

Case No. 5997

David Cowell v. Nathan Beakes Jr.

Trespass on the Case (£10,000 damages; for depriving David Cowell of the service of Adam, a negro slave). [File includes a letter dated September 1778 in which David Cowell sets forth that Adam may work for others]

Hunterdon : 1780 - 1783

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

1/16/2026

Supreme Court Case Files : Case # 5997
David Cowell v. Nathan Beakes Jr.

<u>Case Number</u>	<u>Case Type</u>	<u>County</u>	<u>Dates</u>
5997	Trespass on the Case (£10,000 damages; for depriving David Cowell of the service of Adam, a negro slave). [File includes a letter dated September 1778 in which David Cowell sets forth that Adam may work for others]	Hunterdon	1780 - 1783
	<p>On September 12, 1778, a certain negro slave named Adam was retained for life in service of David Cowell. Throughout the following year David Cowell acquired divers great profits and advantages from the labor and service of the said negro slave Adam, his servant. Includes a letter dated September 1778 in which David Cowell sets forth that Adam may work for others within a seven mile radius, and after making restitution of 300 pounds may keep whatever he earns; in every respect as a Free Man [...]</p>		

PLAINTIFF	Cowell, David (Enslaver of Adam, a negro)
DEFENDANT	Beakes, Nathan Jr.
NAMED IN CASE	Negro, Adam (a certain Negro Slave named Adam; Enslaved by David Cowell)
OFFICIAL	Anderson, J. (Sheriff of Hunterdon)
OFFICIAL	Bainbridge, Edmond (Referee) (also on jury list)
OFFICIAL	Beatty, John (Dr.) (Referee)
OFFICIAL	Brearley, David (Chief Justice)
OFFICIAL	Corshon, J. (Sheriff of Hunterdon)
OFFICIAL	Houston, [Unrecorded] (Clerk)
OFFICIAL	Ketcham, Benjamin (Referee) (also on jury list)
OFFICIAL	Olden, Joseph (Referee)

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David Cowell v. Nathan Beakes Jr.

OFFICIAL	Paterson, William (Attorney) (for Nathan Beakes Jr.)
OFFICIAL	Reed, Bowes (Attorney) (for David Cowell)
OFFICIAL	Willing, John (Referee) (also on jury list)
JUROR	Abbott, Daniel
JUROR	Agnew, Daniel
JUROR	Apleton, Josiah
JUROR	Baker, Timothy
JUROR	Blackwell, Jacob
JUROR	Bodine, John
JUROR	Bulman, Thomas
JUROR	Ely, George
JUROR	Green, William
JUROR	Hart, Moses
JUROR	Houton, Abner
JUROR	Howell, Christopher
JUROR	Hunt, Richard
JUROR	Ketcham, John
JUROR	Kotts, Conrad
JUROR	Moore, Job
JUROR	Neal, Robert

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JUROR	Rose, Charles
JUROR	Rozell, John
JUROR	Singer, John
JUROR	Smith, Benjamin
JUROR	Vandolar, Garrett

5997

Cowell v. Beakes

Hunterdon

Trespass on the Case

Documents microfilmed
under Case # 5813 have been
refiled to this Case #

New Jersey: Sup: Court

David Lowell

} Narr

^{vs}
Nathan Peaker Jun^r

} Case -

Of the Term of April 1780

Filed Aug. 14. 1780 -

Mich
J

5997

The State of New Jersey } Of the Term of April in the Year of our Lord
Supreme Court } One Thousand, Seven Hundred and Eighty

