

## THE WHISPER OF THE AX: HOMICIDE BY CULTURAL AREA IN PREINDUSTRIAL NEW JERSEY

Dona Schneider  
Department of Urban Studies and Community Health  
Rutgers, The State University of New Jersey  
New Brunswick, New Jersey 08901-1958

**ABSTRACT:** *Violent crime presents in predictable spatial patterns with the New England cultural area maintaining relatively low homicide rates throughout the 20<sup>th</sup> Century. To examine whether the explanation of a New England cultural predisposition against personal violence existed in the preindustrial period, the settlement patterns of New Jersey are examined. Specifically, the New England settled areas of New Jersey are compared to areas settled predominantly by other cultures.*

### INTRODUCTION

The New England states and the northern part of the Middle West exhibit lower homicide rates than other regions of the United States, a spatial pattern persistent throughout the 20<sup>th</sup> Century (Brearly, 1932; Georges, 1978; Harries, 1967, Harries, 1990; Lester 1994; National Center for Health Statistics 1997). Reasons suggested for this spatial pattern are a New England cultural predisposition against personal violence, a longer settlement period, and removal from the instability of the frontier (Brearly, 1932; Zelinski, 1996). As the northern part of the Middle West is a zone of secondary New England cultural expansion, the predisposition against personal violence may also partially explain the low homicide rates there (Jordan and Rowntree, 1982; Zelinski, 1996).

Sociologists and anthropologists have approached the problem of homicide presenting in predictable patterns by examining the factors that predispose an area to violence (Hanson and Boehnke, 1976; Johnson, 1974). Among their findings are that a rapid population increase puts pressure on resources, thereby increasing social stress and resulting in poverty and personal violence. Also central to the homicide problem are patterns of unemployment, inadequate housing facilities, an increase in migrants and the social disorganization associated with weak family structures and the influx

of strangers (Brearly, 1932; Georges, 1978; Johnson, 1974).

Another approach to examining the geographic pattern of homicide is an historic one. Were these same patterns extant in the centuries past? To answer this question, the pattern of reported homicides in preindustrial New Jersey is examined to determine whether the New England-settled cultural areas had fewer events reported during this period than areas of New Jersey settled predominantly by other cultures. The number of events are reported here rather than homicide rates for two reasons. First, the denominator data for calculating rates is unreliable due to the lack of a US Census until 1790. Second, as homicides were rare events, these historical data do not lend themselves to statistical calculations. The State of New Jersey was selected because the state's colonial settlement patterns are well-documented and its cultural areas are well-defined. New Jersey also exhibited the maximum cultural diversity of any American colony or state before 1800 (Wacker, 1975).

### THE CULTURAL AREAS

The Dutch attempted early, though impermanent, settlement of New Jersey on the west bank of the Hudson River. By 1660, a permanent Dutch settlement existed at Bergen, at a site now

## *Homicide By Cultural Area In Preindustrial New Jersey*

known as Jersey City. The Bergen settlement formed the nucleus of a Dutch cultural area in the northeastern part of the state.

Permanent settlement began by the English after 1664, the year Charles II reasserted English claim to New Netherland, and the name New Jersey was applied to the territory. English settlement began with New Englanders from Long Island successfully petitioning for land and founding Elizabeth-Town in 1664. Middletown and Shrewsbury were founded in 1665, with Woodbridge and Piscataway following in 1666. New Englanders were also predominant in founding these towns and a New England cultural area south and west of Bergen took hold.

Quaker influence began in New Jersey with the Quintipartite Deed of 1676. Quaker Proprietors sought to formalize their territory as a distinct Quaker colony. They successfully persuaded the governor, George Carteret, to split the colony into East and West Jersey. Salem, the first Quaker settlement in West Jersey, was founded in 1675. Other settlements followed at Burlington in 1678, Cooper's Ferry (Camden) in 1681, Farnsworth's Landing (Bordentown) in 1682, and Woodbury in 1683. West Jersey, then, formed the third cultural area of New Jersey, one of Quaker influence.

Scots Proprietors promoted emigration from Scotland to East Jersey and founded Perth Amboy in 1683. The area was quite diverse because of its port function. Because of rapid immigration, the area failed to become a Scottish cultural area in its own right. This tendency towards cultural diversity extended up the Raritan Valley and formed a fourth settlement region, one of cultural heterogeneity.

