

## JOSEPH TOMLINSON.

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THIS person came to New Jersey from the city of London. He was a member of the Horslydown Meeting of Friends. This meeting was on the Surrey side of the river Thames, which, even at that day, had become part of the great metropolis by means of the several bridges already erected. He appears to have been in some way under the patronage of Anthony Sharp, an uncle of Thomas Sharp already mentioned. Many of this name, however, suffered persecution in England, from 1654 to 1690, for their religious opinions. These were residents of Lancashire and Derbyshire; they were fined and imprisoned for conforming to the belief of Friends, laid down at that period.<sup>1</sup> Whether Joseph was of the same family cannot be known at this day, except by persistent and fortunate search.

He arrived previously to the year 1686, and became an apprentice of Thomas Sharp, who had settled on Newton creek five years before that time.<sup>2</sup> Although his education was better than that of many of his day, yet his apprenticeship was to learn the business of woolstead comber or dyer, that being the occupation of his master when not upon some surveying expedition, or not engaged in his official duties.

In addition to this, he was further advanced in the common branches of English education, and, when he attained his

<sup>1</sup> Besse's Sufferings, Vols. 1-2, 145, 327.

<sup>2</sup> Sharp's Book, O. S. G.

majority, was well fitted for business of any kind, and soon participated in the political affairs of the colony. He was something of a carpenter as well; for, in 1686, he made an agreement with his master to build him a house for a specified sum, and to furnish all the material except the nails.<sup>3</sup> The dimensions and style of this dwelling do not appear, but the presumption is that it was small and unpretending in both; and required but little architectural skill in any particular.

It is possible that Joseph Tomlinson was one of the persons who erected the Friends' meeting house in Newton, the first building set apart for religious worship in Gloucester county, and the second in West New Jersey.

For some reason the articles of apprenticeship were set aside, and Thomas Sharp agreed to pay him five pounds per annum for his services, and four pounds at the end of the term. In a letter copied by Sharp into his book, as written by Joseph Tomlinson to Anthony Sharp in Ireland, dated Newton, May 3d, 1691, mention is made of the trouble between them; but the record is so much defaced by time, and the book so little cared for, that the matter contained therein cannot be deciphered.<sup>4</sup>

A copy, however, is here given, leaving blank such parts as cannot be intelligently made out, to be supplied by such as have leisure and patience to make the attempt.

"Copy of a letter sent by Joseph Tomlinson to my Uncle Anthony:

"NEWTON, May 3, 1691.

"MOST RESPECTED MASTER:—Having this opportunity good to write to thee, hoping thou together with \* \* my \* \* thy family are in good health, as I am, praised be \* \* \* \* wonder that I never received any letter from thee \* \* years, but only in a letter to thy cousin, wherein \* \* \* \* to complain of us boath without just cause \* \* \* in Ireland understand not the difficulties \* \* \* \* and thou seemest to be offended with Thomas because \* \* \* \* which I took of thee was not performed \* \* \* he tels \* \* \* complained to thee by letter that I was demanding performance,

<sup>3</sup> Sharp's Book, O. S. G.

<sup>4</sup> Sharp's Book, O. S. G.



three months' diet at four shillings a week, &c.," Other entries referring to him are made, which seem to show that the relations between them were not the happiest, perhaps growing out of Joseph's youthful fancies, or Friend Sharp's exacting policy towards him. There is no doubt, however, that their association was of much use to the younger person, since, in addition to the moral and religious training which he received, his education was improved and advanced through the care of his preceptor. The difficulties before named do not appear to have destroyed the friendly feeling between them, for, in after years, the kind offices of his old master are seen in several business transactions.

As time progressed, Joseph took unto himself a wife, and settled down to be a good business man and valuable citizen. In 1690, he located one hundred and seventeen acres of land on the east side of Gravelly run in Gloucester township, adjoining a tract of land which he had previously purchased of Joseph Wood, and on which he had settled and first lived after leaving the house of Thomas Sharp in Newton.<sup>6</sup> This stream of water, sometimes called McGee's branch, is a tributary of the north branch of Timber creek, and falls into the same on the south side about two miles above Chew's Landing. He soon increased the breadth of his acres, so that his possessions extended from Gravelly run on the north to Holly run, or Sharp's branch, on the south. These he retained through life, and gave to his sons by will after his death.

What could have been the inducement for Joseph Tomlinson to purchase and settle on land so far beyond the line of civilization, is, at this day, difficult to imagine. At that time, the settlements had scarcely reached beyond the navigable streams, and even there were but few and far apart. Yet, in his case, his abode was surrounded with miles of unbroken forest; and, was without any neighbors within half a day's travel, while large tracts of unlocated land were between Newton and the place which he had selected for his future home, the title of which could have been secured for a mere pittance. He had to go some ten miles to attend the Newton

<sup>6</sup> Sharp's Book, O. S. G.

Meeting, and, if, as a farmer, he took his produce to the Philadelphia market, the distance was still increased. True, he was within two miles of navigation on Timber creek, but it is hardly to be supposed that he kept his boat to carry his family to meeting, and himself to market in the city, or to court at Gloucester and Red Bank.