Hunterdon ss. David Cowell complains of Nathan Beaker Jun^r in
Custody &c - For this, to wit; That Whereas a certain Negro Slave
named Adam, on the 12th Day of September, One Thousand, Seven
Hundred and Seventy eight, was rightfully and lawfully retain'd
for Life, in the Service of the said David Cowell, to transact certain
Affairs of the said David, and the said Negro Slave Adam, had
serv'd the said David for the Space of One Year next after the said
twelfth Day of September - Whereby the said David obtain'd and
acquir'd Divers great Profits and Advantages from the Labour and
Service of the said Negro Slave his Servant - Nevertheless the
said Nathan Beaker Jun^r, not ignorant of the Premises but contriv-
ing craftily and subtilly to deceive and defraud the said David
of his Servant aforesaid, and retain'd in his Service; and of all
the Profits, Benefits and Advantages which the said David by
Reason of his Servant aforesaid might have and gain, procur'd
the said Negro Slave Adam to Depart from and leave the Service
of the said David against the Will of the said David - whereby the
said David has entirely lost the Service of the said Negro Slave
Adam his Servant for long Time to wit; for the Space of Six Months
and still continues to loose the same to the Damage of the said David
Ten Thousand Pounds and thereof he brings this Suit

B. Reed Atty Pleur. John Doe
Hedger Rich^d Roe

Hunterdon ss. David Cowell puts in his Plea Powes Reed his Attorney
against Nathan Beaker Jun^r in a Plea of Trespass on the Case

New Jersey Supr Courts

David Lowell & Narr
vs
Nathan Peabody in Case

Make 2 Copies of this

5997

Warrant for the arrest of Nathan Peabody in the case of David Lowell & Narr vs Nathan Peabody

The State of New Jersey Of the Term of April in the Year
Supreme Court of our Lord One thousand seven hundred
and Eighty

Hunterdon J. David Lawrie complains of Nathan Beahm Jun^r
in Custody & for this to wit, that whereas a certain
Negro Slave ^{on the 12th day of Sept^r 1778} named Adam, was rightfully and
lawfully retained ^{for life} in the service of the said David
Lawrie to transact certain Affairs of the said David
and the said Negro Slave Adam had served the
said David for the space of ^{one Year} ~~two~~ ^{next} after the
said length day of September in the Year whereby
the said David obtained and acquired divers
great profits and Advantages from the Labour
and service of the said Negro Slave his Servant
Nevertheless the said Nathan Beahm Jun^r not
ignorant of the premises but contriving craftily
and subtilly to subtilly to deceive and defraud the
said David of his Servant, aforesaid, and retained
in his Service, and of all the profits Benefits and
Advantages which the said David by reason
of his Servant aforesaid might have and gain
procured the said Negro Slave Adam to depart
from and leave the service of the said David
against the Will of the said David whereby
the said David ^{has} entirely lost the service of the
said Negro Slave Adam his Servant for a long
time to wit for the Space of ^{one Year} Six Months
and still continues to lose the same to the
damage of the said David Ten thousand pounds
and thereof he brings this Suit

B. Reed My Lawr Pleger ^{John Doe} ^{John Doe}

Hunterdon J. David Lawrie puts in his Place
Bowie Reed his Attorney against Nathan
Beahm Jun^r in a plea of Respondeo on the Case

Nathan Beane Junr
att
David Lowelle. } In Cap.

May 1st
1787
Filed
1787
Filed

I plead Not Guilty, with Leave to give
in Evidence any special Matter, as Article of Agreement
or Instruments in Writing given by the Off. Payment,
Ac.
J. P. Weston
att for Def.

JURIS
BONUM TO THE SUBSISTENCE AND COMPLETION OF
V^o O B D I X V I C E

An O R D I N A N C E,
Relative to the Capture and Condemnation of
Prizes.