In 1702, East and West Jersey were reunited. Multiple county boundary changes followed during the next fifty years because of population growth. The northwest part of the state, the frontier, began to be settled. Scots-Irish, Germans and Dutch predominated in the northwest, and many migrated eastward into the region from Pennsylvania. The area became culturally distinct from those to the east and south of it, and is defined as an area of Pennsylvania culture.

The five cultural areas (Dutch, New England, Quaker, Heterogeneous and Pennsylvania) were not ethnically homogeneous. Dutch settlers, for instance, moved up the Raritan Valley in the 1680s, adding to the diversity of the region. In-migration of significant numbers of Scots, Scots-Irish, Irish and

Germans took place throughout the state, but the cultural areas retained their different natures. The new immigrants did not transform the cultural areas; instead, they transformed themselves to fit the dominant culture of the original settlers. Often the immigrants would take up the predominant religious affiliation, change their surnames and intermarry in order to blend in. This process allowed the cultural regions to remain distinctly different (Wacker, 1975).

Even during the colonial period the cultural areas and their exclaves, i.e., New England whalers at Cape May, had regional concentrations of specific ethnic groups. In his *Notes on New Jersey*, John Rutherford (1897) documented the ethnic groups in given counties along with their characteristics. The 1790 census also recorded New Jersey's ethnic diversity. The population of the state was 184,000 in that year, and fully half the population were non-English national stocks (New Jersey Department of State, 1906; Wacker, 1975). By 1790, the cultural areas within New Jersey were distinct. The state experienced a continual increase in population throughout the period, including many unwilling newcomers, i.e., slaves and indentured servants. The stage was set for the emergence of differences in the pattern of homicide.

### **Slaves, Indentured Servants and English Felons**

The deportation of undesirables from mother countries to the colonies began in the 1600s. Political offenders, debtors and professional criminals were deported from England and found their way to New Jersey and the ports of New York and Philadelphia because of the colonial shortage of labor. Court practice was to sell the incoming convicts as a servants by indenture. The price covered court costs and all outstanding fines incurred by the undesirable. One estimate places the number of criminals sent to the colonies between 50,000 and 100,000 (Weiss and Grace, 1960). Unfortunately, no records exist that determine the specific number sent to New Jersey.

Impoverished immigrants, seeking a new life and willing to sell themselves for three years, formed a second set of indentured servants. Sometimes called redemptioners or term-slaves, they landed in Philadelphia, New York, Perth Amboy,

Salem or Burlington to be sold to the highest bidder. Their motives in selling themselves were undoubtedly varied, as were their new living conditions, good and bad, after sale. Records that specify the number of redemptioners that found their way to New Jersey also do not exist.

A third part of the labor force consisted of slaves. While some Indians were enslaved, especially in southern New Jersey, their numbers in no way approached that of slaves from Africa (Donnan, 1932). As early as 1625 the Dutch West India Company landed Negro slaves in the colonies. A liaison developed between Dutch farmers and black agricultural slave labor that spread throughout the Dutch cultural area in New Jersey and persisted with Dutch migration up the Raritan Valley. Experienced slave-holding planters from the West Indies also settled in East Jersey. They were known for their harsh treatment of the black slave population and mostly located in the heterogeneous cultural area. Essex, the New England cultural area of East Jersey, remained an area of few slaves throughout the colonial period.

### **The Justice System**

The criminal justice code in early New Jersey requires comment as it was swift and uneven. The East Jersey code was enacted at Elizabeth-Town in May, 1668. It reflected Puritan ideas the settlers brought with them from New England. Death was the penalty for murder, false witness, sodomy, witchcraft, conspiracy, rape, smiting or cursing one's natural parents, or the third offense of theft.

The West Jersey code was drawn up by the Proprietors in 1676. Penalties were elastic and required a jury trial by neighbors. The death penalty was not mandatory, even for treason or murder. It also could not be imposed without review by the Assembly (Reed, 1938).

Puritan migration to West Jersey after 1680 forced changes in the criminal code. By 1700, lashing, fines and branding were in force, although they were not mandatory. Under the United Province (1702), these codes remained. Courts were the responsibility of the Crown. English law and court procedures prevailed. Governors retained the right to issue clemency should aristocratic position or popular sentiment warrant it. The system remained with few changes even after the American Revolution, so it

may be assumed that the majority of New Jersey residents found it satisfactory throughout the preindustrial period.

