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PROBLEMS OF SOCIAL HISTORY AND PATTERNS OF INHERITANCE IN PRE-REVOLUTIONARY NEW JERSEY, 1751-1770

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HISTORICAL study of colonial New Jersey has until recently passed largely without the corroboration of quantitative analysis. Historians have made broad assertions about the nature of New Jersey society in both colonial centuries, building their cases largely with literary evidence. Wesley Frank Craven, Richard P. McCormick, and John Pomfret, to name only a few, have offered interesting and important insights concerning early New Jersey.¹ Jackson Turner Main, in his provocative *Social Structure of Revolutionary America*, emphasized the implications of patterns of property-holding for creating sentiment for independence. Although Main relied somewhat more heavily on tax records, deeds, vital statistics, and similar sources of evidence than other historians had, he did not achieve—nor really attempt—a systematic analysis of one, several, or all colonies. What follows is an effort to use wills as a

¹ See Wesley Frank Craven, *New Jersey and the English Colonization of North America* (Princeton, 1964); Richard P. McCormick, *New Jersey from Colony to State* (Princeton, 1964) and *Experiment in Independence* (New Brunswick, N.J., 1950); and John Pomfret, *The Province of East Jersey 1609-1702* (Princeton, 1962). See also Jackson Turner Main, *Social Structure of Revolutionary America* (Princeton, 1965).

counter-check to important literary evidence for the study of landholding in New Jersey on the eve of the American Revolution and to suggest the relationship of landholding and similar socio-economic issues to New Jersey's support of the war against Great Britain.

I

Wills are the instruments created by a large number of men and women to distribute property from one generation to the next. Thus they can record a rise or fall in the proportion of landholders, an increase or decrease in the ranks of the landless, and the rate of subdivision of land. In practical terms, wills can suggest how many men of the rising generation had a clear and firm opportunity to earn a living, how many had the security of a trade, and how many were left to their own resources. As particular cases, each will is a comment on the success and interest of parents in providing for the future of their children. As a group, the wills are an indicator, even as they were a regulator, of social stability.

By law, all wills made by East Jersey testators were to be filed at Perth Amboy. Those by West Jersey residents were filed at Burlington. Some 2,857 such documents were filed during the period from January, 1751 through December, 1770. These wills have been published in abstracted form in the series *New Jersey Archives, Documents Relating to the Colonial History of the State*.² The abstracts, compared with a random sample of the original manuscript wills, seem to reflect accurately the nature and the extent of the division of property by testators. Although some of the detail of the original manuscripts is lost in the abstracts, they nonetheless appear free of substantial error. A complete reading of all manuscript wills would not likely reveal important differences of information from a reading of the abstracts.

For the purposes of this study of New Jersey inheritances, the wills have been classified to answer a simple and basic question: who received property? Only two kinds of legacies deferred to an un-

² All statistics on inheritances in this study are based on the will abstracts in New Jersey, *Archives of the State of New Jersey*, First Series, Vols. XXXII-XXXIII, *Documents Relating to the Colonial History of the State, 1751-1770* (Somerville, N.J., 1924, 1928).

specified subsequent date the distribution of property to the emerging generation—those making the wife the sole or by far the principal heiress, and those placing the estate in trusteeship. During the two decades from January, 1751, some 710 wills ordered all or most of the estate transferred to the widow. Only 5 created trusteeships. These wills left in doubt the nature of property division for part of the next generation. They neither set an exact time for division nor described the parcels of land that the heirs were to receive. They are wills whose impact on the future must be regarded as indefinite.

A second broad classification includes those wills in which testators divided their estates among several heirs—that is, wills ordering partible inheritances. Among these are 802 cases specifying the approximately equal division of land and other property among all or most surviving sons,³ some 71 cases distributing equal shares of the estate to the surviving wife and sons, fully 350 wills transferring property to heirs outside the nuclear family, and 181 instances of distribution of estates among surviving daughters. In addition, among partible wills are those confirming the customary legal formulae followed in intestate cases. If the wife and children survived the deceased husband and father, the wife was entitled to a third of the estate and the children divided the balance. If the wife survived without children, she received half of the estate. The nearest blood relatives of the decedent assumed the remainder. If the wife was dead, the children would inherit all real and personal property. Of these wills, there were 365, 13, and 184 respectively. No law directed the transfer of property to the husbands, since concepts of community property challenged the wives' claim to independent holding during the lifetimes of their husbands. Therefore a wife would not have written a will unless predeceased by her husband.

