NOUN:

Law 1. A hearing or trial. 2. A court of general criminal jurisdiction in some states of the United States. 3a. A commission empowering a judge in Great Britain to hear and rule on a criminal case at the assizes. b. The court in Great Britain where such a hearing is held.

ETYMOLOGY:

Middle English, partial translation of Anglo-Norman ‘oyer et terminer’, to hear and determine: oyer, to hear + terminer, to determine.

Some Background on the money used at the time.

The “Spanish Milled Dollar” was a metal coin minted by the Spanish Government and used until the 1850’s as currency in the colonies and the states. The metal coin was the source for many of our current terms about money as you will see in the rest of the article. Many of the colonies printed paper certificates which could be redeemed for metal coins like the one below. Mary (Morris) Pipes held such a certificate and gave it as proof of her husband’s service when she filed her pension application in 1837. It was a New Jersey note for 60 dollars.

The Spanish Dollar and the Spanish Milled Dollar:

[The following information was extracted and compiled from various web sites devoted to the Spanish Currency.]

The original Spanish dollar was of inferior quality and was produced by striking a die against a slug of metal called a cob. The term “milled” means that the blank or “planchet” used for the coin was milled to a precise size and the coin was then made in a screw press.

“With inferior quality cobs being minted at most mints in the Viceroyalty of Peru, laws were finally passed in 1728 and 1730 mandating modern minting techniques be employed. In 1732 the Mexican mint came into compliance with the new regulations and stopped producing hammer struck cobs. They began minting an improved product on a screw press. The use of a screw press required the production of milled or finished blank planchets. The large screw press worked by rotating a weighted lever that pressed an upper and lower die together with a blank planchet between them. Under the intense and even pressure of the press the planchet would be evenly and fully struck. Also, all coins would be of the same thickness. To insure quality, production was supervised by two assayers, with both adding their initial to each coin, unlike the cobs that were supervised by only one assayer. Additionally, for the eight reales coin a special collar was used to produce an edge design, in this case the coin was given a protective corded edge consisting of a design resembling a tulip. Any clipping or filing would be immediately evident as it would mar the edge design. Pillar coins were a great improvement over cobs in that they were of a uniform size and weight without cracks or uneven edges. They had a deep full strike with all information clearly visible and were difficult to clip or counterfeit. Denominations for this new coinage included the one half, one, two, four and eight reales coins.”

The terms we have heard for years have a basis in this money.

England forbade the early American colonies to mint coins, leaving the settlers to make do with barter, foreign coins and local currency, while English coins remained scarce. The most circulated coin in the colonies was the Spanish milled dollar. Minted in the rich Spanish colonies of Mexico and Peru since 1500, this one ounce of silver had a milled (patterned) edge to prevent dishonest merchants from “shaving” the edges. The coin was so highly respected that it became an international trade coin. Some originals have Chinese markings, approving their use.



A 1740s Spanish milled dollar broken into pieces

Pirates were always glad to find “Pieces of Eight & Gold Doubloons” amongst their horde. The American government sanctioned these coins until the late 1850’s and other denominations are still found in archaeological digs in such places as Columbia, California, where thousands of miners dropped coins during the gold rush years. The ‘Annals of

San Francisco’ mentions that every foreign coin that came close to the coins accepted in the “states”, as set for prescribed

measure in silver or gold, were being used in 1855. (i.e.; a German Mark, a French Franc, a Spanish 8 Real, an English Crown, were equal to the American Dollar, even though the silver content might have varied.)

It was the dividing of these 8 reales into half ounce, quarter ounce and eighth of an ounce that created our half dollar, quarter dollar and “bits” (12.5 cents). Until recently the New York Stock Exchange still used the factor that eight-eighths made a whole.

The American colonists had become accustomed to the use of the Spanish milled dollar, so as the Continental Congress considered a national coinage and currency, the Spanish milled dollar was considered as the basis. The first issue of continental paper money provided that the notes be payable in Spanish milled dollars or the value thereof in gold or silver. The milled dollar was officially sanctioned in the United States until the 1850’s.



The milled dollar was commonly divided into 8 pieces called reales or “bits”. By dividing a coin, the value of the piece could be used to pay more than one debt. 2 bits commonly referred to a quarter of a dollar. The familiar cheer “ 2 bits, 4 bits, 6 bits, a dollar” comes from this coinage.