### **EXISTING RECORDS**

Court records of homicides in the form of published law reports do not begin in New Jersey until 1789. The crimes, however, evoked much public attention and stirred up other records that detail the disposition of the cases. Pamphlets containing sermons on the evil ways of the accused circulated throughout the colonies. Newspapers carried accounts of the hangings that followed, as public executions often had the tenor of county fairs. Families brought picnics and attended for entertainment (McDade, 1961). The methodology for doing archival research requires that sources be checked. Therefore, newspaper notices were checked against existing pamphlets, county histories and colonial documentation were checked to insure verification of cases. Even with scrupulous review, some data problems remain.

All homicides in the colonies were not necessarily discovered, especially in the areas newly settled or considered the frontier. Of those that were discovered, it cannot be assumed that all were reported, that the records were accurate, or that the documentation survived. Of those homicides that were reported, not all resulted in arrests, trials and convictions. Disposition of cases varied so that not all hangings were for homicide, nor were all murderers hung. Negro slaves were not accorded English law and were often burned alive for a variety of offenses. Therefore, the record is not perfect.

Another complication of researching homicide events involves some perpetrators being charged as manslaughter rather than homicide. This reduced charge was used for murders of Indians and slaves by whites. The manslaughter verdict was also used for murders by conscripts in the performance of duty. Later it was extended to crimes of passion.

For this study, all reported murders without arrests, murder acquittals, and manslaughter and murder convictions are included in the data set. This allows for the pattern of homicidal violence to emerge, rather than reflecting whether a perpetrator

was caught, charged, convicted or whether a court found the act justifiable. The period to 1810 was selected as being representative of preindustrial New Jersey. Cases were also examined to 1850 and this yielded no change in the geographic pattern of homicide. The cases between 1810 and 1850 were later excluded as they were deemed to belong to another historical period, the Industrial Revolution.

**Homicide Incidents**

The first recorded homicide in New Jersey occurred at Salem in 1692; an English felon killed his victim during a theft. Later that same year, sailors at Perth Amboy had an argument at a bar, resulting in a fatal stabbing. Between 1692 and 1810 thirty recorded homicide incidents took place. Some had multiple victims, some had multiple perpetrators, but this study considers each of the thirty as a single incident of violence. For example, in 1740, eight to ten Irishmen are reported as murdering a family. Although eight separate persons may have murdered up to eight family members, it is one incident, an act of violence at a given time at a given place, that is considered for this study. All of the homicidal incidents identified as occurring in New Jersey before 1810 are presented in Figure 1 by cultural area.

Table 1 lists the homicide incidents shown in Figure 1 by cultural area. In addition to the five main cultural areas, two incidents occurred in exclaves of New England settlement, one at Cape May and one at Egg Harbor. These two areas are considered separate from the New England cultural area at Essex because they reflect whaling communities distinct from the cultural area. Thus, they are tabulated separately.

Many of the incidents involved Negro slaves

or Indians as either victims or perpetrators. Half of all incidents involved slaves. Of the remaining half, it cannot be determined how many were committed by indentured servants and how many by former English felons.

The locational information in Figure 1 shows Perth Amboy, in the heterogeneous cultural area, standing out with eight homicidal incidents, all before 1750. Of the eight incidents, two involved sailors, four involved Negro slaves and one involved an Indian. Of the remaining four homicide incidents in that region, two involved slaves killing their masters, one involved friendly Indians being murdered for bounty, and one involved an argument between white males.

In Bergen (Jersey City) in the Dutch cultural area, two of the three homicide incidents involved Negroes. In both cases, male slaves poisoned other Negroes. The third incident occurred in 1771 and involved a family argument between white males that resulted in homicide by drowning.

In the Pennsylvania cultural area, one of the four homicide incidents involved an Indian. The other three incidents were crimes of passion rather than felonies, and involved whites with whites. Given the frontier conditions of the area, this information is not surprising.

In the Quaker cultural area, seven incidents span the time period 1692 to 1810. One incident involved the rape and murder of Indian women. Two incidents involved Negro slaves. The remaining five incidents all relate to homicides that occurred during the commission of theft. Three of the five thefts involved indentured servants and one involved an English felon. The number of incidents involving theft in this area may

Table 1. Homicide incidents by cultural area in New Jersey, 1692 - 1810

Dutch cultural area	3
New England cultural area	2
Heterogeneous cultural area	12
Pennsylvania-German cultural area	4
Quaker cultural area	7
Exclave of New England settlement	2
Total	30