The last general classification includes those wills in which testators left all or most of their estates to a single person—that is, wills ordering impartible inheritances. Included among these are 103 wills designating the oldest son as sole or principal heir, 34 wills naming

³ The word "approximately" is used to imply, for example, that the oldest son might receive slightly more property than others, although on the whole the will would order a division of property which was essentially although not arithmetically equal.

the youngest son as sole or principal heir, and 39 transferring all or most property to an only son.

The classification of a will as partible, impartible, or indefinite and the placement of a will into a subset within each of these classifications are interpretative steps. Each such entry represents a judgment about the nature of a will. Very few wills were simple. Partible inheritances were especially complicated, benefiting several among the possible groups of heirs. Whenever such multiple legacies have appeared in the abstracts, it has been necessary to select that classification which most comprehensively describes the process of property distribution ordered by the testator.

A major word of caution must be sounded: wills are not the only method of disposing of property and consequently even a study of all wills can give only a part, although an important part, of the total picture. During the period under consideration, thousands of men died intestate; and an independent tabulation of this form of partible inheritance will prove essential to a complete understanding of pre-Revolutionary property distribution in the colony. Moreover many men and women may have died without executing wills and without enough property to warrant the appointment of administrators. Wills can suggest little about the intestate. They can tell us nothing about cases handled informally. On the other hand, wills are one important complete set of documents through which many thousands of acres of land were divided and through which a large proportion of young men were affected favorably or not. To be careless in projecting the characteristics of these testators upon the whole of society would undoubtedly lead to error. But since the classification and counting of these wills and the inferences drawn from them about testators and their heirs are not projections, they are not subject to the same form of error.

II

Throughout pre-Revolutionary New Jersey, partible inheritance was the rule. Of the 2,857 wills filed during the two decades under study, some 1,966 (68.8 per cent of all wills) were of this type, conveying property to several heirs. Excluding legacies to wives and

cases of trusteeship, fully 91.6 per cent of wills were partible.⁴ The range in partibility among the thirteen counties extended from 60.0 per cent of the gross total of wills in Morris County to 78.8 per cent in Bergen County. The corrected figures, which more closely represent the historical realities, extend from a low of 82.9 per cent in Cumberland County to a high of 95.7 per cent in Middlesex. The figures based on gross totals thus indicate that an absolute minimum of 60.0 per cent of the wills in any one county were partible, while the average minimum for the colony was 68.8 per cent. The corrected figures show that in all known cases for each county the average number of partible wills did not drop below 82.9 per cent, while the average for the colony was 91.6 per cent. Tables I, II, III, and IV present the numbers of partible, impartible, and indefinite wills for each county, for the eastern and western proprietary divisions, and for the colony as a whole. Also presented are percentages indicating the proportions of partible and impartible wills to the gross totals and to the totals of wills excluding the indefinite cases.

At face value, this extremely high partibility implies wide extension in landholding. But in pre-Revolutionary New Jersey the proportion of sons who actually inherited real property was lower than the statistics on partibility first suggest. Throughout the colony, the percentages of sons who received land ranged from a low of 62.7 per cent in Burlington County to a high of 88.0 per cent in Essex.⁵ The average for the colony was 79.5 per cent. Thus although the vast majority of sons received real estate as all or part of their inheritance, they constituted a perceptibly smaller majority than the sheer preponderance of partible wills might lead one to expect. Although 3,949 sons inherited land, 1,017 did not. Neither wills nor abstracts report adequately which sons, or even how many, received land before their fathers' deaths through deeds of gift or sale. Only

⁴ The indefinite wills are included in general or "gross" totals and allow the determination of a minimum number and proportion of partible wills. The indefinite wills are excluded from all "corrected" figures, which are to be considered as a more likely approximation of conditions in the colony. These indefinite cases are excluded since they tell us nothing about the distribution of property to the emerging generation. We do not know their long-range effects. Thus "corrected" figures represent all known cases.

⁵ The figures for proportions of landed sons are the sums of those inheriting land through partible or impartible wills divided by the total number of sons mentioned in partible and impartible wills. Indefinite wills are excluded.

a complete study of deeds can verify the real size of this apparently landless group.