While researching this story I came across the fact mentioned in several places that the government of New Jersey was hesitant or unable to prosecute the counterfeiters because of the disruptions being caused by “the land riots”.

I had no idea what this meant and began to dig into the history of the times in an attempt to understand if this might have been part of the motivation for these men to break the law. As it turns out, this factor may have had a big part to play.

The Court Records: A Chronology

[see explanation of abbreviations at end of this article for the source of the item]

1744 [Thayer]

As early as 1744 there were several indictments against counterfeiters for altering paper money, but no arrests appear to have been made.

1747 [Scott]

The government passes a law that decrees that a pardon will be granted to any counterfeiter who surrenders himself to the local sheriff and agrees to appear before the courts. This agreement leads to men turning evidence against others, which was a requirement and the intention of the law.

1748 July 16 [Scott]

A printer named Heinrich Jaeger, held in the jail at Trenton with a small gang of counterfeiters, was convicted after admitting that he had made 40 pound notes but only passed a 15 shilling bill. His sentence was to be hanged and he was executed on July 16, 1748, leaving behind a wife and 9 children. To further the sentence, for some reason unknown, his wife was fined an additional 50 pounds at the gallows.

1748 Early August [Scott]

The following men voluntarily surrendered themselves to the Sheriff of Essex County, confessed their activities and were released on bond at the August session of the court. James Bruff, Aaron Miller, John Radley, Andrew Miller, Daniel Clark Jr., Josiah Winans, Zorobabel North, Daniel Perine, Joseph Marsh, John Roll, John French and Richard French. It is assumed they gave the names of others because 5 days after appearing before the court (on August 12), a warrant was issued for the arrest of the men in the next entry.

1748 August 17 [Thayer][Scott]

A whole ring of counterfeiters and passers of counterfeit bills were arrested and jailed. A warrant had been issued by Judge Robert Hunter Morris to Sheriff John Kinney. The names of the arrested were: Timothy Conner, Seth Hall, Jonathan Hathaway, John Pipes, Job Allen, Andrew Morrison, Abraham Southerd, Samuel Blackford, Sylvanus Totten, David Brant, Abraham Hathaway, Jacobus Vanetta, John McNeal, Joshua Robins, Abraham Anderson, Robert Livingston, Court Timery, and Isaac Woortman.

1748 September 20 to September 25 [Scott]

Ten persons committed to the Morristown jail on or about 20th September were allowed to escape with the tacit help of Sheriff Caleb Fairchild on September 25th. The men were Timothy Conner, Seth Hall, Jonathan Hathaway, John Pipes, Job Allen, Andrew Morrison, Abraham Southerd, Samuel Blackford, Sylvanus Totten and David Brant. [It was later learned that Sheriff John Kinney had also assisted in the jail break and had in fact encouraged Hall and Morrison to escape.]

1750 July [Scott]

Sheriff John Kinney, who by now had been made High Sheriff of Morris County was indicted by a Grand Jury for his part in the jail break of the ten counterfeiters in 1748. Testifying against him were the two he had conferred with, Hall and Morrison, and also Keziah Hall, Mary Darling and three relatives of the man named Hedden who was also involved as an accused. The records do not show if the sheriff was convicted or not.

1750 July 3rd [COT]

Barent Simons, Caleb Fairchild, Caleb Baldwin and Hannah Baldwin are sworn in to give evidence before the Grand Jury.

[Note: This is the same Barent Simons mentioned in the conviction of John Pipes in Trenton.]

1750 July 3rd [COT]

The King vs. Peter Salter - On Indictment for counterfeiting pieces of eight, the court gave judgment that the defendant Peter Salter pay a fine of twenty shillings and give security for his good behavior for two years and stand committed to the above sentence to be complied with.

1750 July 11th [COT]

The King vs. David Brant - Indictment for aiding and assisting in passing counterfeit Bills of Credit and it is considered and adjudged by the court that the defendant be fined 25 pounds, three months imprisonment without bail or mainprise* and that he give security in the sum of 50 pounds for his good behavior for seven years and two suretys in the sum of 25 pounds and that he stand committed until his fines and costs be paid and till he comply with this sentence.