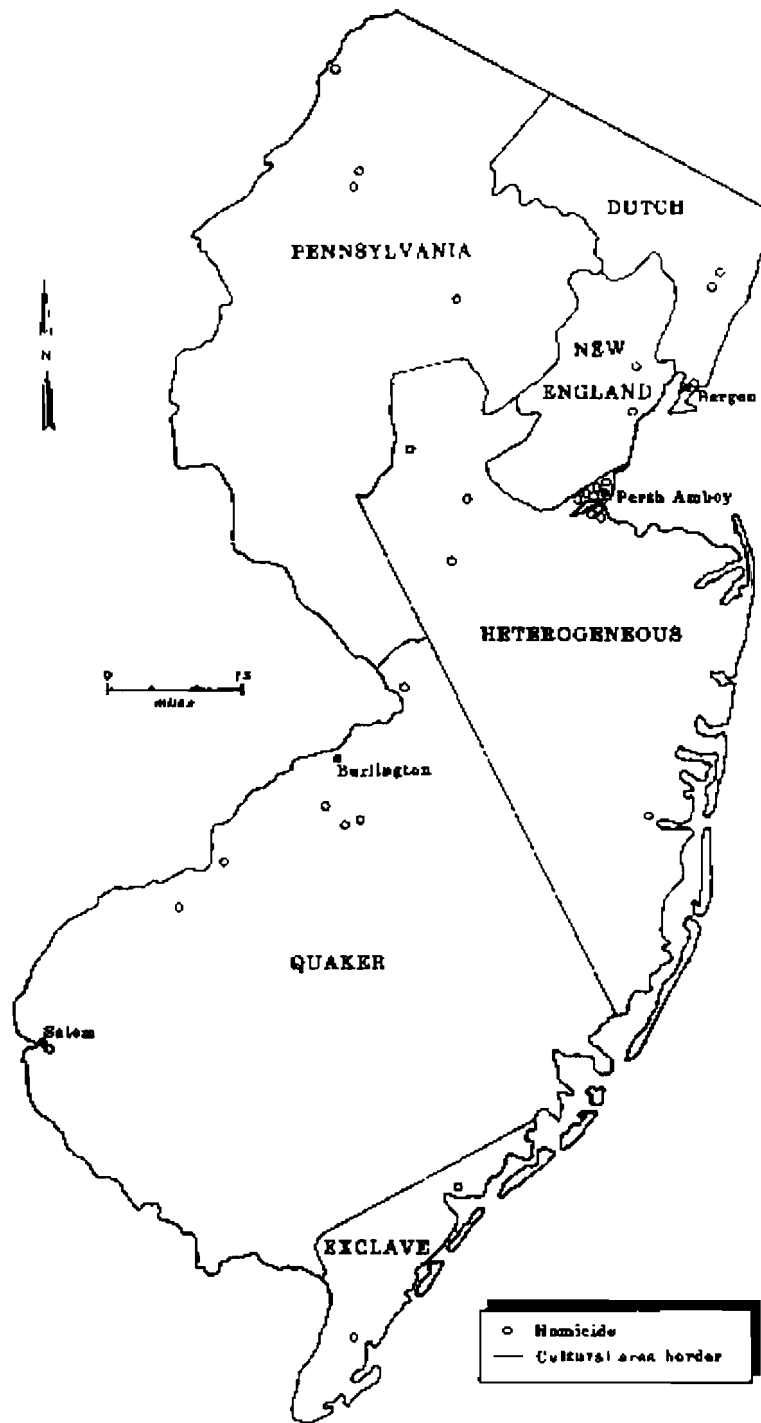


Figure 1. Homicide incidents by cultural area of New Jersey before 1810

*Homicide By Cultural Area In Preindustrial New Jersey*

reflect the general wealth of the Quaker population. Additionally, the lack of crimes of passion in this cultural area is worth noting.

Of the two exclave homicides, the Cape May incident in 1736 involved an Indian killed by a white male in self-defense. The Egg Harbor incident of 1762 involved the murder of Jacob Cole by William Stoddard. He was executed for that crime within the same month.

The New England cultural area only had two homicidal incidents during the study period. The Elizabeth-Town incident occurred in 1750 when a Royal Navy Craft shelled a private boat. Craft. The gunner was convicted of manslaughter and pardoned because he acted in the line of duty. The Newark incident involved two white males and occurred in 1791. The murderer in this case was executed.

Of the thirty homicide incidents that took place in New Jersey before 1810, victims are women in one-third of the cases. In two cases these women were Indians, in two they were Negro slaves, and in two, tavern owners. In none of the cases were women the perpetrators of homicide.