But even those sons bequeathed real estate were not necessarily sure of a future in agriculture, and in this sense the statistics on partibility are deceptive. For the testators often ordered subdivision of their lands even when the estates were small. Grants below 50 and even 25 acres were not unusual. Unfortunately, it is difficult to estimate the number of sons receiving land insufficient to their families' needs. First, inheritances might only supplement previous grants. Second, the quality of the land varied significantly in the colony, as did the price of an acre. Third, land was not impossible to obtain,

TABLE I
PARTIBLE INHERITANCES FOR EASTERN COUNTIES,
WITH GENERAL STATISTICS FOR THE COLONY

Descriptions of Partible Land Distribution										
County	All Sons Equally	Sons and Wife Equally	Outsiders, Non-relatives	All or Most Daughters	One third to Wife; Balance to Sons and Daughters	One half to Wife; one half to next-of-kin of Testator	All real and Personal property To the Children	Total Numbers of Partible Wills	Minimum % of Partible Wills	Corrected % of Partible Wills
Bergen	48	1	10	3	13	2	5	82	78.8	91.1
Essex	94	4	29	21	52	1	19	220	68.7	93.2
Middlesex	66	9	37	15	46	0	27	200	70.2	95.7
Monmouth	89	7	35	15	40	2	15	203	76.6	92.3
Morris	39	2	10	9	15	0	3	78	60.0	88.6
Eastern Sussex	18	3	0	4	8	0	1	34	69.3	89.5
Eastern Somerset	32	3	11	4	24	0	8	82	79.6	97.6
Total East	386	29	132	71	198	5	78	899	71.6	93.2
General, Colony	802	71	350	181	365	13	184	1,966	68.8	91.6

NOTE: Each description of a type of partible will represents one subset of the general classification. The minimum percentages are the proportions of the total number of partible wills to all wills, including indefinite cases. The corrected percentages are the proportions of the total number of partible wills to partible and impartible only.

even if it was in demand in some counties; and a large inheritance of money, coupled with a small grant of land, might enable the son to purchase land from a neighbor or to settle elsewhere. Although a systematic estimate of insufficient grants of land presently eludes us, a more impressionistic conclusion is that in some counties as few as half of the sons named in wills inherited enough property to provide for themselves and for their families.

Despite the growing pressure of population upon available land, the testators made relatively little effort to assist their sons in pursuits other than agriculture. This may have derived from a supra-

TABLE II
PARTIBLE INHERITANCES FOR WESTERN COUNTIES,
WITH GENERAL STATISTICS FOR SUSSEX AND SOMERSET

Descriptions of Partible Land Distribution										
County	All Sons Equally	Sons and Wife Equally	Outsiders, Non-relatives	All or Most Daughters	One third to Wife, Balance To Children	One half to Wife; one half to next-of-kin of Testator	All Property To Children	Total Numbers of Partible Wills	Minimum % of Partible Wills	Corrected % of Partible Wills
Burlington	102	8	68	31	47	3	36	295	70.2	90.8
Cape May	29	2	7	5	5	0	6	54	68.3	87.1
Cumberland	43	3	17	8	17	1	13	102	57.3	82.9
Gloucester	61	11	40	21	21	0	22	176	62.6	92.6
Hunterdon	97	7	33	27	49	2	9	224	71.8	88.5
Salem	56	7	44	13	17	2	19	158	62.9	91.3
Western Sussex	6	0	1	3	0	0	0	10	62.5	76.9
Western Somerset	22	4	8	2	11	0	1	48	75.0	90.6
Total West	416	42	218	110	167	8	106	1,067	66.6	90.3
Sussex	24	3	1	7	8	0	1	44	67.7	86.3
Somerset	54	7	19	6	35	0	9	130	77.8	94.8

NOTE: Each description of a type of partible will represents one subset of the general classification. The minimum percentages are the proportions of the total number of partible wills to all wills, including indefinite cases. The corrected percentages are the proportions of the total number of partible wills to partible and impartible only.

rational valuation of land and farming. But it was more likely a simple reflection of the agricultural character of the colony and of an habitual identification of land ownership with security. During the period under study, almost 75 per cent of all testators were farmers, or nearly 83 per cent if widows' wills are excepted.⁶

When testators could not provide land for all their sons, they had several options. First, they could give grants of money, presuming

