Located in the southern portion of the state, Salem County is the least populous of the 21 counties in New Jersey. Nonetheless, a number of nuggets and jewels of historical interest are located there. These include a more than 500-year-old oak that is a Salem County landmark. The oak tree was already providing shade for the 1675 signing of a treaty with the Lenni Lenape Indians by John Fenwick as part of the establishment of what was then known as West Jersey. A portion of the court facilities in Salem County includes the oldest active courthouse in New Jersey. Built in 1735, it is the second oldest courthouse still in active use in the United States. Although there are many books and records about largely forgotten places and people of southern New Jersey in its earliest days, one important resident of this area is often overlooked—John S. Rock, who was born in October 1825, in Elsinboro Township, bordering the county seat of the City of Salem.

Despite the humble circumstances of his birth into a poor Black family, Rock was an incredible Renaissance man. Known variably as John Stewart Rock, John Sweat Rock and John Swett Rock, during the course of his relatively short life, he compiled the following list of accomplishments:

- School teacher and administrator
- Surgeon dentist
- Physician
- Lawyer
- Human rights and abolitionist activist
- Constant student

Rock was the first African American lawyer to win the right to practice before the U.S. Supreme Court. His admission to the bar of the Supreme Court of the United States may be the high watermark of his career, but there was much more to his rich and challenging life. His efforts as a spokesman for his race are among the primary reasons he is remembered in history.1

EARLY LIFE AND QUEST FOR KNOWLEDGE—A TEACHER: 1844–1848 (AGES 19–23)

Rock was a free-born African American. His mother, Maria Willet, was born into a former slave family. She outlived her son, dying in November 1877. His father, also named John Rock, on the other hand, had been born free. He worked as a general laborer and lived until at least 1860.2 As remarkable as the son’s accomplishments would turn out to be, his parents’ dedication to their children, especially young John, is particularly impressive. For reasons that are not clearly stated, although of modest means, they responded to their son’s thirst for knowledge in reading and mathematics by choosing to keep him in school rather than send him to work at an early age to help support the family. As a result, Rock remained in school until about the age of 18.3

He then became a teacher in the Quaker school in Salem where he had finished his education. He taught there from 1844 to 1848, becoming the head of the school in 1845.4 However, similar to many young men of the time, Rock did not view being an educator as the proper culmination of his life and career efforts.1

DENTISTRY AND MOVE TO PHILADELPHIA: 1848–1850

While he was still teaching in Salem, Rock’s intellectual appetite took him to the study of medicine with two local physicians, Dr. Quinton Gibbon and Dr. Jacob Sterne Thompson Sharp—both very prominent practitioners of the day. Gibbon had become a medical student at the University of Pennsylvania in 1831 and graduated in 1833 but took an additional year of lectures and instruction. He commenced the practice of medicine in 1834 in Cumberland County where he had been born and then moved to Salem in December 1836. Gibbon felt a commitment to medical education and was regularly involved in activities of medical societies, including those of the Medical Society of New Jersey and the American Medical Association when formed.
in 1847.\textsuperscript{4} Sharp was born in Sussex County but was educated at Princeton College. He studied medicine in Philadelphia, graduating in 1825 from the University of Pennsylvania. He eventually settled into practice in Salem.\textsuperscript{5}

Rock is said to have spent some six hours a day teaching, followed by two hours of tutoring and then eight hours of studying the physicians’ medical books. Unfortunately, despite these efforts, Rock encountered the barriers of racial prejudice and found it impossible to get into a medical college.\textsuperscript{6} He was unable to pursue a medical career in New Jersey.

Rock abandoned the idea of becoming a physician—temporarily, it would turn out—and redirected his energy to the field of dentistry, which did not require formal academic instruction. He began an apprenticeship with Dr. Samuel C. Harbert, who practiced in Salem. By mid-1849, Rock had completed his studies of dental surgery and opened a practice in 1850 in Philadelphia, which had one of the largest free Black populations in the antebellum North and thus seemed to present opportunity for the young African American dental surgeon.\textsuperscript{4} His skills in the dental arts were such that in April 1851 he won an award for the specimens of artificial teeth he produced.\textsuperscript{7}

**FINALLY MEDICAL SCHOOL: 1851–1852**

It was in Philadelphia that Rock was able to advance his medical studies and become a physician. While maintaining his dental practice, he attended lectures at what was originally called the American College of Medicine and later known as the Eclectic Medical College of Philadelphia. He received a degree in 1852 or 1853.\textsuperscript{2}