** MAINPRISE - English law. The taking of a man into friendly custody, who might otherwise be committed to prison, upon security given for his appearance at a time and place assigned.*

1750 July 10th [COT]

The King vs. Timothy Connor & others. Indictment for rescuing themselves out of the Common Gaol [old spelling for Jail]. The court adjourned till 8am the next morning and then swore in the following to give evidence to the Grand Jury: Joseph Harriman, Samuel Bayles, _ Mcginnis, Daniel Lane, Joseph Grayson(?)

The constables having called Benjamin Beach, John Davenport, Peter Mandifield, [and] John Justice [they] did not appear & made default. The court fines them ten shillings apiece.

[The next day the court continues.] Defendants Seth Hall, Job Allen, Andrew Morrison, Jonathan Hathaway, John Pipes, David Brant and Sylvanus Totten being called, appeared and was charged with this indictment and pleaded and throw themselves on the mercy of the court. The court adjudged the said defendants be fined in the sum of forty shillings and that they stand committed till their fines and good behavior.

1750 July 11th [COT]

The King vs. David Little - Indictment for a riott [old spelling for riot] It is considered and adjudged by the court that the defendant be fined to stand in the pillory for the space of one hour this afternoon between the hours of 2 and 4 with a paper (?) on his head noting his offence and that he give surety in the sum of 50 pounds for his good behavior for four years and two sureties each in the sum of 25 pounds and that he stand committed till his fine and good behavior and till he comply with his sentence.

[Note: there were several of these indictments for rioting against various men.]

1750 July [HP]

The entry cited earlier, wherein John Pipes was convicted and sentenced in Trenton.

1751 September 20 [CG]

“The King vs. John Pipes - On a charge of felony committed in the house of Edward Thomas of Elizabethtown on Sunday Sept. 15, 1751, upon the accusation of John Williams, under oath, The accused was held in a bond of £200, and a bond of Simon Harthaway [Simeon Hathaway] for £100 for his appearance at the Essex County Oyer and Terminer, or at the next Supreme Court at Perth Amboy.”

[Note that this occurred in Essex County in 1751 and that John Williams may have testified against him in front of a Grand Jury. We have no evidence as to the nature of the Felony.]

1751 September [COT]

The September term of the Morris County Court: Most of the men involved in the counterfeiting cases had been made to post surety. They were also apparently made to appear before the court at intervals. During this term there are various entries where the men appeared and the appearance was noted in the record.

John Pipes did not appear and his manucaptors (bondsman) were called, being James Frost and Simeon Hathaway. They made default.

1752 September [COT]

The King vs. John Pipes, Abraham Hathaway, Jonathan Hathaway, Job Allen, Andrew Morrison, Timothy Conner, Seth Hall, John Gilbert, Sylvanus Totten, Samuel Blackford.

Presentment for hiding and assisting(?) in counterfeit Pieces of Eight, defendants to being called, appeared except Timothy Conner and Samuel Blackford and were continued in their recognizance until the next court of Oyer and Terminer to be held in this county.

1752 September 28th [COT]

The September term of the Morris County Court: Most of the men involved in the counterfeiting cases had been made to post surety. They were also apparently made to appear before the court at intervals. During this term there are various entries where the men appeared and the appearance was noted in the record.

This time John Pipes appeared and was released on recognizance until next court.

1753 September 28th [COT]

The September term of the Morris County Court: most of the men involved in the counterfeiting cases had been made to post surety. They were also apparently made to appear before the court at intervals. During this term there are various entries where the men appeared and the appearance was noted in the record. In this case John Pipes appeared and was discharged after paying his fee.

Can History Help Us Understand This Situation?

For many years I held the vision in my head of John Pipes Sr. and his wife Susannah, clearing the land of New Jersey, raising a family and living in relative harmony with the English government, their neighbors and the frontier. They arrived in Morris County about 1736 or 1737 with her family, the Hathaways, along with many settlers from New York and others from the eastern colonies. This is important to our understanding because most (but not all, by any means), of the new settlers in Morris County were descendants of the original colonists and not foreign immigrants, and as a result they held a more certain sense of who they were and what their relationship with the government was coming to be. While they all realized they were British subjects they also felt that America was “theirs” and they were different because they, along with the previous generation, had “founded” the country. They were all imbued with a strong pioneer spirit, wrought by the hardships and sacrifice required to wrestle this country into submission and driven by land and the prospect of owning land.

