

QUEEN'S COLLEGE—CHILD OF THE AWAKENING IN COLONIAL NEW JERSEY

*Thomas J. Frusciano**

I. INTRODUCTION

In his *Rutgers, A Bicentennial History*, historian Richard P. McCormick called Queen's College a "child of controversy."¹ The founding of the eighth college in the American colonies certainly resulted from controversy and a factional split within the Reformed Dutch Church, the denominational parent of Rutgers University.² Even beyond this, the establishment of Queen's College broadly reflected social, political, religious, cultural, and educational issues of the eighteenth century.³ Religious upheaval, colonial resistance, and the formation of a new nation all played a significant role in defining the institution during its formative years.⁴

The events leading to Queen's College began with the Great Awakening, a period of tremendous religious and emotional upheaval that swept through the British colonies in the mid-eighteenth century.⁵ The Awakening, which featured the highly "sensational" tours of the English evangelist George Whitefield beginning in 1739, brought about not only religious enthusiasm, but also bitter conflict within the Protestant churches in the colonies, particularly within the Reformed Dutch Church.⁶

In the Province of New Jersey, Theodorus Jacobus Frelinghuysen, a fiery Dutch minister, had become a highly

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¹ THOMAS J. FRUSCIANO, Univ. Archivist, Rutgers Univ., From Seminary of Learning to Public Research University: A Historical Sketch of Rutgers University (Nov. 9, 2006). http://www.libraries.rutgers.edu/rul/libs/scua/university_archives/ru_historical_sketch.shtml

² *Id.*

³ *Id.*

⁴ *Id.*; see generally RICHARD P. MCCORMICK, *RUTGERS, A BICENTENNIAL HISTORY* 1–35 (Rutgers University Press, 1966); WILLIAM H. S. DEMAREST, *A HISTORY OF RUTGERS COLLEGE* 1–99 (1924); THOMAS FRUSCIANO & BENJAMIN JUSTICE, *History & Politics*, in *RUTGERS: A 250TH ANNIVERSARY PORTRAIT* 15–35 (Susan Millership & Nita Congress eds., 2015).

⁵ FRUSCIANO, *supra* note 1.

⁶ *Id.* For historical accounts of the Great Awakening, see ALAN HEIMERT, *RELIGION AND THE AMERICAN MIND: FROM THE GREAT AWAKENING TO THE REVOLUTION* (Harvard Univ. Press 1966); FRANK LAMBERT, *INVENTING THE "GREAT AWAKENING"* (Princeton Univ. Press, 1999); FRANK LAMBERT, "PEDLAR IN DIVINITY": GEORGE WHITEFIELD AND THE TRANSATLANTIC REVIVALS, 1737-1770 (Princeton Univ. Press, 1994).

controversial clergyman.⁷ A graduate of the University of Lingon, where he was exposed to the strong pietistic and evangelical movement in European Protestantism, Frelinghuysen arrived in 1720 to take charge of the churches in the Raritan Valley.⁸ His enthusiasm, emotional preaching style, and inclination to simply ignore church doctrine, alarmed not only members of his own congregations but also Dutch ministers of the established churches in New York City.⁹

Upon his death in 1747, Frelinghuysen's two sons, Theodore Jr. and John, followed in his footsteps, the former by preaching from his parish in Albany, New York, and the latter by educating students sympathetic to the revivalist brand of Calvinism that the elder Frelinghuysen had promoted.¹⁰ John Frelinghuysen, considered among many in the Dutch church to be a prophet of theological education, took charge of his father's former parishes in Raritan, Millstone, and North Branch, New Jersey, setting apart a room within his home for the training of Dutch ministers.¹¹ One of his students was Jacob Hardenbergh, who took over as pastor of the churches in 1754 following the death of John Frelinghuysen at the young age of twenty-seven.¹² Hardenbergh would assume an active role in the movement to establish a Dutch college.¹³

The most pressing concern of many colonial Dutch ministers was the lack of authority within the American churches to educate, examine, and ordain prospective clergymen.¹⁴ The proliferation of churches in the mid-eighteenth century colonies had created a severe shortage of ministers available to preach the gospel.¹⁵ Those who aspired to the pulpit were required to embark on a long, arduous, expensive, and often dangerous journey to Amsterdam for their training and ordination.¹⁶ Such danger

⁷ FRUSCIANO, *supra* note 1.

⁸ *Id.*

⁹ *Id.* see also JAMES TANIS, DUTCH CALVINISTIC PIETISM IN THE MIDDLE COLONIES: A STUDY IN THE LIFE AND THEOLOGY OF THEODORUS JACOBUS FRELINGHUYSEN (Martinus Nijhoff 1967); DIRK EDWARD MOUW, *MOEDERKERK AND VADERLAND: RELIGION AND ETHNIC IDENTITY IN THE MIDDLE COLONIES, 1690-1772* (PhD diss., Univ. of Iowa 2009). Mouw's work is the most recent and comprehensive study of the Dutch Church in the Middle colonies. See, e.g., *id.* at 583-601 (assessing Frelinghuysen and the Great Awakening).