THE United States in Congress assembled, taking into consideration, the implacable war waged against them by the King of Great-Britain, and judging it inconsistent with their dignity, as a free and independent nation, any longer to continue indulgencies and exemptions to any of the subjects of their enemy, who is obstinately bent upon their destruction or subjugation, have thought it proper to ordain and order, and it is hereby *Ordained and Ordered*, That hence forward general Reprisals be granted against the ships, goods and subjects of the King of Great-Britain; so that, as well the fleets and ships of these United States, as also all other ships and vessels commissioned by letters of marque or general reprisals, or otherwise, by the authority of the United States in Congress assembled, shall and may lawfully seize all ships, vessels and goods belonging to the King or Crown of Great-Britain, or to his subjects, or others inhabiting within any of the territories or possessions of the aforesaid King of Great-Britain, and bring them to judgment in any of the courts of admiralty that now are or hereafter may be established in any of these United States, by the authority of the United States in Congress assembled; and the said courts of admiralty are hereby authorized and required to take cognizance of, and judicially to proceed upon all and all manner of captures, seizures, prizes and reprisals of all ships and goods that are or shall be taken, and to hear and determine the same, and, according to the course of admiralty and the laws of nations, to adjudge and condemn all such ships, vessels and goods, as shall belong to the King of Great-Britain or to his subjects, or to any others inhabiting within any of the countries, territories or dominions, or possessions of the aforesaid King of Great-Britain:

And that the board of admiralty or secretary of marine forthwith prepare, and lay before the United States in Congress assembled, a draught of instructions for such ships or vessels as shall be commissioned for the purposes abovementioned.

And it is hereby farther *Ordained*, That the destruction of papers, or the possession of double papers, by any captured vessel, shall be deemed and taken as just cause for the condemnation of such captured vessel; and that, when any prize, having been taken and possessed by the enemy twenty-four hours, shall be re-taken from them, the whole of such re-captured prize shall be condemned, for the use of the re-captors; but, in cases where the prize shall have continued in the possession of the enemy less than twenty-four hours, it shall be restored to the original owner or owners, except one third part of the true value thereof, which shall be allowed as salvage to the re-captors.

And it is hereby farther *Ordained*, That the citizens and inhabitants of these United States, be, and they hereby are strictly enjoined and required, to abstain from all intercourse, correspondence or dealings, whatsoever, with the subjects of the said King of Great-Britain, while at open war with these United States, as they will answer the same at their peril; and the Executives of the several States are hereby called upon to take the most vigilant and effectual measures for detecting and suppressing such intercourse, correspondence or dealings, and bringing the authors thereof, or those concerned therein, to condign punishment.

And, in order the more effectually to remove every colourable pretence for continuing such intercourse, it is hereby *Ordained*, That, from and after the first day of November next, no benefit shall be claimed from, nor countenance or regard paid to, any letters of passport or safe conduct, heretofore granted by the Congress of the United States, to any of the citizens or inhabitants thereof, or to any person or persons whatever, for the removal of their property or effects from places within the dominions or possessions of the said King of Great-Britain:

Provided, always, That this Ordinance shall not extend to authorize the capture or condemnation of any vessel belonging to any inhabitant of Bermudas, which being loaded with salt only, may arrive in any of these United States, on or before the first day of May next.

And it is hereby *Ordained*, That all former acts or resolutions of Congress, contrary to the tenor, true intent and meaning of this Ordinance, be and they are hereby repealed.

D O N E, by the United States in Congress assembled,
the Twenty seventh Day of March, in the Year of Our
Lord One Thousand Seven Hundred and Eighty One,
and in the Fifth Year of Our Independence.

SAMUEL HUNTINGTON, President.

Attest.

CHARLES THOMSON, Secretary.

New Jersey Sup. Courts

David Cowell

Nathaniel Drake Jun^r } Imp. fa.

B. Reed Atty

5997

Ret. to Sept. Term 1781

The Execution of this writ

shown by Mr Daniel Keenut
a. m. w. d.

of Bondsworn sh.



New Jersey: The State of New Jersey, To the Sheriff of the County of Hunterdon Greeting.



It is Commanded Now that you cause to come before the Justice of the Supreme Court of Judicature at Trenton on the first Tuesday in September next, twelve free and lawful Men of the Body of your County, by whom the truth of the matter may be best known and who are in no way of kin either to David Cowell the Plaintiff, or to Nathaniel Beahm Junior the Defendant, to make a certain Jury of the County between the

parties aforesaid in a plea of trespass on the case, because as well the said David Cowell as the said Nathaniel Beahm Junior between whom the matter in variance is, have put themselves on that Jury, and have there the names of the Jurors and this writ, William David Brearly Esquire Chief Justice of New Jersey at Trenton the twelfth day of May in the Year of our Lord One thousand seven hundred and eighty one

B. Reattory

Reed

New Jersey Sup: Court

G^o David Lowell
Nathan Beaker Jun^r } Vn:sa

B: Reedlaty

Ref: to Sept^m Term 1782.