It must have felt like walking into their own goldmine. Land was available everywhere and to an agrarian society it was crucial for survival. Couple this with the dim prospects their ancestors had held for owning land in Europe and you begin to understand what drove them. And true to human spirit, it was not only money that was “the root of all evil” but land that held a close hand with evil.

So my romantic vision was jarred when I started to read about the realities of the times.

[I did not set out to write a history of colonial America, but I did want to try to convey enough about what was going on to possibly understand the motives of John Pipes and Abraham Hathaway and men like them. Of course, there is no way to know for sure what they were trying to do, all we can do is make assumptions and speculate, (from a distance of 250 years!) But that is what makes this fun. Readers of this article who have an interest in the period or the family may disagree with my conclusions and assumptions and I welcome your thoughts and ideas.]

I found during the research for this article that several events in the history of England and the colonies laid the foundations for the attitudes that led respected men to commit acts that were considered then as now, to be serious crimes.

There remains little doubt in my mind that these men acted out of a lack of respect for their government, anger at the greed of the men who controlled ownership of the land, a general sense that they would not be punished very dearly if brought to justice and possibly a desire to be looked at with envy by others in the colony who had a lesser need to be adventurous. To quote again from Mr. Thayer’s book regarding the citizens of the county:

“They viewed the actions of the counterfeitters as clever and smart. In fact, to perhaps the great majority, the counterfeitters were popular heroes.”

To put things in historical context we have to look at what events occurred that may possibly have caused these men to carry such apathy and anger towards the government.

The first settlers into the area now known as New Jersey were Dutch and Swedes. People who had pushed west from “New Amsterdam” when it was held by the Dutch. The first Dutch settlements were made about 1640, but difficulties with the native population led them to retreat twice until about 1660 when small settlements again moved to the west side of the river Hudson. The Dutch however, were in the new world at their own invitation and it soon became obvious that the English government and the English colonist both regarded the Dutch as unwelcome interlopers. The English had never conceded the right of others to occupy North Amer-

ica after Cabot's claims of 1497. They felt this claim made them the rightful "owners" of the new continent.

The English in the meantime had been undergoing powerful changes that would be felt for many generations to come. The English Civil War started about 1640 and under Oliver Cromwell lasted until the royal family was defeated with the execution of Charles I in 1649. During the war, a man named George Carteret had fought valiantly for the royal family and the reward for that devotion was to be a grant for a large portion of the area of New Jersey. The restoration of the Stuart Kings to the throne in 1660 was led by the sons of Charles I; Charles II and James, the Duke of York. It was at their direction that the Dutch were driven from the colonies in 1664, and by 1667, viola! New Jersey belonged to England.

It was James, Duke of York, who became King James II after the death of his brother in 1685 and who caused many of the future problems for the Jersey Colony. His generosity to Sir George Carteret and to another supporter, John, Lord Berkley, included proprietorship of the area of New Jersey as well as granting something he had no right to offer. The proprietors were left with the understanding that they had the right to rule and establish their own government and it was many years later that the crown reasserted its authority to govern in these proprietary grants. Which fact caused another great round of discontent and unruliness amongst the colonists.

This was not the only area to be granted proprietorship by royal decree and most of them failed in the same manner and for the same reasons. The men receiving the grants were not even remotely aware of what it took to govern people and for the most part were looking to make money and gain position for themselves. They sold interest and shares in their grants to companies of investors who were also looking for profits. They disregarded the rights of the people who had purchased parcels of land from Indians or from other entities. Many of these other investment companies also disregarded previous land deeds and the results were many years of court fights, riots, angry citizens and a weakening of the fabric of government that is essential for society to make progress. They also refused in many cases to sell the land outright but instead, wanted to lease or grant the land by something called a "head right" (each head, or person, had the right to about 100 acres) and collect quit rents. Just one more factor which drove a wedge between the people and the owners.

The self determined charter for the government of the proprietors was based loosely on others, such as the one for the Carolinas and included the establishment of a governor who in this case was a cousin of Sir George named Phillip Carteret. The charter called for the election every year of an assembly of men who had to be freeholders, or owners of land, usually 100 acres or more. There was also a council of six to twelve men appointed by the Governor and the owners. The rules in the charter established to make this process work, in my opinion were the drivers that led to the revolution in the middle of the next century. They allowed that this elected body of men were to cooperate with what was a benevolent dictatorship in the owners. The assembly controlled the laws, the purse strings and taxes, yet were required to obtain approval for their actions from the owners.