TABLE III
EASTERN COUNTIES: IMPARTIBLE INHERITANCES, AND
INDEFINITE WILLS

Impartible Wills							Indefinite Wills			
County	Oldest Son Sole or Principal Heir	Youngest Son Sole or Principal Heir	Only Son Sole or Principal Heir	Total Number of Impartible Wills	Minimum % of Impartible Wills	Corrected % of Impartible Wills	Wife Sole or Principal Heiress	Trusteeship	Total Number of Indefinite Wills	Percentage of Indefinite Wills Among Wills of All Types
Bergen	6	2	0	8	7.7	8.9	14	0	14	13.5
Essex	8	1	7	16	5.0	6.8	84	0	84	26.3
Middlesex	3	3	3	9	3.2	4.3	76	0	76	26.6
Monmouth	13	4	0	17	6.4	7.7	45	0	45	17.0
Morris	7	1	2	10	7.7	11.4	42	0	42	32.3
Eastern Sussex	3	1	0	4	8.2	10.5	11	0	11	22.5
Eastern Somerset	2	0	0	2	1.9	2.4	19	0	19	18.5
Total East	42	12	12	66	5.3	6.8	291	0	291	23.1
General, Colony	103	34	39	176	6.2	8.4	710	5	715	25.0

NOTE: Each description of a type of impartible or indefinite will represents one subset of the general classification. Since indefinite wills are excluded from adjusted statistics, only the gross percentages, representing the proportions of such wills in each county and in the colony, are listed. The corrected percentages among impartible wills show the proportions of partible wills to all wills, excluding the indefinite cases.

⁶ Wills written by widows are included in statistics describing property division, since they do in fact dispose of property. They are excluded from occupational percentages since they do not constitute an occupational group.

they had money to give. If they possessed no readily convertible assets such as bonds, they could bind sons inheriting real property to pay a fixed sum to those without land. 778 sons, or 15.6 per cent of all sons mentioned in partible or impartible wills, received such cash benefits. But with grants of money, as with grants of land, the amount bequeathed was important. The overwhelming majority of sons with money inheritances received less than they would need to buy an adequate farm.

TABLE IV
WESTERN COUNTIES: IMPARTIBLE INHERITANCES, AND
INDEFINITE WILLS

County	Impartible Wills						Indefinite Wills			
	Oldest Son Sole or Principal Heir	Youngest Son Sole or Principal Heir	Only Son Sole or Principal Heir	Total Number of Impartible Wills	Minimum % of Impartible Wills	Corrected % of Impartible Wills	Wife Sole or Principal Heiress	Trusteeship	Total Number of Indefinite Wills	Percentage of Indefinite Wills Among Wills of All Types
Burlington	14	8	6	28	6.7	8.7	95	2	97	23.1
Cape May	6	2	0	8	10.1	12.9	17	0	17	21.6
Cumberland	13	1	6	20	11.2	16.4	55	1	56	31.5
Gloucester	8	0	4	12	4.3	6.4	91	2	93	33.1
Hunterdon	7	7	5	19	6.1	11.5	69	0	69	22.1
Salem	10	1	4	15	6.0	8.7	78	0	78	31.1
Western Sussex	1	1	1	3	18.8	23.1	3	0	3	18.7
Western Somerset	2	2	1	5	7.8	9.4	11	0	11	17.2
Total West	61	22	27	110	6.9	9.7	419	5	424	26.5
Sussex	4	2	1	7	10.8	13.7	14	0	14	21.5
Somerset	4	2	1	7	4.2	5.2	30	0	30	18.0

NOTE: Each description of a type of impartible or indefinite will represents one subset of the general classification. Since indefinite wills are excluded from adjusted statistics, only the gross percentages, representing the proportions of such wills in each county and in the colony, are listed. The corrected percentages of impartible wills show their proportion to the total of partible and impartible wills.

If a testator lacked land and money, he could bind out a son as an apprentice. The customary fees paid to craftsmen or tradesmen were far lower than the cost of a minimal farm. Moreover financial opportunities in crafts and trades were apparently growing. But parents exercised this option only rarely. In the 1750s and 1760s there were fewer than 100 clear cases of apprenticeship granted as an inheritance.

There was a third option open to the parent. He could do nothing. In the abstracts of wills, the names of 179 sons appear who received no inheritance at all. These sons, 3.6 per cent of all sons in known cases, may have been cared for earlier. But they were not given land, money, or a trade through the wills.