¹⁰ FRUSCIANO, *supra* note 1.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ See generally MOUW, *supra* note 9, at 312 (examining how young, prospective clergymen were disinterested in having to travel to Europe).

became very real to the Frelinghuysen family in 1753, when Theodore Jr. and John's two brothers, Ferdinand and Jacobus, contracted smallpox and died on their return voyage from the Classis of Amsterdam—the governing authority of the Dutch churches in the American colonies.¹⁷

There had been growing desire among ministers of the colonial Dutch churches for some kind of assembly with at least limited powers in determining local and regional ecclesiastical matters. This view was shared by the Classis, which as early as 1735 strongly urged the colonial churches to organize such an association to settle differences and promote “peace and harmony” among the various congregations. Such an assembly, called a “Coetus” would communicate regularly with the Classis, which still maintained its authority over the colonial churches.¹⁸ By 1747, the Coetus had begun to meet regularly and functioned according to the wishes of Amsterdam, but soon the pressing issue of education and ordination became a source of contention among the Coetus, the Classis, and the clergymen who questioned the need for such a local assembly.¹⁹ While granting the Coetus some autonomy, the Classis severely limited its powers, maintaining that ultimate authority in colonial church affairs remained in the Netherlands, including making decisions on the promotion of ministers, except under special circumstances.²⁰ This restriction displeased members of the Coetus and ultimately led to a movement to transform the Coetus into an American classis that would have the same authority as the Classis of Amsterdam—including the right to ordain ministers for the colonial Dutch churches.²¹ With such authority, the newly-established classis would also establish what Amsterdam also desired—a professorship of theology—and perhaps even more ambitiously, create a distinct Dutch academy in the provinces.²²

¹⁷ See generally *id.* at 297–303 (providing details of (1) how Ferdinand and Jacobus Frelinghuysen's deaths impacted their brothers—Theodore Jr. and John—and (2) the impending schism within the colonial Dutch churches).

¹⁸ 7 ECCLESIASTICAL RECORDS: STATE OF NEW YORK 175 (The Univ. of the State of N.Y. 1916).

¹⁹ *Id.*

²⁰ *Id.*

²¹ FRUSCIANO, *supra* note 1.

²² The complex development of the Coetus and the subsequent formation of an opposing assembly, the Conferentie, are thoroughly documented in letters, reports, and other documents exchanged between the Classis of Amsterdam and ministers of the colonial Dutch churches. See, e.g., 7 ECCLESIASTICAL RECORDS, *supra* note 18, at 175. This documentation also serves as a major source in Mouw's dissertation. See, e.g., MOUW, *supra* note 9, at 253–273 (discussing the origins of the Coetus).

II. THE COETUS-CONFERENTIE CONTROVERSY IN THE COLONIAL DUTCH CHURCH

Opposition to the formation of an American classis came from ministers of the Dutch churches in New York City, who contested any attempt to break formal ties with foreign authority, and who feared the decline of Dutch culture, tradition, and language.²³ Equally alarming to these ministers was the thought that a local classis could intrude into their own affairs much more efficiently than one governing from Amsterdam.²⁴ These ministers formally rejected the proposal for a classis in an October 1754 meeting, citing their opposition to what they perceived to be the "New Side" convictions of Theodore Frelinghuysen Jr., who they now considered the leader of the pro-American classis forces.²⁵ The ensuing controversy between the two factions in the church, similar to that which had occurred among the Presbyterians in the 1740s, ultimately led to the founding of a Dutch college in New Jersey.²⁶

Dissension heightened between the Coetus and the New York ministers in 1755 over a petition to appoint a Dutch professor of divinity in King's College (later Columbia), which had received its charter from the New York State legislature one year earlier.²⁷ Initially opposed to any sectarian alliance of King's with the ever-powerful Anglican Church, ministers of the Dutch churches in New York suddenly shifted their allegiance to support the proposal and to voice their opposition to an American classis.²⁸ They soon formed an opposing group to the Coetus, known as a "Conferentie."²⁹ Reverend Johannes Ritzema, a pastor of the

²³ FRUSCIANO, *supra* note 1.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* While recent literature strongly suggests that the Great Awakening did not create the split of the Dutch colonial churches, its impact on the Presbyterian churches was significant. See generally HOWARD MILLER, *THE REVOLUTIONARY COLLEGE: AMERICAN PRESBYTERIAN HIGHER EDUCATION, 1707-1837* 10-75 (N.Y. Univ. Press 1976) (discussing the schism within the Presbyterian church and the founding of the College of New Jersey at Princeton); THOMAS JEFFERSON WERTENBAKER, *PRINCETON, 1746-1896* 3-26 (Princeton Univ. Press 1946). See MOUW, *supra* note 9, at 580-607 (detailing the historiography and debate concerning the Great Awakening's impact on the Dutch churches in North America).

²⁷ MOUW, *supra* note 9, at 289-91.

²⁸ *Id.* at 287-89; FRUSCIANO, *supra* note 1.