Disagreements between the citizens over land, the assembly over taxes and laws and the fact that the owners were still residing in England, left the Governor in a quandary. Unable to please everyone or indeed anyone, he was left "in the middle" and quite often no adequate resolution of disputes was ever made, leaving things to fester. Add to this, the fact that many times the shares of the original proprietors were sold and re-sold to various companies and individuals, and it was a disaster in the making.

In 1682 Sir George died and the ownership passed through various stages of ownership by "boards" or companies over the next two decades to ultimately come again under the rule of the crown. In 1702 it became the Royal Colony of New Jersey.

The ownership of the land however, continued to be the main point of contention between the people and the Government. The royal government had been established only after negotiations with the proprietors that left ownership of the land in the hands of the proprietors! This ownership of the land by the various people who had bought into the investment companies was under constant questioning. The question being 'did James, Duke of York and later King James II, have the right to give authority of the land and its disposition to

the original owners?' That issue drove the people to aggravation and was topped off by "The Coxe Affair".

Dr. Daniel Coxe, an English investor and purchaser of shares in one of the various companies made the devious move that led the people to revolt. He was physician to the royal court and held sway with many in government positions. He used many devious means to acquire land holdings until he held power in one of the investment companies which put him in control of it. His shares were deemed to be of lessening value after the apparition of royal government seemed possible and he sold them to other investors. However, it seems that the deeds for sale of the lands were never registered properly and dear Mr. Coxe at his death left the same original shares to his son. The son and the Estate made claim to the land again in the 1730's, by which time many who thought they held clear title to land were suddenly dispossessed. The court system ruled in favor of the Coxe claims and against the honest deeds of many people. Many of those put out of house and home made the decision to leave New Jersey and about 1745 many families removed themselves from the Hopewell area in Hunterdon County and made the trek to North Carolina.

This movement was responsible for "The Jersey Settlement" in Rowan County, N. Carolina. Many disgruntled New Jersey citizens made the migration. Members of this group were also participants in 1771 of the "regulator wars" in N. Carolina. Fought for the same reasons and again against proprietors over land ownership, this movement has been called the "First Battle of the Revolution."

All of this leads back to the subject of "Land Riots" and the general mood and demeanor of the citizens, which at this point was not good. Many new settlers had continued to stream into New Jersey from the east and from Europe and the result was that many people became "squatters" on land that was sitting vacant and held by proprietors. Much timber was cut and hauled away, small farms were started, families were established and all on land that was not deeded to the persons living on it.

The owners and the appointed English governors made feeble but repeated attempts to remove those persons holding lands and the assembly and the justice system gave little effort to support it. Before the death of Lewis Morris in 1746 the efforts had been stepped up and the result was increasingly the eviction of persons who did not hold valid title to the land they lived on. These evictions often led to riots and destruction of government property by the citizens. Morris County does not seem to have been a focal point of these riots but several persons were indicted and tried before the courts for this offense after 1750. Watching your friends and neighbors being tossed out with nothing was an unsettling experience. One of the Jersey-men wrote the following, which was published in the New York Weekly Post in 1746 and points out the thinking of the day:

"No man is naturally entitled to a greater proportion of the earth than another; but tho' it was made for the use of all, it may nevertheless be appropriated by every individual. This is done by the improvement of any part of it lying vacant, which is thereby distinguished from the great common of nature, and made the property of that man who bestowed his labor on it, from whom it cannot afterwards be taken without breaking thro' the rules of Natural Justice; for thereby he could be actually deprived of the fruits of his industry."
[Craven]

And now, to add fuel to the fire, we add religion to the mixture. The Presbyterians held sway in many of the counties of Jersey and especially in Newark and Elizabethtown. The same problems faced the church and her supporters; land was necessary for the church and for the people who would support the church. Supporters also wished to establish a college and again, title to the land held up that wish. So when Governor Belcher took office in 1747 he reported that:

"the province, in much disorder, from great numbers of seditious people, in several parts of it trampling upon the laws, breaking the King's Gaols, rescuing prisoners, in the most audacious manner" [SGG]

Armed rebellion reached its height in October 1748, as new riots broke out and one New Jersey Councilor was quoted as saying:

"All laws are laughed at and disregarded, and they with force cut, carry and transport timber in the face of the magistrates and defy them" [SGG]

A leader of the rebellious citizens, one Amos Roberts, was arrested for high treason by the governor and an angry mob that same evening gathered at the Newark Jail and rescued Roberts, which started the governor and assembly going at each other. The governor asking for more enforcement of order, the assembly telling him to simply enforce the laws already in existence.