Rock was one of the first African Americans to receive a degree from an American medical school. (James McCune Smith is identified as the first African American to receive a medical degree, from the University of Glasgow in 1837.\textsuperscript{8} The earliest recipient of a degree from a recognized American school is Dr. David Jones Peck, who graduated in 1847 from the Rush Medical School in Chicago.\textsuperscript{6}) Finding that the economic circumstances of the Black community were such that he could barely support his wife and himself, Rock remained in Philadelphia only until 1853.\textsuperscript{1} Rock’s medical proficiency and surgical skills were nonetheless well regarded. He left Philadelphia with strong letters of recommendation, such as one from Professor Elisha Townsend, which stated in part: “Dr. Rock is a graduate of a medical school of this city and is favorably known and much respected by the profession. Having seen him operate, it gives me great pleasure to bear my testimony to his superior abilities.”\textsuperscript{10}

**ANTI-SLAVERY ACTIVISM AND RELOCATION TO BOSTON: 1850–1853**

While still living and working in Salem and Philadelphia, Rock had begun to participate in political activities seeking suffrage and rights for Black Americans. Having taken a first step in 1804 to abolish slavery, New Jersey did not grant immediate emancipation but instead put in place a “gradual abolition” of slavery. New Jersey was the only northern state to actively enforce the Fugitive Slave Act of 1850, which made it easier for a master to recapture a runaway slave. Slavery was not outlawed completely in New Jersey until after the ratification of the 13th Amendment. As provided in the constitutional requirement of ratification by three-fourths of the states, the 13th Amendment became part of the Constitution on December 12, 1865, when 27 out of 36 states ratified it. New Jersey was the last northern state to ratify the amendment abolishing slavery, doing so on January 23, 1866, after having rejected it on March 16, 1865.\textsuperscript{11}

During his time in Philadelphia, Rock interacted with such abolitionist leaders as William Still, the Father of the Underground Railroad. However, Rock’s involvement with the movement for equal rights had begun before then. In April 1849, Rock was appointed Secretary and Lecturer at the Colored Convention held at the Bethel Church in Salem in preparation for discussion of what might be the best mode of proceeding to secure to the colored citizens the rights of suffrage.\textsuperscript{12} Then in 1850, Rock gave a speech in which he called upon the White citizens of New Jersey to treat the disenfranchised Black citizens fairly by extending to them the right to vote. His speech entitled “Address to the Citizens of New Jersey” was published in The North Star on February 8, 1850. This was a four-page weekly newspaper edited and published by the abolitionist Frederick Douglass.

In 1853, Rock relocated with his wife Catharine to Boston. Rock opened a dental and medical practice there, hoping for better prospects for his practice. Boston was a magnet for Rock. Not only was the city known for its open and liberal welcome to people of color, but also the abolitionist movement was strong in Boston. Rock resided within the African American community in Boston’s Beacon Hill. He frequently treated fugitive slaves who came to Boston using the Underground Railroad on their way to Canada and elsewhere. In addition to his medical practice, Rock continued to write, lecture and speak publicly in support of the recognition of equal rights for the members of his race.
At times, he was in the company of the better-known and remembered Frederick Douglass. Rock became part of the circle of activists involved with William Lloyd Garrison, and a number of Rock’s speeches were published in Garrison’s *The Liberator.*

During this period, Rock published an eloquent article on “the importance of a liberal education” for practicing dentists. The article appeared in a June 1854 issue of the *Boston Medical and Surgical Journal,* a predecessor publication of the *New England Journal of Medicine.* For a dentist to be more than a tradesman with a moderate amount of mechanical talent, Rock asserted the need for a facility with languages such as French and German. Among other things, he wrote:

> This habit of conceiving clearly and diagnosing correctly, is not to be learned from any set of rules, though these will assist and place us on the right track; but it is observation and practice which must form and establish this habit. We can then, as it were, with ease grapple with any disease which may present itself, our minds will soon become offended with obscurity and confusion, and restrained from rash judgment. If we adopt this course, we shall treat cases with credit to ourselves, and satisfaction to our patients.

Rock soon followed his own prescription and acquired competence in French and German. In 1860, a German-language newspaper in Boston, *Der Pioneer,* commented on a lecture by Rock entitled “Character and Writings of Madame de Staël.” A French Swiss woman of letters, Anne Louise Germaine de Staël-Holstein lived between 1766 and 1817 and was an active opponent of Napoleon. The focus of Rock’s remarks concerning this defender of democracy in France was to indicate that women were the intellectual equals of men. The lecture demonstrated Rock’s command of French and German language and literature. The *Der Pioneer* article continued: “This thinking, educated German and French speaking negro proved himself as learned in German as he is in French literature.”