The execution of this writ
appears by the panel here
unto annexed

Florsheugh

New Jersey: The State of New Jersey to The Sheriff of the County of Hudson Greetsing His
Commanded you that you cause to come before the Justices of the Supreme Court
of Judicature at Tunton on the first Tuesday in September next twelve free
and lawful Men of the Body of your County, by whom the truth of the
matter may be the better known and who are in manner of this return to
D. David Cowell the Plaintiff or to Nathan Braker Jun^r Defendants, to make
a certain Jury of the Country between the parties afores^d of a plea of Trespass on the Case because
as well the said D. David Cowell as the said Nathan Braker Jun^r between whom the
matter in Question is handled themselves on that Jury, and have there then the Names of
those Jurors and the Oath, Witness David Brewster Esq^r Chief Justice at Tunton the
twentieth day of May in the Year of our Lord One Thousand Seven Hundred and eighty two

P. D. Cowell

Hudson

New Jersey Supr. Court

David Lowill }
or }
Nathan Beato Jun^r } Vin. fa.

B. Readliff

Ret. on the 16th day of May

The content of the writ
appears by the panel here
with annexed

New Jersey: The State of New Jersey To The Sheriff of the County of Hunterdon
Greeting It is Commanded You, that you cause to come before the
Justice of the Supreme Court, of Judicature at Trenton on the tenth
day of May next twelve free and lawful Men of the Body of your
County, by whom the truth of the matter may be better known, and
who are in no way of Kind either to David Cowell the Plaintiff or to Nathan Peake
the Defendant, to make a certain Jury of the County between the parties aforesaid
in a plea of trespass on the Case, between as well the said David Cowell as the said
Nathan Peake Junion, between whom the matter in variance is here put, themselves
upon that Jury, and have there the names of the Jurors and their Witnesses David
Brewster Esq. Justice of New Jersey at Trenton the sixth day of April in the
Year of our Lord One thousand Seven hundred and eighty two

B. R. M. D. M. J.

Houston



New Jersey Sup: Courts

David Cowell V. Un: fa
Nathan Frazer Jun^r

B. M. M. M.

Set: to be heard on
April 1783.

The Decisions of the within
Shall appear by the Pinned
down of J. Anderson & Co

New Jersey: The State of New Jersey To the Sheriff of the County of Hudson Greeting
It is commanded you that you cause to come before the Justice of the Peace
Court of Judicature at Tinton on the first Tuesday in April next, twelve
you and lawyer then of the Body of your County, together with
such of the matter may be the better known, and who are in know
of his return to David Coull plaintiff or to Nathan Beaker Defendant to make
a certain Jury of the Country between the parties aforesaid of a plea of Trespass on the
Case, because as well David Coull as the said Nathan Beaker, between
whom the matter in variance is, have put themselves upon that Jury, and have
then and there the names of the Jurors and their Writ. Witness David Brearly
Esquire Chief Justice of New Jersey at Tinton the nineteenth day of November in the
Year of our Lord One thousand seven hundred and eighty two

B. Mitchell

Christy

Edmond Bambridge —
John Willing —
Robt Nead
Benjamin Smith
Daniel ~~Haynes~~
Thos Bulman
Conrad Thott
Garrett Vandolan
Abner Mouten
Moses Hart
John Singer
Jacob Blackwell
Richard Hunt
Timothy Baker
Job Moore
George Ely
Josiah Appleton
Christopher Howell
Daniel Abbott
Charles Krop
John Bodine
Wm Green
Benjam Ketcham —
John Ketcham —
John Royell
J. Anderson Sr