The governor again was torn. He felt that he needed troops from England to quell the problems but feared asking, as it would make him appear weak and not able to control the colony. The assembly, being elected, was very sympathetic to the citizens and turned a blind eye to the problem.

Eventually Governor Belcher was forced to ask the King's representatives, who were sitting as the "Board of Trade" and led by the Earl of Halifax for assistance. The Governor's worse fears came true as they proceeded to blame him for the problems, offered little in the way of help and concluded in one report that:

"His Majesty's Province of New Jersey is at present in open rebellion, and unless some speedy and effectual measures are soon taken... His Majesty's Government will in all probability be absolutely destroyed." [SGG]

The Board of Trade was in effect the ruling body in the colonies at the time and they debated and agonized over the action that should be taken. They considered replacing the governor, bringing in English troops, sanctioning the assembly but amazingly, in the end, the board of trade did very little to resolve the problem, leaving Governor Belcher in place, refusing to further aggravate the situation by sending military force and softening their stand against the proponents of the Presbyterians and their desire for a college. So it became a standoff, with the citizens and the assembly receiving little in the way of reprisals.

By 1752 the proprietors had resigned themselves to being left with any unclaimed lands left in the area and simply dropped their claims against the squatters and rioters. At this point many of the men who had been leaders of the rebellious citizens left the area, apparently in fear of reprisals by the crown that strangely never materialized.

In 1754 the war against the French became the focus and most of the activity in the Jerseys had quieted down with the decided outcome being a serious loss of respect for the English government.

These battles over government and who owned the land were to continue, but at a less serious level until the revolution, when the colonists decided they had finally had enough and took what they perceived to be theirs all along.

Putting all of this in perspective then, it appears that the actions of John Pipes Sr. and the others involved in the counterfeiting schemes may have been very much in concert with the times. Intended to thumb their noses at the established government, to make themselves look like local heroes, perhaps to avenge the loss of house and home by some of them or their families. It certainly makes more sense now. And to think that at one time I actually fostered thoughts that the only thing driving these men was greed and the desire to make a fast dollar.

Another point that would make the story is to find that one or several of them had actually lost their homes in court actions taken by the proprietors. And to think that all of John Pipes' children must have grown to maturity hearing this story told many times over, probably with embellishments every time it was told.



Special Appendix:

A list of all the names associated with the counterfeiting scheme: Note: This is not an exhaustive list, but does contain all of the names I encountered while viewing the microfilm and the court records.

Those Indicted:

Those Placing Bonds:

Timothy Conner	Seth Hall	Henry Primrose	Thomas Young
Abraham Hathaway Senior	Abraham Hathaway Junior	Benjamin Leonard	David Allen
Jonathan Hathaway	Job Allen	Isaac VanDuyn	James Frost
Ebenezer Doud	Andrew Morrison	Thomas Bridge	Gilbert Hedden
Abraham Southard	Samuel Blackford	Samuel Totten	Richard Parrott
Sylvanus Totten	David Brant		
James and Jacobus Vanetta	Simeon Hathaway		
John McNeil (Mcneal)	Lemeul Washbourn		
Joshua Robins	Abraham Anderson		
Robert Livingston	Court Timmery		
Isaac Wortman	Jeremiah Wright		
Peter Salter	Joseph Field		
John McDaniel	Josiah Pricket		

Bibliography:

[COT] - As extracted from the microfilm of the minutes of the Court of Oyer and Terminer, Morris County, New Jersey (Held in the Princeton University Library MSS No 1174 674Q)

[Scott] - Book "Counterfeiting In Colonial America" by Kenneth Scott

[Thayer] -Book "Colonial and Revolutionary Morris County" by Theodore Thayer

[HP] - A letter from Henry Pilch (in files of author and in JFPL of Morristown)

[CG] - A letter written by Charles Gardner to D. Stanton Hammond, 1959.(in files of Author)

[JFPL] - Morristown New Jersey - Joint Free Public Library

[Craven] - Book "New Jersey and the English Colonization of North America" by Wesley F. Craven [pgs 99-100]

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