In 19 of the cases specific murder weapons were identified from archival materials. Poison was used twice, strangulation once, guns twice and clubs twice. The predominant weapon was the ax or knife, noted eleven times. Since the ax was a common household instrument of the time, it is not surprising that it was used for crimes of passion. Knives were

the major weapon of thieves; they were easy to conceal and readily obtainable. Guns of the period were large, expensive and complex to load. The time required for loading made them unlikely weapons for use in crimes of passion. Furthermore, their expense and bulk made them unlikely tools for the felon as they could not be easily concealed.

Table 2 lists the disposition of homicide cases. Five burnings of slaves took place in the heterogeneous cultural area during the study period. This is of interest as burning was also practiced in Bergen, the Dutch cultural area, although it was not used for disposition of the three homicide incidents that occurred there.

In 1735, Peter Kipp of Bergen struck his Negro slave, Jack. Jack retaliated and threatened to kill Kipp, Kipp's son, and himself. Five justices and five freeholders considered the matter and decided, in accordance with the Act of 1713 Regulating Slaves, that Jack should be "Burnt Until he Is Dead, at some Convenient place on the Road between the Court House and Quaksack," which the sheriff did three days later (Weiss and Weiss, 1960). This example reinforces the fact that homicides in the preindustrial period do not tell the whole story of violence, nor does the history of executions. Jack killed no one, yet his threat of violence led to his execution. Justice was swift and uneven between cultural areas and for different segments of the population.

Table 2. Disposition of homicide cases by cultural area, New Jersey before 1810

Cultural Area	Hanged	Burned Alive	Acquitted	Other	Total
Dutch	2	0	0	1	3
New England	1	0	0	1	2
Heterogeneous	4	5	1	2	12
Pennsylvania	3	0	0	1	4
Quaker	7	0	0	0	7
Exclave	1	0	0	1	2
Total	18	5	1	6	30

Table 3. Multiple involvement homicide incidents, New Jersey before 1810

Year	Cultural Area	Perpetrators	Victims	Comment
1695	Heterogeneous	3 Negroes	1 White	Slave/Master
1740	Heterogeneous	8-10 Whites	White family	Theft
1744	Dutch	1 Negro	3 Negroes	Slave/Slave
1750	Quaker	3 Whites	1 White	Theft
1750	Heterogeneous	2 Negroes	1 White	Slave/Master
1752	Heterogeneous	2 Negroes	1 White	Slave/Master
1756	Heterogeneous	3 Whites	1 Indian	Bounty
1766	Quaker	2 Whites	2 Indians	Rape
1787	Quaker	3 White	1 White	Theft

Table 4. Cumulative number of pre-1810 homicide incidents in New Jersey per 100,000 persons in 1810

Cultural Area	Adjusted Population	Homicide Incidents	Incidents per 100,000
Dutch	16,603	3	18
New England	31,079	2	6
Heterogeneous	52,161	12	24
Quaker	70,154	7	10
Pennsylvania	71,933	4	6

\*Exclaves excluded

Cases involving multiple victims or perpetrators are extremely violent incidents and are worth considering separately. Table 3 lists multiple involvement incidents and shows a pattern similar to that of total incidents. The heterogeneous cultural area, with five multiple involvement incidents, once more tops the list. Negroes and Indians are again involved in more than half of the cases. White/white incidents are, unsurprisingly, theft related.

It might be argued that differences in population alone could account for the pattern of homicides. In order to address this question, a crude measure of the total number of cases by cultural area was calculated for the cultural areas based on the census of 1810. As boundary changes occurred

throughout the period, and because the northern part of Middlesex was New England-settled, adjustments were made to reflect these changes. These somewhat unstable results are presented in Table 4.

## DISCUSSION

The data show that the New England cultural area had the lowest number of homicide incidents in New Jersey during the preindustrial period. Although the homicide incidents/100,000 population in 1810 is not a valid statistical measure,

## *Homicide By Cultural Area In Preindustrial New Jersey*

the New England cultural area did exhibit one of the lowest rates among all the cultural areas. The early New Jersey pattern's similarity to more recent national studies is intriguing. Reasons given for today's lower New England rates, such as a longer settlement period and removal from the instability of the frontier, do not apply to early New Jersey. The period of settlement in early New Jersey was, by definition, short. New towns and villages sprung up throughout the state in the preindustrial period. In addition, the northwestern part of the state was considered a frontier. Other reasons for the low number of homicides, then, need to be explored.