²⁹ FRUSCIANO, *supra* note 1. Historians have applied the phrase, "King's College controversy" to the events surrounding the proposal to appoint a Dutch theological professor to the faculty of the Anglican-supported institution in New York City. The controversy placed the Dutch Church in the middle of a maneuver to attract their

Reformed Dutch Church in New York City, was the principal adversary and submitted the petition to the acting Governor of New York to amend the charter, which was to include a Dutch theology professor to the faculty of the college.³⁰ Such a calculated move by Ritzema alarmed the Coetus and prompted Theodorus Frelinghuysen Jr. to leave his pulpit in Albany to rally the ministers and congregations throughout the Hudson Valley into action.³¹

Frelinghuysen viewed the establishment of a classis as a necessity for the maintenance and preservation of the Dutch Church in the British colonies.³² Sharing his views with other Reformed ministers, he emphasized the importance of the Dutch colonists' own college with multiple lines of reasoning.³³ The ability to educate and ordain clergymen would eliminate problems associated with the distance between the American congregations and the Netherlands that resulted in long delays in resolving disputes and other church matters.³⁴

The existence of a classis and a college, according to Frelinghuysen, would also address another concern faced by the colonial churches: the Dutch colonists became progressively more bilingual and, with the limited number of English-speaking clergy, many of the congregants, particularly the younger members, could easily gravitate to the nearby Anglican and Presbyterian churches.³⁵ Frelinghuysen also impressed the fact that the Dutch church in the colonies had proliferated to the extent that it needed at least one classis to govern its affairs.³⁶ Furthermore, prospective clergymen were eager to assume the pastorate of these new congregations, yet were extremely hesitant to travel to Europe for promotion, leading to the possibility that they would look to other protestant denominations for training and ordination within the colonies.³⁷ The very fact that these denominations were

allegiance by the Anglicans and the Presbyterians, the latter who contested public money going to King's College. For detailed accounts in this dispute, including the role of Presbyterian William Livingston and his newspaper, *The Independent Reflector*, see MOUW, *supra* note 9, at 282–93; *see generally* DAVID C. HUMPHREY, FROM KING'S COLLEGE TO COLUMBIA, 1746–1800 18–78 (Columbia Univ. Press, 1976).

³⁰ MOUW, *supra* note 9, at 291; FRUSCIANO, *supra* note 1.

³¹ MOUW, *supra* note 9, at 310–11.

³² *Id.* at 310.

³³ *Id.* at 311.

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.* at 311–12.

³⁷ MOUW, *supra* note 9, at 312.

succeeding in establishing their own colleges—the Anglicans in New York (King’s College, now Columbia) and the Presbyterians in New Jersey (College of New Jersey, now Princeton)—provided clear evidence that to maintain the strength and appeal of the church, a distinct Dutch academy was needed.³⁸

Convening in New York City in May 1755, the Coetus ministers met to formulate plans to appeal to the Synod of North Holland in favor of forming an American classis "as well as an Academy, where our youth, who are devoted to study, may receive instruction."³⁹ They selected Frelinghuysen to present a petition that requested, on behalf of the pastors and elders of the Dutch churches in New York and New Jersey, to plant a university or seminary for young men destined for study in the learned languages and liberal arts, and who are to be instructed in the philosophical sciences; also that it may be a school of the prophets in which young [children] of God may be prepared to enter upon the sacred ministerial office in the church of God.⁴⁰

Four years passed before Frelinghuysen embarked from New York City to the Netherlands in 1759.⁴¹ He stayed for two years, and obtained promises of modest financial support, but he ultimately failed in his mission; Frelinghuysen had arrived in Amsterdam as a representative of a church divided against itself.⁴² There was undoubtedly a concern over where the money would come from to support such an institution, and Holland surely looked unfavorably at providing assistance to some distant, schismatic, provincial church.⁴³ Having been rejected by the Classis of Amsterdam, Frelinghuysen set sail on a return trip to the colonies in 1761, which mysteriously led to his death;⁴⁴ this left others in the church to carry on his vision of a Dutch college.⁴⁵

By this time, Jacob Hardenbergh had established himself as a formidable Coetus leader and a strong advocate for

³⁸ See generally *id.* at 310–12 (providing an overview of Frelinghuysen’s view, in his plan for establishing an American classis, that a Dutch academy was of the utmost importance).

³⁹ "Commission of Rev. Theodore Frelinghuysen by the Coetus, to proceed to Holland to try to raise funds for a University for the Dutch Church, May 30, 1755," 5 ECCLESIASTICAL RECORDS: STATE OF NEW YORK 3551–52 (J. B. Lyon Co. 1905).

⁴⁰ *Id.* at 3551.

⁴¹ FRUSCIANO, *supra* note 1.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.* See MOUW, *supra* note 9, at 385–86 (detailing how Frelinghuysen was turned away from the Classis of Amsterdam, how his plan received no attention from the Synod of North Holland, and how his return voyage and subsequent death are a source of speculation).

establishing a Dutch college in the colonies.⁴⁶ In 1763, Hardenbergh traveled to Europe on personal business and took the occasion to renew the cause for church independence, but was rejected by both the Classis of Amsterdam and the Synod of North Holland, each warning him not to solicit any funds in the Netherlands.⁴⁷ Subsequently, the Coetus informed the Classis of efforts in the colonies to appeal to King George III of England for a charter to establish a Dutch academy, further antagonizing the authorities in Amsterdam.⁴⁸ While several previous requests to New Jersey's royal governors had failed, on November 10, 1766, Governor William Franklin granted a charter for Queen's College—honoring Charlotte, the Queen Consort.⁴⁹

