

Case No. 34546

State of New Jersey v. David Cowell (Dr.; Enslaver of Adam)
Habeas Corpus (to produce Adam, a free Negro; claimed as slave by Dr. David
Cowell) Hunterdon : 1783

New Jersey State Archives
Supreme Court of New Jersey
Case Files, 1704 - 1844 (SSV00001)

2/22/2024

Supreme Court Case Files : Case # 34546
State of New Jersey v. David Cowell (Dr.; Enslaver of Adam)

<u>Case Number</u>	<u>Case Type</u>	<u>County</u>	<u>Dates</u>
34546	Habeas Corpus (to produce Adam, a free Negro; claimed as slave by Dr. David Cowell)	Hunterdon	1783
	Minute Book 61, p. 193; 225		

PLAINTIFF	State of New Jersey
DEFENDANT	Cowell, David (Dr.) (Enslaver of Adam)
NAMED IN CASE	Negro, Adam (a Free Negro; Claimed as slave by David Cowell)
EVIDENCE (WITNESS CALLED)	Axford, Charles (for the State; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Chenn, John (for David Cowell; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Hooper, James (for David Cowell; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Howell, Elliot (for David Cowell; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	James, John (for David Cowell; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Lanning, Richard (for David Cowell; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Moore, Joseph (for David Cowell; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Potts, Stacy (for the State; [Detail from Minute Book 61, p. 225])
EVIDENCE (WITNESS CALLED)	Scott, Thomas (for David Cowell; [Detail from Minute Book 61, p. 225])
OFFICIAL	Brearley, David (Chief Justice)

Supreme Court Case Files : Case # 34546
State of New Jersey v. David Cowell (Dr.; Enslaver of Adam)

OFFICIAL	Houston, [Unrecorded] (Clerk)
OFFICIAL	Paterson, William (Attorney General)
OFFICIAL	Reed, [Unrecorded] (Attorney) (for David Cowell; [Detail from Minute Book 61, p. 225])
OFFICIAL	Serjeant, [Unrecorded] (Counsel) (for David Cowell; [Detail from Minute Book 61, p. 225])

New-Jersey, County. The State of New-Jersey To Dr David Cowell
Greeting. We command you that the Body of
Adam, a free Negro in your Custody detained, as is said, by what so
ever Name he may be called or known, together with the Day and
Cause of his Taking and Detention, before our Justices of our Supreme Court of
Judicature, at Trenton, immediately after the Receipt of this Writ you have, to so
submit to and receive all and singular those Things which our said Justices
shall then there consider of him in this Behalf, and have you there
these this Writ. Witness David Brearley, Esquire, our Chief Justice, at
Trenton aforesaid, the fifteenth Day of May in the Year of our
Sovereigns's one hundred and eighty-three.

DAVID BREARLEY
C

James
Trenton, 24th

SSV00002
Supreme Court of New Jersey

Minutes, 1704-1873

Book 61 (Trenton) September 1782 – May 1784

May Term 1783

pp. 193 and 225

Entries related to Supreme Court Case No. 34546

State of New Jersey v. David Cowell (Dr.)

Habeas Corpus (to produce to produce Adam, a free negro; claimed as slave by David Cowell)

Hunterdon County, 1783

May Term 1789.

Humberdon writ continued.

William Bourne
 of John Logan
 Peter Bagg and
 Geo John Armstrong
 of } Indebt. p. fa. of Goods and Lands.
 The Defendants have not any Goods or Lands in
 my Bailiwick whereof the within mentioned Debt and
 Damages I can cause to be made as by this writ I am commanded
 Testatum p. fa. ordered. } Houghton

Harrison and Debow
 of Joseph Shippen } Indebt. p. fa. No Goods or Chattels in my Bailiwick
 Testatum p. fa. ordered

William Coar
 of Return Temple } All Capt. Debt l. s. mil 1/4.
 Ended before Court. } Kirjoy.

Levi Lake Esq
 Samuel Lake Esq
 of French Seely } p. fa. of Goods in Debt. Nulla bona -
 Testatum p. fa. ordered. } Lakes

Thomas Wetherill
 of Ralph Dehench } p. fa. of Goods in Capt
 Laid on 1 Bed and Bedding Table 6 Chairs four Dishes
 and Lumber, 3 Horses, 10 Cattle, 12 Sheep to the Value of 5/ which
 remain t. p. Nulla expensas ordered. } Morris

Oliver Barnett Esq
 of Anthony Jacobs } Will of Humberdon Indebt £1200.
 l. s. mil 0/10. continued

Anthony White
 of William Gardner and
 Edward Humberdon } Indebt writ of Enquiry t. p.
 The Execution of this writ appears in a schedule to the
 same writ annexed. -

William Steilpn
 of Benjamin Cooper
 Publishing Pastor t. p. } Will of Humberdon £30,000. Rules t. p.
 l. s. mil 10/0.
 I appear for the Defendant Wm Houghton } Peter Jones

Anthony White
 of Ebenezer Powell Esq } p. fa. of Goods and Lands
 Laid on 2 Tables 2 Chairs 2 Sheeps a quantity Iron
 bar also Number of Law Books a Horse and Lot of Land containing
 12 Acres which remain t. p. Value £5000

The State
 of David Cowell } Habeas Corpus of Negro Adam as far t. p.
 In Obedience to the within writ I do hereby certify and return that
 Negro Adam is in my Custody as my slave and I have him here ready to

The State
 of Sidney Perry Esq } All Capt. on Indictment
 l. s. mil 0/4.

May Term 1785.

The State

David Cowell

} On Petition Corpus of Negro Adam

Witness for the State

Stacy Polke att-

Charles & Inford jun. ju.

Mr. Reed atty for the Defendant
Mr. Sergeant of Council -

Witness for the Defendant.

Joseph Moore ju.

Richard Lanning ju -

James Cooper ju.

Ethan Glenn ju -

Elliott Howell ju -

Thomas Scott ju -

Isaac Howell ju -

John James ju -

The Court having heard and fully considered the Evidence
offered, do adjudge and order that the said Negro Adam be re-
manded into the Custody of his Master David Cowell on Motion of
Mr. Sergeant for Mr. Reed Attorney for the Defendant. - -

Levi Lake, Esq. of

Samuel Lake deceased

In Debt

Josiah Sealey

On Motion of Mr. Bloomfield Attorney for the Plaintiff,

Judgment is ordered pursuant to the Rule of the last Term; and the
Court, conformably to the Acts of Assembly in such case made and
provided, provided to liquidate and adjust the value of the Debt in Gold
and Silver, at the sum of ninety-seven Pounds four Shillings and
one Penny being the Amount of the Monies really due on the Credit
of the Bond, reduced by the Table or Scale of Depreciation, contained
in the Act of Assembly of 25th Dec^r 1784 from the Date of the Bond
and Contract.

Aaron Hitchell Esq.

Joah Marsh Esq.

late Sheriff

In Case.

By Consent of Parties and of their Attornies, and

on Motion of Mr. Elisha Pondinot, Attorney for the Plaintiff

It is ordered by the Court, that the Matter in Difference in this Case
be submitted to the Award and Determination of Matthias Walstead,
John Beck and Stephen Ray Esquires, whose Report, or the Report of
any two of them made in Writing and returned to the next or any
subsequent Term shall be conclusive to the Parties, be made a
Judgment