It is needless, however, to speculate upon these things one hundred and eighty years after their occurrence; and the conclusion must be that the reasons for such an isolated settlement as made by Joseph Tomlinson were sound and sufficient, unto his mind at least. His leisure hours in this secluded spot were not wasted, for he turned his attention to the reading and understanding of the laws of the community of which he deemed himself a part, and in which he was soon to fill conspicuous and responsible positions. In examining the appointments of the Legislature for Gloucester county, it is seen that he was made sheriff in 1695; and, for the year 1696, the following may be found, "King's Attorney, Joseph Tomlinson."

This means that he was made the law officer of the province, to defend its honor and dignity, and for the prosecution of all offenders against the peace and tranquility of the same. That he was first examined as a law student and licensed to practice, there can be no question; and he, therefore, stands as the first attorney, according to the record, of Gloucester county. This appointment appears to have been made for three years, for, in 1700, he was re-appointed to the same position; which shows that his duties were acceptably discharged, and that he retained the confidence of those in authority. It will be seen that these duties commenced under the proprietary government, as instituted by our Quaker ancestors, and extended beyond the surrender to Queen Anne, when the courts were put upon a different basis and surrounded by much more parade and display.

In the first, the strictest simplicity was observed, both in the manner, and in the means of dispensing justice among the few litigants that sought their rights through this channel; for the judges who sat were elders in their own religious denomination, and regarded such things as essential to the purity of their

<sup>7</sup> Learning & Spicer's Laws.

belief. It is not too much to say that their Honors remained covered while on the bench, wearing their broad-brimmed hats and their plain, uncolored coats as an evidence of their disregard of the customs of the court and the vanities of the flesh. In the jury-box, the same thing could be observed; in the dress and demeanor of the bar, the same; and, when a prisoner was charged, the style and phraseology of the language partook of all such peculiarities. Perhaps so rigid was the court on this point, that no gesture or vehemence was allowed on the part of the advocates; and, without regarding the earnestness of the talker or the extremity of his case, any breach of decorum was deemed a contempt, and punishable accordingly.

Not so after the surrender. Lord Cornbury, cousin to the Queen, and the first governor under her authority, came to the United Province, filled with the forms and ceremonies of a proud and exacting court.

In 1700, an act was passed making it the duty of the sheriff of each county to meet the provincial judges and other officers, when riding the circuit, at the verge of his county, to escort them to the seat of justice, and then remain in attendance until the court adjourned and they were again beyond his bailiwick. The costume of the judges consisted of scarlet robes with deep facings of black velvet, and powdered wigs adorned with silk bags. The lawyers wore black silk gowns and wigs, and all the attendants were dressed in a somewhat similar manner.<sup>8</sup> With these innovations, were brought in many new forms and rules, putting our Quaker judges completely at fault, and at once creating trouble and confusion. Obedience to those in authority was a maxim too deeply instilled to be entirely disregarded, yet the presence of cocked hats, gold lace and side arms, was almost too much for that forbearance upon which our ancestors prided themselves.

Through all these radical changes Joseph Tomlinson, as prosecutor of the pleas, attended to his duties, though, if very strict as a Friend, he saw himself surrounded with much that was inconsistent with his notions of propriety, and that taxed his patience to the utmost.

<sup>8</sup> Fields's Provincial Courts.

He probably held the position of prosecutor of the pleas until 1710; in this year he was appointed one of the judges of the several courts of Gloucester county, for which position he was well fitted, after having so much experience in the modes and procedures of that branch of the government.<sup>9</sup> Whether he accepted the position with its observances of form and dress, or adhered to the plainness and simplicity of his religious associates, does not appear. He remained a member of the court until his death, doubtless a useful man therein, from his practical knowledge and familiarity with its uses and purposes.

Many of these formalities were adhered to until after the Revolutionary war; in fact, within fifty years of this writing, the judges were escorted from the hotel to the court room by the sheriff, and constables bearing staves, who, in the large counties, made considerable parade. All these have gradually fallen into disuse, until the true republican simplicity of our ancestors is a noticeable feature about our seats of justice.

In the year 1719, Joseph Tomlinson died, leaving his wife Elizabeth and the following named children:<sup>10</sup> Ephraim, who married Sarah Corbit and Catharine Ridgway; Joseph, who married Lydia Wade, of Salem, N. J., and Catharine Fairland, of Chester, Pa., (the last in 1738); Ebenezer; Richard; John, who married Mary Fairland, of Chester, Pa., in 1736; Othniel, who married Mary Marsh, of Salem, N. J.; William, who married Rebecca Wills; Margaret, who married Edward Borton; Elizabeth, who married Bartholomew Wyat, of Salem; Mary, who married Samuel Sharp; and Ann, who married — Gaunt.<sup>11</sup>

Bartholomew Wyatt came from Worcestershire, England, to Salem county, N. J., about the year 1690. His name first occurs in the Salem Meeting records in 1693, when he was appointed one of a committee to attend the Quarterly Meeting at Newton, Gloucester county, N. J. In the same year (1693), he married Sarah Ashton. They had two children, namely: Bartholomew, born 1697, who married Elizabeth Tomlinson; and Elizabeth, born 1707, who married Robert Smith. The first Bartholomew was a prominent man in the civil affairs of

<sup>9</sup> Leaming and Spicer's Laws.