Dr. Bratty

Los: Olden

Superior Court
David Lowells }
to } Paper
Magistrate }

Filed May Term 1783

Houston

Trenton Sep: 12th 1778

This is to Certify that I do allow my Negro
Man Adam, when I can spare him from my
own Business, to agree for the best, with any
Man within Seven Miles of me, as to Wages
and to Receive the same, he paying me every
half year so much of the said Money as he
may have to spare over & above what he may
want for Cloaths & Necessaries for himself untill
he has made me full Restitution in Money
for the Sum of Three hundred Pounds advanced
from this date and when he has done that all the
Money he may receive on the same Plan shall
be his own in every Respect to dispose off & be the
same as a free Man He to make my House his Home
every Saturday Night except absent by Permission
& so that as long as life is certain I propose he shall
have no other Master but myself.

faithful Also Adam has my Liberty to buy
and to sell what may become his own in every
Respect as a free Man while he behaves with that
good Name & Character he hath ever here tofore
done

David Cowell

Supl Court
~~David Sewell~~
aft
Nathan B Deakes jr }

In Cap

Rule of Reference

April Term 1783

entered

5997

Dr. David Cowell }
vs }
Nathan Peabody Jun^r } In Case

By consents of both parties and
of their Attorneys and on Motion of M. B. Reed Attorney
for the Plaintiff, It is ordered that all matters in difference
in this Cause be submitted to the Award and determination
of Edmond Painbridge John Willing, Benjamin Adetiam
Dr. John Beatty and Joseph Elden whose reports or the
reports of any two of them made in writing and
returned to the next, or any subsequent Term be
conclusive to the parties and made a Judgment of
this Court, on which Execution may issue that
the parties attend Plaintiff give the Defend. ten days
Notice of the time and place of the Referees meeting
and the neglect of the Plaintiff giving Notice the Defend. may give the Plaintiff
and that if either party shall refuse or neglect to attend
the Referees may proceed ex parte and that each party
be entitled to Subpoena for their Witnesses —

New Jersey Superior Court

David Lowells

Plaintiff

vs

Nathan Decker, junior

Defendant

of the County of Essex

filed May Term 1788

5997

For the Plaintiff
Nathan Decker, junior

[Faint, mostly illegible handwritten text and signatures, including a large signature at the bottom right.]

New Jersey Supreme Court April Term 1783.

Midway 2 April 1783.

Report all the Judges
 David Howell }
 of } In Case
 Nathan Benjamin }
 By Consent of both Parties and their Attornies
 and on motion of Mr. P. Lead Attorney for the Plaintiff it is
 ordered that all Matters in Difference in this Cause be sub-
 mitted to the Award and Determination of Edmund Pembroke,
 John Walling, Benjamin Robinson, Dr. John Beatty and
 Joseph Albee, whose Report in the Report of any three
 of them made in writing and returned to the next Term
 subsequent Term be conclusive to the Parties and made
 a Judgment of the Court on which Execution may issue,
 that the Plaintiff give the Defendants ten Days Notice
 of the Time and Place of the Referees Meeting and ^{on} Notice
 of the Plaintiff giving Notice, the Defendants may give
 like Notice that if either Party shall refuse or neglect
 to attend the Referees may proceed ex parte and
 that each Party be entitled to Subpoenas for their
 Witnesses.

A true Copy from the Minutes of the Court.

John A. [Signature]

We the Within named Referees, appointed
 by the Rule of Court, of which the within
 is a Copy, having met, agreeable to notice
 given by the Plaintiff; on a full hearing
 of the Evidence & allegations of the
 Parties, do report, to the Hon^{ble} Court
 that we find for the Defendant — no
cause of action — Witness Our Hands
 this Twenty first day of April 1783.

Edm^d Bairbridge

John Welling
 Benjamin J. Adams

J^o. Beatty

Joseph Adams

New Jersey Superior Court
 David Lowelle
 Nathan Deaker, ^{see} _{of refer.}

filed May Term 1783

5997