Testators who left all or most of their real property to one son provided money grants to the others much more often than did testators who left land to several sons. Although one might expect this, because of the smaller proportion of land division in impartible cases, the 42.4 per cent of sons in impartible cases who received grants of money contrasts markedly with the 13.0 per cent receiving money through partible wills. At the same time, the proportion of sons named in impartible wills who received no provision of any kind was 10.1 per cent, while only 2.8 per cent of sons mentioned in partible wills suffered similar neglect. Only 42.4 per cent of the sons of testators leaving wills impartible in character received land; 82.8 per cent of those named in partible wills gained real estate. Thus although the impartible wills are fewer, their proportional impact was much more heavily weighted toward a reduction in the percentages of landholders in the colony. While impartible inheritances may have secured the livelihoods of these sole heirs, they clouded the prospects of the forgotten sons. Even presuming that the 45.7 per cent of sons who received money in impartible cases gained wealth equal to their landholding brothers', and thus that partible and impartible wills left most sons equally provided, many sons receiving money instead of land faced a series of changes in their social and economic life. Those set on remaining in farming might have to move far from home to find land. Those intent on staying might be forced into socially and perhaps psychologically severe shifts from agriculture to business, to a trade, or to a profes-

sion. While high partibility left the security of many sons in great doubt, high impartibility undermined their stability even more.

III

It is important to emphasize that the decrease in the proportion of landholders inherent in pre-Revolutionary New Jersey inheritance patterns applied to the entire colony, not merely to one section

TABLE V

TOTAL NUMBER OF SONS IN PARTIBLE AND IMPARTIBLE WILLS; TOTAL NUMBER OF SONS RECEIVING LAND THROUGH THESE WILLS; PROPORTION OF LANDED SONS

County	No. of Sons, total	Landed Sons	Proportions
Bergen	160	132	77.5%
Burlington	711	490	62.7%
Cape May	139	112	74.8%
Cumberland	323	248	76.8%
Essex	585	515	88.0%
Gloucester	344	257	74.7%
Hunterdon	680	506	74.4%
Middlesex	507	427	84.2%
Monmouth	560	487	83.9%
Morris	246	169	68.7%
Salem	318	250	78.6%
Somerset	313	247	78.9%
Sussex	142	111	69.0%
Somerset, Eastern	199	166	83.4%
Somerset, Western	114	81	71.1%
Sussex, Eastern	117	92	70.9%
Sussex, Western	25	19	60.0%
Total for colony	4,966	3,949	79.5%

or county. Occupational factors, levels of landed and personal wealth, partibility factors, proportions of the number of heirs to family size as a whole—all indicate that neither the original East-West proprietary division nor the duration of settlement of specific counties restrained or controlled the destabilizing effects of inheritance patterns.⁷

Of the 1,256 wills filed for East Jersey counties,⁸ 75.0 per cent, or 942, were made by men engaged in agriculture. The share of such wills in West Jersey was 74.9 per cent, or 1,199 of all those filed for the section. In the east, 174 merchants, shopkeepers, and tradesmen left 13.9 per cent of the wills. In the west, 201 such businessmen accounted for 12.6 per cent of the total. The west had 1.0 per cent fewer wills by professional men than the east, and a similarly smaller share of wills by government functionaries. Widows left 173 wills in the west, or 10.8 per cent, while only 93 eastern widows, some 7.4 per cent, left wills. In short, the occupational profiles of east and west are practically identical. When widows' wills are excluded, the proportions of occupations remain extraordinarily close, with east and west represented by 80.9 per cent and 84.0 per cent of farmers respectively and by 15.0 per cent and 14.1 per cent of businessmen.⁹

Similarly, there is no meaningful disparity in wealth between the two sections, so far as may be ascertained from the available inventories. In the western cases where estimates are possible,¹⁰ only 8.1 per cent of testators left estates worth less than £100, 29.6 per cent left estates valued between £100 and £250, 29.3 per cent estates of £250 to £500, and 33.0 per cent of testators left real and personal

⁷ For arguments favoring the thesis that East and West Jersey continued to differ according to the proprietary jurisdictions long after the early 1700s, see Main, *Social Structure*, 25; see also McCormick, *New Jersey from Colony to State*, 56-57. For purposes of present analysis, sectional membership (in east or west New Jersey) for testators was determined with reference to the Lawrence Survey of 1743. In some sections of the colony, the Keith Line of 1687 was used, as a modification, when it conformed better to county lines.