III. LAUNCHING QUEEN'S COLLEGE

When the Trustees of Queen's College convened for their first meeting in May 1767, Jacob Hardenbergh took his place alongside the other Dutch ministers who were actively involved with the college's founding.⁵⁰ Launching the new institution proved to be as difficult as securing its charter, and several obstacles presented themselves from the outset. The original charter, a copy of which has never been found, presumably included features that were unacceptable to the trustees. After repeated efforts by the trustees to amend it, Governor Franklin issued a new charter on March 20, 1770. It is under this charter that, with numerous changes added through the years, Rutgers has since existed.⁵¹

Though religious motives were of central concern, the founding of Queen's College also reflected broader concerns.⁵² Its charter was actually a highly secular document that stated the

⁴⁶ 6 ECCLESIASTICAL RECORDS: STATE OF NEW YORK 3875 (J. B. Lyon Co. 1905).

⁴⁷ *Id.* at 3875–77; see MOUW, *supra* note 9, at 422–27 (quoting Hardenbergh's trip to Europe).

⁴⁸ FRUSCIANO, *supra* note 1.

⁴⁹ *Id.*

⁵⁰ "Petition to Amend Charter of 1766" (Oct. 4, 1769) in Queen's and Rutgers Documents Relating to the Charter (RG 01/A), Special Collections and University Archives, Rutgers University Libraries (hereafter cited as SC/UA)

⁵¹ *Id.*; see generally CARYN RADICK, *Rutgers' 1870 Centennial Celebration and Other Charter-Related Puzzles*, 68 J. RUTGERS UNIV. LIBR. 1, 1–18 (2016) <http://jrul.libraries.rutgers.edu/index.php/jrul/article/view/1951/3369> (reviewing the founding date of Queen's College, the missing charter of 1766, and the acquisition by Rutgers University of the 1770 printed charter in 1906).

⁵² CHARTER OF A COLLEGE TO BE ERRECTED IN NEW-JERSEY BY THE NAME OF QUEEN'S-COLLEGE (John Holt 1770). GEORGE P. SCHMIDT, *PRINCETON AND RUTGERS—THE TWO COLONIAL COLLEGES OF NEW JERSEY* 10 (D. Van Nostrand Co., Inc., 1964).

purpose of the institution as "the Education of Youth in the Learned Languages and in the Liberal and Useful Arts and Sciences."⁵³ Nevertheless, the charter of Queen's College explicitly states its ties to the Reformed Dutch Church and its intent on educating youth for the ministry.⁵⁴

As established by the charters of 1766 and 1770, Queen's College was to be governed by a board of trustees that included: four public officials—the Royal Governor, the President of the Council, the Chief Justice, and the Attorney General of New Jersey;⁵⁵ and forty-one appointed members, of whom thirteen were Dutch ministers in New Jersey, New York, and Pennsylvania.⁵⁶ These trustees were to appoint a college president, who was also to be a member of the Reformed Church.⁵⁷ While the charter specified that there would be no ecclesiastical control over the college, nor any religious restrictions on the faculty or students, provision was made for the appointment of a professor of divinity as well as "at least one professor or teacher well versed in the English language . . . grammatically to instruct the students of said college in the knowledge of the English language."⁵⁸

With an adequate charter and governing board established, the trustees turned to selecting a site for Queen's College.⁵⁹ The members were split on whether to locate the college in Hackensack or New Brunswick.⁶⁰ The Reverend John H. Goetschius, an early supporter for the college, advocated on behalf of Hackensack, where he had founded an academy for the large Dutch population in Bergen County.⁶¹ Alternatively, the supporters of New Brunswick reminded their colleagues that the Reverend Johannes Leydt of New Brunswick had joined with Hardenbergh and other members of that community to establish a grammar school there in 1768.⁶² The trustees convened in May 1771 to present their

⁵³ SCHMIDT, *supra* note 52, at 10. In his history of Princeton and Rutgers, Schmidt asserts that the term "useful" in the Queen's College charter would assist the trustees a century later in arguing its case against Princeton for Land Grant status in New Jersey.

⁵⁴ CHARTER OF QUEEN'S COLLEGE, *supra* note 52.

⁵⁵ *Id.* at 6.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ FRUSCIANO, *supra* note 1.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

proposals and choose the location for the college—a ten-seven vote placed the college in New Brunswick.⁶³

By October 1771, the trustees were prepared to open Queen's College. They had acquired the "Sign of the Red Lion," a former tavern located on the corner of Albany and Neilson streets in New Brunswick, which housed the students of the college and the grammar school, as well as Frederick Frelinghuysen, a Princeton graduate (Class of 1770), who was selected to serve as the first tutor. Frelinghuysen, grandson of the revivalist Theodorus Jacobus Frelinghuysen and son of the theologian John Frelinghuysen, commenced instruction in November "to cultivate Piety, Learning and Liberty" among the first students of the college.⁶⁴

Queen's College went for over a decade without a president. Governance remained in the hands of a trustees' committee that assisted Frelinghuysen with directing the business of the college until a suitable president could be found. The college grew slowly over the next few years, and by October 1774, when the first commencement was held, there were over twenty students enrolled. Jacob Hardenbergh presided over the memorable event and conferred on behalf of the trustees the first and only degree of the day to Matthew Leydt, son of founder Johannes Leydt, pastor of the First Reformed Church in New Brunswick.