The New England cultural predisposition against slavery is historical fact. It existed among New England settlers in New Jersey and is documented by the census and other archival materials. Surrounded by black agricultural labor to the south, southwest and north, the New England cultural area had few Negroes. Given that slavery-related incidents accounted for many of the preindustrial period homicides, this anti-slavery cultural trait undoubtedly helped to keep the number of homicides low.

Theories of violence would lead us to believe that population density has an effect on the number of homicides. Population pressure is claimed to produce higher rates, yet this is clearly not the case in preindustrial New Jersey. The New England cultural area maintained the greatest population density after 1745, yet it produced the fewest number of homicidal incidents.

Density alone, however, does not tell the whole story of demographics. Wacker (1975) states that for Essex, the male/female ratio remained stable and balanced throughout the preindustrial period. A balanced ratio allows for some inferences to be made. First, little in-migration of single males was taking place or the ratio would have shifted. Second, since the county population continued to grow, natural increase and/or in-migration of families was occurring. Family life and community social structure based upon tight-knit family life may have contributed to the lower homicide rate.

There is some evidence to suggest that the population in the New England cultural area remained more homogeneous than it did in the other cultural areas of preindustrial New Jersey. For example, Wacker (1975) states that land rioters in the 1740s would have been difficult to try in Essex

because most of the county was related by blood or marriage. This homogeneity of population may have precluded the problems and mistrust generated by an influx of strangers and may have contributed to the low number of homicides in the region.

Lastly, the New England cultural predisposition against personal violence should be considered. As the only factor that can still be used to explain the persistence of low New England homicide rates over time, it can hardly be ignored. Homogeneity of population and a family-based social structure were true of New England in the preindustrial period, yet these factors can no longer be assumed today. Despite demographic changes, the New England region still maintains low homicide and personal violence rates. This suggests that the predisposition against personal violence is well rooted in New England, and it can be inferred from this study that the trait was just as strong among New Englanders who settled in New Jersey during the preindustrial period.

## REFERENCES

- Brearily, H.C. 1932. *Homicide in the United States*. Chapel Hill, NC: North Carolina Press. Reprinted 1969, Montclair, NJ: Patterson Smith.
- Donnan, E. 1932. *Documents Illustrative of the Slave Trade in America, III*. Washington, DC: Carnegie Institute of Washington.
- Georges, D.E. 1978. *The Geography of Crime and Violence: A Spatial and Ecological Perspective*. Resource Papers for College Geography 78-1. Washington, DC: Association of American Geographers.
- Hanson P.O. and Boehnke, B. 1976. *The Spatial Analysis of Crime: A Bibliography*. Monticello, IL: Council of Planning Librarians.



Harries, K.D. 1971. The Geography of American Crime, 1968. *The Journal of Geography* 70 (April) 204-213.

Harries K.D. 1997. *Serious Violence: Patterns of Homicide and Assault in America*, 2<sup>nd</sup> Ed. Springfield, IL: Charles C. Thomas Publishers.

Johnson, E.H. 1974. *Crime, Correction and Society*. Homewood, IL: Dorsey Press.

Jordan T.G. and Rowntree, L. 1982. *The Human Mosaic: A Thematic Introduction to Cultural Geography*, 3rd Ed. New York: Harper and Row.

Lester, D. 1994. *Patterns of Suicide and Homicide in America*. New York: Nova Science Publishers.

McDade, T.M. 1961. *The Annals of Murder; A Bibliography of Books and Pamphlets on American Murders from Colonial Times to 1900*. Tulsa, OK: University of Oklahoma Press.

National Center for Health Statistics. 1970. *Homicide in the United States, 1950-1964*. NCHS (PHS 1000) Series 20, Number 6. Washington, D.C.

New Jersey Department of State, Census Bureau, 1906. *Compendium of Censuses 1726-1905*. Trenton, N.J.

Reed, H.C. 1938. *Chapters in a History of Crime and Punishment in New Jersey*. Princeton University Thesis. Unpublished.

Rutherford J. 1897. Notes on the State of New Jersey. *Proceedings of the New Jersey Historical Society I*.

Wacker P.O. 1975. *Land and People; A Cultural Geography of Preindustrial New Jersey: Origins and Settlement Patterns*. New Brunswick, NJ: Rutgers University Press.

Weiss, H.B. and Grace, M. 1960. *An Introduction to Crime and Punishment in Colonial New Jersey*. Trenton, NJ: Past Times Press, Limited Ed.

Zelinsky, W. 1996. *The Cultural Geography of the United States, Revised Edition*. Englewood Cliffs, NJ: Prentice-Hall.