⁸ Sussex and Somerset Counties were divided for present purposes into eastern and western parts which are included in the general figures for east and west respectively.

⁹ See Table VI for a detailed presentation of the numbers of testators in four occupational divisions: agriculture, business and trade, the professions, and government services.

¹⁰ Since real estate inventories were not mandatory, it is not always possible to make an estimate of the worth of an estate. The relative thoroughness of western data allows an 83.6 per cent sample of wealth-estimates, while only a 52.2 per cent sample is possible through the use of eastern wills.

property worth more than £500. The respective percentages for the east are 7.2, 27.9, 24.7, and 40.2.

No serious variations appear in the crucial categories of property division—partible and impartible wills. Among wills affording full information, the proportion of eastern wills partible in character is 93.2 per cent. The comparable figure for the west is 90.3 per cent. Eastern and western impartible wills, therefore, are 6.8 per cent and 9.7 per cent of their respective totals. The proportion of indefinite wills to the gross total for each section averages 25.0 per cent—23.1 per cent in the east and 26.5 per cent in the west. The near uniformity of east and west in methods of property distribution characterizes

TABLE VI
SIZES OF FOUR OCCUPATIONAL GROUPS,
BY COUNTY AND SECTION

County	Occupational Groups				Professional Classes		Government Services	
	Agriculture		Business		No.	%	No.	%
	No.	%	No.	%				
Bergen	87	87.0%	11	11.0%	0	0.0%	2	2.0%
Essex	218	74.1%	64	21.8%	8	2.7%	4	1.4%
Middlesex	198	78.5%	42	16.7%	6	2.4%	6	2.4%
Morris	110	85.1%	10	7.8%	3	2.3%	6	4.7%
Monmouth	207	85.9%	31	12.9%	2	0.8%	1	0.4%
E. Somerset	80	79.0%	11	12.0%	6	6.0%	3	3.0%
E. Sussex	42	89.4%	5	10.6%	0	0.0%	0	0.0%
EAST	942	80.9%	174	15.0%	25	2.2%	22	1.9%
W. Somerset	49	80.3%	8	13.1%	3	4.9%	1	1.7%
W. Sussex	13	87.0%	2	13.0%	0	0.0%	0	0.0%
Burlington	286	80.6%	63	17.7%	2	0.6%	4	1.1%
Cape May	59	84.3%	8	11.4%	1	1.4%	2	2.9%
Gloucester	217	86.8%	29	11.6%	2	0.8%	2	0.8%
Cumberland	136	85.0%	21	13.1%	3	1.9%	0	0.0%
Hunterdon	252	86.0%	36	13.3%	5	1.7%	0	0.0%
Salem	187	83.5%	34	15.2%	0	0.0%	3	1.3%
WEST	1,199	84.0%	201	14.1%	16	1.1%	12	0.8%
GENERAL TOTALS	2,141	82.6%	375	14.5%	41	1.6%	34	1.3%

the various major subsets as well. In the east, for example, 30.7 per cent of the wills (386) divided estates equally among sons. In the west, there were 26.0 per cent of this type (416). Only 42 eastern wills named the oldest sons sole heirs, or 3.2 per cent. In the west, there were 61 such wills, or 3.6 per cent. No major discrepancies whatever disturb the systematic similarity of east and west in the disposition of property.¹¹

Not only do proportions of wills in the east and in the west compare quite closely. More important, there is considerable similarity in the proportions of sons gaining land, although the two sections are, in this regard, hardly identical. The minimum proportion of sons receiving land in the east was 67.9 per cent, while 60.8 per cent were heirs to land in the west. The corrected figures show 84.5 per cent of eastern sons acquired land, and 75.7 per cent of western sons. One must also note that there were variations among counties within each section. In Burlington County, for example, only 62.7 per cent of sons received land. But 76.8 per cent inherited real property in Cumberland, another western county. While 88.0 per cent of sons shared in real property in Essex County, only 68.7 per cent of the sons in neighboring Morris County were granted land and only 69.0 per cent in Sussex.