III. THE IMPACT OF THE AMERICAN REVOLUTION AND POST-WAR TRAUMA

In his commencement address, Hardenbergh extolled "that men of Learning are of absolute necessity and extensive advantages to Society."⁶⁵ Demonstrating the usefulness of higher learning in preparing men for public life as well as for the learned professions, he encouraged those who had assembled to continue their moral and financial support by sending their children to the college.⁶⁶ Hardenbergh, an ardent patriot, took the occasion to remind his audience of the troubled times ahead: "O! May America never want Sons of consummate [sic] Wisdom, intrep'd Resolution

⁶³ Minutes of the Queen's College, Bd. of Trs, (May 7, 1771) (RG 03/A0/01) in SC/UA.

⁶⁴ The quote is taken from an advertisement that appeared in THE NEW-YORK JOURNAL OR THE GENERAL ADVERTISER (April 30, 1772), signed by Frederick Frelinghuysen, Tutor, and cited in DEMAREST, *supra* note 4 at 84–85.

⁶⁵ JACOB RUTSEN HARDENBERGH, "Commencement address, 1774," manuscript copy located in the Queen's and Rutgers College President's Collection (R-MC 116), 3 SC/UA.

⁶⁶ *Id.*

and true piety to defend her civil and religious liberties, and promote the public weal of the present and rising Generation!"⁶⁷

As the Revolution approached, the students of Queen's College voiced with increased frequency their staunch patriotism.⁶⁸ There were very few, if any, loyalists among the students and faculty. Along with those attending the other colonial colleges (perhaps with the exception of the Anglican King's College and College of William & Mary), Queen's students proved to be among the strongest supporters of resistance to Great Britain.⁶⁹

In 1777, during the British occupation of New Brunswick, Queen's College tutor John Taylor gathered six students in an abandoned church at North Branch to resume their studies.⁷⁰ Called into active service, Taylor was replaced by John Bogart, one of the first alumni of Queen's, who directed the college until Taylor returned in 1779.⁷¹ The college relocated to several locations in Millstone the following year, including the home of trustees Johannes Van Harlingen and eventually was able to return to New Brunswick in the spring of 1781.⁷²

Queen's College survived the war but faced an uncertain future. The most pressing issue was the lack of leadership. The trustees continued their search for a president with the assistance of the Dutch Church. They initially extended invitations to Dirck Romeyn, a prominent minister in Hackensack, and to John Henry Livingston, Professor of Theology in New York City, who helped secure passage of the Articles of Union that united the Coetus and Conferentie factions and formed the General Synod of the Reformed Dutch Church in 1772.⁷³ However, both men declined the offer. But, in 1786, the trustees finally succeeded in securing the services of the faithful Jacob Hardenbergh, who

⁶⁷ *Id.* at 15–16.

⁶⁸ See Transactions of the Athenian Society, 1776–1786 (RG 01/B), SC/UA.

Discussions on topics pertaining to the Revolution took place at Queen's College during meetings of the Athenian Society, a student literary society established shortly following the opening of the college. Recorded throughout the minutes of the society are frequent references to speeches on liberty, "the future Glory of America," and readings on patriotic themes.

⁶⁹ *Id.*

⁷⁰ THOMAS J. FRUSCIANO, *To Cultivate Piety, Learning, and Liberty: The College of New Jersey and Queen's College, 1746–1794*, 55 *J. RUTGERS U. LIBR.*, 8 (1993).

<http://jrul.libraries.rutgers.edu/index.php/jrul/article/view/1726/3166>.

⁷¹ *Id.* 8–9.

⁷² *Id.* at 9.

⁷³ *Id.* at 22.

accepted the presidency of the college and the pastorate of the church at New Brunswick.⁷⁴

The college prospered during the next four years under Hardenbergh's leadership. With assistance from the trustees and ministers in the area of New Brunswick, he received financial pledges to meet expenses and paved the way to erect a new home for the college on George Street, which was fully occupied by 1791.⁷⁵ Enrollment climbed slowly, and by 1789 the graduating class of the college included ten students. Hardenbergh reported to the General Synod on the institution's progress but also cautioned that more financial support was needed to continue its operation.⁷⁶ The college had run a significant deficit and the salaries owed to both the president and the tutors had gone unpaid. But before the churches could come to the aid of the college, Hardenbergh died on October 30, 1790.⁷⁷ Queen's College had lost its most loyal friend and supporter.

With the death of Hardenbergh, Queen's College fell upon difficult times. Its trusted tutor Frederick Frelinghuysen and his successor John Taylor had departed.⁷⁸ Their place was taken by a succession of tutors over the next several years. A search for a successor to Hardenbergh failed once again.⁷⁹ In the interim, the trustees appointed a fellow trustee and gifted clergyman William Linn as acting President. With adequate funding for the college appearing remote, Linn was forced to explore ways of keeping the doors open, including a short-lived arrangement to confer medical degrees upon students who had completed their studies in New York City.⁸⁰ But the most controversial proposal debated among the trustees was that of merging Queen's College with the College of New Jersey at Princeton in 1793.⁸¹

A "Plan of Union," formulated by a joint committee of trustees from Queen's and Princeton, called for the elimination of collegiate instruction in New Brunswick, to be replaced by a

⁷⁴ Minutes of Queen's College Bd. of Trs., (Feb. 9, 1786) SC/UA; DEMAREST, *supra* note 4, at 151–57; MCCORMICK, *supra* note 4, at 19.