<sup>10</sup> Lib. No. 2, 136.

<sup>11</sup> Lib. No. 4, 122. Lib. No. 5, 308.

the county, as well as active member of the Society of Friends, and one of the largest contributors to the fund for the erection of the brick meeting-house which once stood in the present graveyard in Salem. He died in 1726.

The second Bartholomew was also an active member of the same religious denomination. In 1730, he was recognized as a preacher, and much respected as a consistent and upright man. His wife, in 1732, also appeared as a public Friend, whose preaching was acceptable. Bartholomew had two children, Bartholomew and Sarah. The latter married Richard Wistar of Philadelphia.

Ephraim, the oldest son, settled on a tract of land which his father gave him by deed, adjoining the homestead on the east, and extending towards the north branch of Timber creek.<sup>12</sup> In 1732, he purchased of the executors of Abraham Porter, deceased, six hundred and nineteen acres, lying on both sides of the last named stream; which extended his possessions nearly to the south branch of Cooper's creek.<sup>13</sup> He was a preacher among Friends, and held in much estimation. A testimony from the Haddonfield Meeting is abundant evidence of his consistent and exemplary life. He was born in 1695 and departed this life in 1780, leaving a second wife, Catharine, a son, Ephraim, and two daughters,—Elizabeth, who married Aaron Lippincott and Mary, who married James Gardiner.<sup>14</sup>

To the son Joseph, the father devised the homestead property, containing about two hundred acres of land, whereon he settled after the death of the testator. During his life he purchased considerable real estate.<sup>15</sup> He deceased in 1758, leaving a widow, Catharine, two sons, Joseph and Samuel, and three daughters.

By the will of his father, John took about three hundred acres of land higher up Gravelly run, upon which he settled and remained until his decease in 1755. His wife survived him, and also three children, namely: Isaac; Hannah; and Eleanor, who married Josiah Albertson.

William settled on a farm in Waterford township near Haddonfield, which he bought of the executors of John Lord in

<sup>12</sup> Lib. DD, 200, O. S. G.

<sup>13</sup> Lib. P, 230.

<sup>14</sup> Lib. P, 187.

<sup>15</sup> Lib. M2, 339, O. S. G.

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1733; he lived there but a short time, as he died in 1737. His wife and three sons survived him. They were Samuel, who married Ann Burrough; William; and Daniel, who married Mary Bates.<sup>16</sup>

Othniel, who married Mary Marsh in 1744, first settled in Salem county, and, in the year 1753, removed to Chester county, Pennsylvania, to a place within control of the Concord Monthly Meeting. Othniel died in 1756.<sup>17</sup>

By this marriage there was but one child, Mary, who married Samuel Hibberd in 1770, and who had seven daughters. In 1760, the widow married Aaron Ashbridge. It is not known whether there was any issue by this marriage.<sup>18</sup>

It is probable that others of the sons deceased in their minority, and the daughters, following the fortunes of their husbands, have long since been lost sight of in the genealogical labyrinth built up through this lapse of years. The family has not, however, lost its identity with the first settler, and much of the landed estate owned by him still remains in the name. Of the life of the subject of this sketch, there are doubtless very many interesting incidents, which, by patient research among the musty records still extant, could be brought to light, and would show much of the history of his times, in connection with the progress of the people in their social, judicial and political condition; and which would contrast strangely with such as pervade our system at the present day. That he was a progressive man is shown by his selecting his home so far from the first settlements, in the depth of the wilderness, surrounded only by the aborigines, where nothing but industry and perseverance could procure him a farm.

In connection with these difficulties he became proficient in legal knowledge. He, therefore, attracted the attention of the community, and was called to fill the responsible positions before named. These things, when viewed from a proper standpoint, stamp him as a man whose career through life is worthy of being traced and recorded, and who deserves a much better biography than the foregoing brief and imperfect notice.

<sup>16</sup> Old Deeds, not recorded.

<sup>17</sup> Records of Salem Friends' Meeting.

<sup>18</sup> Goshen and Wilmington Meetings, Pa. and Del

It is perhaps proper, in this connection, to mention that John Tomlinson located and settled on a tract of land at the Indian town of Oneanickon, or Mount Carmel, in the year 1685.<sup>19</sup> This place was in Springfield township, Burlington county, near the old Copany meeting-house. He resided here until 1691, when he sold the same to Matthew Champion, and removed from that locality. It is likely that he was a brother of Joseph, and that he may have settled with him, on the head of Timber creek, as he sold about the time of Joseph's purchase at that place. Of his family nothing is known, and all of the above in relation to him, except the location and sale of the land, is conjecture.

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<sup>19</sup> Revel's Book, 77, 89.