To the extent that there is a difference between the proportions of sons granted land in the east and the west, it may relate to differences in the number of children in these sections. Eastern testators mentioned an average of 4.64 children per family in their wills. But their counterparts in the west named only an average of 3.88. Since both figures are low, a 0.76 discrepancy cannot be dismissed out of hand. It is possible that some children were not listed in the wills. But it is unlikely that they would amount to a high fraction, since it seems to have been customary to name even those children who were not heirs or who received only token gifts. When the apparent number of sons per family in east and west is taken into consideration, then the proportions of landed and landless become more understandable.

While the overall family sizes of east and west differ, similar average numbers of sons were present in each section. In the west,

¹¹ Proportions of will classifications are based on the information supplied in Tables I, II, III, and IV.

there was an average 2.09 sons per family. In the east, it was 2.24. 1.72 sons per family inherited land through western wills, and 1.98 sons per family in the east. Therefore the average number of landless per family in the east, 0.26, is strikingly similar to that for the west, 0.37. Does this suggest an unusually lower female birth-rate in the west, or an unusually higher one in the east? Or does it again return us to the comprehensive question of the validity of the general averages of all children? It would be imprudent to discard the general statistics. For the individual counties seem to provide a framework for making some sense out of them. In Bergen County, for example, a comparatively high incidence of partible wills, 91.1 per cent, and a comparatively high proportion of sons receiving land, 77.5 per cent, were accompanied by a comparatively low average number of sons per family. Although the county was densely settled and old, the number of sons named in the wills was sufficiently small—below 40 per cent of all children in the county—so that a fairly high proportion of the sons could receive land. The similarities among counties according to the number of landed sons per family, as well as the number of landless sons, are indicated in Table VII.

Analysis of New Jersey inheritance patterns raises serious questions about long-standing arguments that distinct social, economic, and political conduct prevailed in East and West Jersey a century or more after the proprietary division was formally abolished.¹² More important for present purposes, however, it suggests not only that a decline in security based upon land was probably in progress before the Revolution but that it was in progress universally throughout the colony.

IV

Although our understanding of land distribution in New Jersey before the Revolution will not be complete without an independent study of all deeds for the decades before the war, study of the wills suggests new limits for reasonable speculation. Throughout the col-

¹² Main also suggests in his *Social Structure of Revolutionary America* that records such as wills, along with tax lists and vital statistics, can provide insight into understanding the social history of the American colonies. But the sectional split of the colony does not manifest itself in inheritance patterns, which so significantly affected large numbers of people and their ways of life. It would seem quite strange that a fundamental element in the state's social life did not manifest itself in so basic a set of documents as this.

ony, fewer people were receiving land and a chance at an agricultural career, although no substantial shift to other occupations developed to offset the decline in landholding. As a result, the future of an increasing number of young Americans must have been clouded.

As indicated above, the inheritance patterns of New Jersey were predominantly partible. But the very partibility seems to have contributed to a decline in security since it threatened to divide land beyond usable limits. Even by the early part of the eighteenth century, townspeople in New Jersey exhibited real concern about the future of their sons and their communities. Some worked carefully to restrict pressure upon their own land supplies by disadvantaging outsiders and apparently restricting immigration.¹³ To the twentieth-century urban American, it is difficult to think of a 50 or 25 acre parcel of land as a proof of crowding. But to an eighteenth-century

TABLE VII
FAMILY SIZES: NUMBER OF SONS, OF LANDLESS
SONS, OF SONS HEIR TO LAND

County	No. of Sons Per Family	No. of Landed Per Family	No. of Landless Per Family	No. of Children
Bergen	1.97	1.45	0.52	5.17
Burlington	1.96	1.51	0.45	3.73
Cape May	2.18	1.80	0.38	3.97
Cumberland	2.69	2.01	0.68	4.66
Essex	2.54	2.18	0.36	4.71
Gloucester	1.82	1.35	0.47	3.50
Hunterdon	2.55	2.08	0.47	4.37
Middlesex	2.29	2.04	0.25	4.09
Monmouth	2.61	2.21	0.40	4.64
Morris	2.52	1.92	0.60	4.94
Salem	1.63	1.44	0.19	3.23
Somerset	2.26	1.80	0.46	4.48
Sussex	2.74	2.17	0.57	5.09
EAST	2.24	1.98	0.26	4.64
WEST	2.09	1.72	0.37	3.88

¹³ For an example of such restriction of newcomers, see Donald J. Mrozek, "Distribution of Land in Seventeenth-Century Woodbridge, New Jersey," *The Journal of the Rutgers University Library*, Vol. XXXV, No. 1, 1-14.

farmer the feeling was real enough. This sensation, in fact, goes far to explain policies limiting admission of newcomers to towns.