⁷⁵ DEMAREST, *supra* note 4, at 155.

⁷⁶ FRUSCIANO, *supra* note 70, at 20.

⁷⁷ *Id.* at 22.

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ On the relationship of Queen's and Rutgers College to proprietary medical institutions in New York City, see DAVID L. COWEN, MEDICAL EDUCATION: THE QUEEN'S-RUTGERS EXPERIENCE, 1792–1830 (New Brunswick, N.J.: The State University Bicentennial Commission and the Rutgers Medical School, 1966).

⁸¹ FRUSCIANO, *supra* note 70, at 23–25.

preparatory academy.⁸² This bold proposal created quite a stir among the Queen's trustees. They clearly recognized that the institution's fate was in their hands and following an acrimonious debate the trustees narrowly defeated the proposal, as well as another plan that would have transformed the college into an academy and theological seminary, both maintaining close ties to Princeton.⁸³ When the General Synod learned about the negotiations with Princeton, it showed its displeasure by withholding any financial support it had secured for the college.⁸⁴

When that restriction was lifted, the synod proposed moving the college closer to the large Dutch population in northern New Jersey and New York, a prospect that favored the union of the college with the church's Professor of Theology, John Henry Livingston, in New York.⁸⁵ The trustees, while recognizing the importance of having the theology professorship in Queen's College, were also aware that the synod's plan would mean an end to the college in New Brunswick.⁸⁶ They voted against such a move and, with meager resources and diminishing prospects for the future, closed the college following the commencement exercises of 1795.⁸⁷

Though collegiate instruction ceased, the trustees continued the grammar school, which progressed in the early years of the nineteenth century under the watchful eye of another Princeton graduate, the Reverend Ira Condict, who succeeded Linn as acting President in 1795.⁸⁸ With suspension of collegiate work, he turned his attentions to devising plans for reopening the college.

IV. THE TRUSTEES, THE CHURCH, AND THE "COVENANT OF 1807"

The college remained closed for twelve years. In 1807, Andrew Kirkpatrick, Chief Justice of New Jersey, urged the trustees to begin raising funds for a new building and commence

⁸² *Id.* at 1.

⁸³ *Id.* at 25.

⁸⁴ *Id.*

⁸⁵ *Id.* at 22–24.

⁸⁶ Minutes of Queen's College Bd. of Trs., (Feb. 9, 1786); "Negotiations with Princeton, 1793–1794" folder of documents in Queen's College, Rutgers College, and Rutgers University Board of Trustees. Manuscript Minutes, Enclosures, and Subject Files (RG 03/A0/02), SC/UA.

⁸⁷ *Id.* For a discussion of the proposed merger, see FRUSCIANO, *supra* note 70, at 1.

⁸⁸ *Id.* at 24.

collegiate instruction once again.⁸⁹ The plan was to send agents throughout New York and New Jersey to solicit funds for the college, particularly targeting members of the Dutch churches. A straightforward plan to raise money suddenly became a complicated affair, with consequences for Queen's College.⁹⁰

The General Synod had already begun to raise funds in support of its theological professor, John Henry Livingston, who had been providing instruction in New York City since 1784.⁹¹ With that goal in mind, church authorities in New York responded to the Queen's College appeal by proposing that all funds solicited by the college in New York be directed into a fund to support a theological professorship in the college (the Professoral Fund) and when adequate funds were secured, the college would fill the professorship with the candidate nominated by the Synod. On their part, the Synod agreed to contribute a proportional share of the costs for building what was to become known as "Old Queens." The college trustees agreed to the proposal.⁹²

With this agreement, known as the "Covenant of 1807," students appeared at the George Street home of Queen's College for undergraduate instruction in September 1807.⁹³ Condict soon received more than \$6,000 from patrons in and around New Brunswick for the building and assisted trustee Abraham Blauvelt with selecting a site and reviewing architectural plans.⁹⁴ The college had acquired a gift of land from the family of former East Jersey proprietor James Parker that constitutes the present site of

⁸⁹ *Id.* at 24–25.

⁹⁰ MCCORMICK *supra* note 4 at 24–25; see also JOHN W. COAKLEY, *NEW BRUNSWICK THEOLOGICAL SEMINARY: AN ILLUSTRATED HISTORY, 1784–2014* (Grand Rapids, MI: William B. Eerdmans Publishing Co. 2014), 1–11.

⁹¹ On John Henry Livingston's early teaching career in New York and subsequent move to New Brunswick, see COAKLEY *supra* note 90. For a more complete biographical treatment of Livingston, see also JOHN W. COAKLEY, *John Henry Livingston (1746–1825): Interpreter of the Dutch Reformed Tradition in the Early American Republic*, in *TRANSATLANTIC PIETIES: DUTCH CLERGY IN COLONIAL AMERICA*, ed. Leon van den Broeke, Hans Krabbendam, and Dirk Mouw (Grand Rapids, MI: William B. Eerdmans Publishing Co. 2012), 295–314.

⁹² "General Synod of the Reformed Dutch Church, 1807–1809" in Queen's College, Rutgers College, and Rutgers University Board of Trustees. Manuscript Minutes, Enclosures, and Subject Files (RG 03/A0/02), SC/UA; *THE ACTS AND PROCEEDINGS OF THE GENERAL SYNOD OF THE REFORMED PROTESTANT CHURCH IN NORTH AMERICA, 1771–1812*, Vol. I (New York: Board of Publication of the Reformed Protestant Church 1859), 362–78; COAKLEY, *supra* note 90, at 5–6.

⁹³ FRUSCIANO, *supra* note 70, at 29.

⁹⁴ FRUSCIANO, *supra* note 70, at 23.

the Queen's campus, where the architectural plans of John McComb were soon to be realized.⁹⁵

Although classes were underway and the new building well advanced, there was still no president of Queen's College. Once again, the trustees extended the offer to Livingston. Following an exchange of correspondence with the trustees on terms and condition of his service, which were to be minimal with primary emphasis of his duties on theological instruction, the sixty-four-year-old Livingston accepted the presidency of Queen's College and assumed office in September of 1810. With his arrival in New Brunswick, the Theological Seminary became part of Queen's College.⁹⁶

V. THE "THEOLOGICAL INSTITUTION" OF QUEEN'S COLLEGE

At first, Livingston had only five theological students when he began instruction in 1810 but the enrollment soon grew. Between 1812 and 1816, he instructed thirty-two students, who were examined and ordained into church and took their place as ministers in its parishes. He was the sole professor in the seminary until 1815.⁹⁷

While theological instruction flourished under Livingston, the college soon faced new financial difficulties. Depressed economic conditions during the War of 1812 hindered the trustees' ability to raise money for the college and were forced to borrow money to meet their obligations.⁹⁸ The costs of construction for Old Queens had exceeded the amount of money raised and the trustees' attempt to conduct a lottery fell far short of its goal. Despite a valiant effort on their part, the trustees realized they had failed in their mission to stabilize the institution.⁹⁹

When the General Synod learned about the college's troubles, they responded with a plan to transform Queen's College into a theological seminary, which would also provide instruction in classical subjects. While the trustees accepted much of the plan,

⁹⁵ *Id.* at 21.

⁹⁶ "General Synod of the Reformed Dutch Church, 1807-1809" in Queen's College, Rutgers College, and Rutgers University Board of Trustees Manuscript Minutes, Enclosures, and Subject Files, (RG 03/A0/02), SC/UA; DEMAREST, *supra* note 4, at 197-202; MCCORMICK, *supra* note 4, at 24-35; COAKLEY, *supra* note 90, at 5-6.

⁹⁷ FRUSCIANO, *supra* note 70, at 22.

⁹⁸ FRUSCIANO *supra* note 1.

⁹⁹ On the Queen's College Literature Lottery, see PHILIP G. NORDELL, *The Rutgers Lotteries*, XVI J. RUTGERS U. LIBR., no. 1, 1-12 (December 1952)
<http://jrul.libraries.rutgers.edu/index.php/jrul/article/view/1306/2741>

problems arose over details and no agreement was initially reached.¹⁰⁰ Operating at a loss and incurring additional debt, the trustees confronted an inescapable decision. On May 29, 1816 the trustees of Queen's College voted to suspend undergraduate instruction and turn the building over to the Reformed Dutch Church for use as a seminary.¹⁰¹

While Queen's College languished, the seminary had gained new strength. In 1814 the Synod received two significant monetary gifts for supporting students preparing for the ministry. The trustees were the custodians of both funds because the Synod was not an incorporated body and doubt existed as to its ability to hold and expend funds.¹⁰² In 1817 the synod proposed that the seminary should be moved to New York City, where several wealthy churches pledged financial support for such an institution.¹⁰³ But the trustees countered by stressing the advantage of New Brunswick as a location remote from the evil influences of the city. Most importantly, the trustees could not apply the funds under their control to the support of a theological school "except in connection with Queen's College."¹⁰⁴

The Synod struck back with a series of efforts to secure the funds away from the trustees' control and by 1820, the trustees finally relinquished control of the Professoral Fund, but only if the seminary stayed in New Brunswick.¹⁰⁵ The two parties remained deadlocked on the issue.

VI. REVIVING QUEEN'S COLLEGE AS RUTGERS COLLEGE

By 1823, Queen's College was in severe financial trouble and the trustees felt obliged to sell its building to the Synod in order to eliminate its debts. But by this time, sentiment had changed within the Synod, and its members now sought a congenial and mutually beneficial solution to the problem. A new round of negotiations began that would ultimately lead to the

¹⁰⁰ The "Plan for a Theological College" is located in "General Synod of the Reformed Dutch Church, 1812–1817," Queen's College, Rutgers College and Rutgers University Board of Trustees: Manuscript Minutes, Enclosures, and Subject Files (RG 03/A0/02), SC/UA.

¹⁰¹ Minutes of Queen's College Bd. of Trs., (May 29, 1816) SC/UA.