This phenomenon of overcrowding was not unique to New Jersey. Charles Grant, for example, has suggested that the pressure of population was the main force behind the development of the Connecticut frontier town of Kent. More significantly, large numbers of sons stayed on in the town so as to cause a noticeable strain on available land by the third and fourth generations.¹⁴

But there remains one central question: what do patterns of inheritance in late colonial New Jersey suggest about the coming of the Revolution? First, the structure of the legacies created the prerequisites for serious socio-economic instability. The proportion of sons who inherited land was large, far more than half the male offspring. But since the incidence of partible estates defied the limits of wealth, many of these sons who received land probably received very little. They inherited more than nothing. But in the end many were probably added to the lists of the landless, assuming that they had no other means of support nor any other opportunity to increase the size of their holdings. While the rate of land ownership was high, the numbers of the landless and their proportion in society were far from negligible. They constituted a minority, but a noticeable minority—and one which had sprung from a landholding tradition.

Second, the wills filed in New Jersey for the period of this study were written almost universally by testators who possessed at least some real property. Their heirs appear to have been less fortunate. The thrust of New Jersey inheritances seems to have been toward restricting the proportion of landholders to the total population, and definitely not toward increasing it. Moreover, if the wills reflect a decline in property ownership, one must wonder what was the effect of intestacies and, much more, the situation among the poor and the landless. Presuming that wealth in cases of intestacy was comparable to that noted in wills, then still more young men were likely to become landless.

Third, the apparent disinterest of parents in using trades or apprenticeships as a vehicle through which to provide security for their children may well have been a part of a much broader social tend-

¹⁴ See Charles S. Grant, *Democracy in the Connecticut Frontier Town of Kent* (New York, 1961), 5, 102, and *passim*.

ency. As Philip Greven has shown in the case of Andover, Massachusetts, the young Americans of the decades before the Revolution had become largely independent of their fathers. They were willing to assert economic independence; and their parents were willing to permit and even encourage it.¹⁵ Patriarchalism, according to Greven, had been rooted in the control of land. Perhaps in eighteenth-century New Jersey, an attitude of independence arose from the very failure of parents to meet the demands of their sons' futures. In such a pattern, increasing landlessness would suggest increasing instincts of independence.

Fourth, the pressure of population upon the land and the effective independence of many sons were phenomena contemporary with such measures as the Proclamation of 1763. Given a commitment to landed wealth, given increasing autonomy of younger Americans, given the sensation of crowding, it would have been difficult to view restrictions on frontier settlement in any way other than as a challenge to life and liberty. Many New Jersey families had already sought land on the Pennsylvania frontier. Thus orders restricting further settlement could well take on the appearance of a possibly conspiratorial and certainly damaging assault on local rights.

Fifth, even for those who received land enough to remain in an accustomed way of life in the towns of their birth prospects were restricted. Although high partibility meant wide extension in landholding (even if it was declining in proportion to the population), it also meant smaller parcels of land for those who held them. Moreover, there were families distinctly less wealthy who must have contributed much more significantly to a climate of deprivation.

Colonial New Jersey was characterized by great variety in the distribution of property. But most methods of land subdivision seem to have had the combined effect of excluding large numbers of men from land ownership—including rather paradoxically the methods of partible inheritance. It is possible that a much greater reliance upon impartible wills would have secured the futures of a comparative few by jeopardizing those of many more. But this alternative would simply have magnified the problem of landlessness and increased the attractiveness of movement to the frontier. In any case,

¹⁵ See Philip J. Greven, Jr., *Four Generations* (Ithaca, 1970), particularly 99, 171, and 281.

the option of high partibility which actually prevailed also tended to create landlessness and to enhance the value of occupational or geographical movement. The inheritance patterns suggest, therefore, that there was a referent in the realm of property and its transfer for the language of the Revolution. If there was freedom of choice implicit in a father's lessening control of his son's economic affairs, there was also a strain of irrelevance to that freedom when the conditions in which it would lead to the good life were in an apparent process of erosion.