¹⁰² "Plan for a Theological College," *supra* note 100; MCCORMICK *supra* note 4 at 33–34.

¹⁰³ THOMAS J. FRUSCIANO, *From Queen's College to Rutgers College*, 68 J. RUTGERS U. LIBR., 19–28 (2016), <http://jrul.libraries.rutgers.edu/index.php/jrul/article/viewFile/1952/3370>.

¹⁰⁴ MCCORMICK, *supra* note 4, at 33–34; DEMAREST, *supra* note 4, at 246–48, 256.

¹⁰⁵ *Id.*

revival of the college on a permanent basis—not as “Queen’s College” but as “Rutgers College.”¹⁰⁶

In 1822 the General Synod, now recognized as a corporate body, had appointed a committee to raise funds to support a second theological professorship.¹⁰⁷ The trustees embarked on a successful fund raising campaign. At the same time they also considered the prospects of raising funds through another college lottery. This time it would be managed by a New York firm that specialized in the management of lotteries, and which guaranteed a return of \$20,000 to the College.¹⁰⁸ The idea was approved by the New Jersey legislature, with the stipulation that the money obtained would be invested as an endowment for a professorship of mathematics. The lottery was conducted throughout 1824, only to be stopped when “asserted abuses in the conduct of the lottery” were raised by the attorney general of the State of New Jersey.¹⁰⁹ The firm, however, honored its commitment to Queen’s College.¹¹⁰

With the addition of a newly-endowed professorship from the lottery proceeds, and with its debts cleared by the sale of Old Queen’s to the Synod, the trustees began to formulate plans to revive the college. At the same time the Synod appointed a committee to develop a plan in consultation with the trustees. By September 1825, in a special meeting in New Brunswick, the Synod announced the success of a subscription for a third professorship and placed on the table a plan to resurrect Queen’s College, to become known as the Covenant of 1825.¹¹¹

The Covenant made possible the resumption of undergraduate education.¹¹² The Synod agreed to allow the trustees use of space in Old Queen’s and to assign the theological professors with teaching duties in the undergraduate

¹⁰⁶ Minutes of Queen’s College Bd. of Tr.s, (July 3, Nov. 14, 1823) SC/UA; MCCORMICK, *supra* note 4, at 38–41. On the role of Henry Rutgers as a member of the Queen’s College trustees and the subsequent naming of the college in his honor, *see* FRUSCIANO, *supra* note 103, at 19–28.

¹⁰⁷ Recognition of the General Synod as a corporate body, approved by the New York legislature in 1819, came about as a result of the decision by the U.S. Supreme Court in the Dartmouth Case. *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518 (1819). The impact of that case on higher education in the early nineteenth century is described in JURGEN HERBST, *FROM CRISIS TO CRISIS: AMERICAN COLLEGE GOVERNMENT, 1636-1819* (Cambridge, MA: Harvard University Press 1982), 232–43.

¹⁰⁸ NORDELL, *supra* note 99, at 8–11; *see also* MCCORMICK, *supra* note 4, at 37–38.

¹⁰⁹ DEMAREST, *supra* note 4, at 264.

¹¹⁰ NORDELL, *supra* note 99, at 7–11; DEMAREST, *supra* note 4, at 263–66.

¹¹¹ “General Synod of the Reformed Dutch Church, 1820–1829,” in *Queen’s College, Rutgers College and Rutgers University Board of Trustees: Manuscript Minutes, Enclosures, and Subject Files (RG 03/A0/03), SC/UA.*

¹¹² *Id.*

department.¹¹³ The trustees, in turn, were to appoint one of the theological professors as president of the college and they were required to name the professor of mathematics and the professor of languages and pay their salaries.¹¹⁴ Both the Synod and the Queen's trustees approved the new arrangements and the opening of the college took place on November 14, 1825, with thirty students in attendance.¹¹⁵

The Covenant of 1825 that reopened the College with great optimism in 1825 also placed the institution under the direct control of the Reformed Dutch Church.¹¹⁶ But the trustees, always plagued with financial problems, “never waived the autonomy with which they were vested by the charter.”¹¹⁷ In 1856, theological students and faculty moved into a new building north of the college campus, marking the physical separation of the seminary from the college.¹¹⁸ Subsequently, the trustees were able to regain ownership of “Old Queen’s” and sever most of its ties to the General Synod and the Dutch Church.¹¹⁹ While no longer connected to the church, Rutgers College soon became entangled with another entity that would prove to be severely problematic—the State of New Jersey.¹²⁰

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ MCCORMICK, *supra* note 4, at 39-46.

¹¹⁶ General Synod of the Reformed Dutch Church, 1820-1829,” in Queen's College, Rutgers College and Rutgers University Board of Trustees: Manuscript Minutes, Enclosures, and Subject Files (RG 03/A0/03), SC/UA.

¹¹⁷ *Id.*

¹¹⁸ FRUSCIANO, *supra* note 4, at 16.

¹¹⁹ MCCORMICK, *supra* note 4, at 86

¹²⁰ On the ensuing relationship between the college trustees and the General Synod, *see* COAKLEY, *supra* note 90, at 13–30; *see also* MCCORMICK, *supra* note 4, at 53–86.