### Remarks on Dred Scott Decision

Among Rock’s recurring activities were speeches on Crispus Attucks Day given at Faneuil Hall in Boston. Attucks, a Black slave shot on March 5, 1770, during the Boston Massacre, was the first person to die in the cause of American liberty. (In 1949, the New Jersey Legislature designated March 5 as Crispus Attucks Day and as a day for general observance of respect for this American patriot. It is still included on the New Jersey Department of State calendar of commemorative dates.) During his Crispus Attucks speech in 1858, Rock made several important pronouncements. His comment about “the beautiful, rich color” of the Negro features would later resonate in the “black is beautiful” mantra that emerged most prominently in the 1960s. In that same speech, he also denounced Chief Justice Roger Taney who had written the Supreme Court decision in the *Dred Scott* case, which had been issued in March 1857.

With two justices dissenting, the Supreme Court ruled that African Americans were not citizens of the United States and thus could not bring a case in a federal court. At some length, Taney wrote of blacks as “beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect.” The opinion struck down the federal legislation known as the Missouri Compromise as an unconstitutional exercise of power. The Missouri Compromise had attempted to regulate slavery in Western territories that had been part of the Louisiana Purchase. There is consensus among historians that whether or not it can be labeled as the cause, the *Dred Scott* decision was a major precipitating factor in bringing about the Civil War a few years later.

### Another Change in Career Path—The Law: 1858–1862

Rock remained active in the abolitionist movement but began to have health problems. The nature of his illness is not well defined but seems likely to have been tuberculosis from which he would eventually die. He wanted to travel to France for surgical treatment of a throat condition in 1858; surgeons there had recently been using indirect laryngoscopy.

Unfortunately, that plan was initially blocked when Rock experienced a consequence of the Taney ruling—as a Black man he was not an American citizen. U.S. Secretary of State Lewis Cass denied Rock a passport. Citing the 1857 *Dred Scott* decision, Cass claimed federal passports were evidence of citizenship, and because African Americans were not citizens, Rock could not be issued a passport. Ultimately, the Massachusetts legislature issued a state passport so he...
could travel.\textsuperscript{7} Rock had surgery in Paris in late 1858. Continuing his pursuit of intellectual growth, while in France for some eight months, Rock studied French and German.

When Rock returned to the United States, his French physician advised that his condition would not permit the continued practice of medicine.\textsuperscript{2} Although Rock cut back on his medical practice, his commitment to equal rights and freedom for his race led him to continue his involvement with the abolitionist movement and to begin the study of law. He was admitted to the Massachusetts bar in 1861 and set up a law practice. He was the fourth African American to become a lawyer in Massachusetts.\textsuperscript{2} Before long, he received a commission appointing him a Justice of the Peace for Suffolk County and Boston.\textsuperscript{1}

As part of his continuing involvement with the anti-slavery movement, in a speech to the Massachusetts Anti-Slavery Society on January 23, 1862, he denounced a proposal by Abraham Lincoln to colonize Haiti and Liberia with freed American slaves.\textsuperscript{2} However, after telegraphic confirmation of the signing by President Lincoln of the Emancipation Proclamation on January 1, 1863, Rock joined Fredrick Douglass in singing the Jubilee song “Blow Ye the Trumpet, Blow” at the Tremont Temple in Boston. Rock’s commitment on behalf of the war effort included recruiting young Blacks to fight with the Union Army after the enlistment of Black men was approved by Congress in 1863.\textsuperscript{21} This included the famous 54th Massachusetts Regiment led by Robert Gould Shaw, immortalized in the movie \textit{Glory}.

**SUPREME COURT ADMISSION AND DEATH: 1863–1866**

Charles Sumner, the U.S. Senator for Massachusetts, was among the prominent people with whom Rock associated at this time. Because of Sumner’s anti-slavery views and speeches, in 1856 he was attacked at his desk on the Senate floor by Preston Brooks, a Congressman from South Carolina. Starting in 1863, Rock asked for Sumner’s support in seeking admission to the bar of the Supreme Court of the United States. At that time, the protocol for admission to the nation’s highest court rested with the Chief Justice. The Senator counseled against the action at that time and informed Rock that as long as Roger Taney remained Chief Justice, Rock had no chance of being admitted.\textsuperscript{5} Taney was then in his mid-80s. Rock wrote to a friend that “I suppose the old man lives on out of spite.”\textsuperscript{22}

On October 12, 1864, Taney died. President Lincoln appointed Salmon P. Chase the new Chief Justice on December 6, 1864. Chase had a long record as a liberal and antislavery advocate from Ohio. He had also been the Secretary of the Treasury in Lincoln’s administration—part of the Team of Rivals—until June 1864.

With this change, Rock decided to renew his request of Sumner. “Within hours of Chase’s accession to the Court,” Rock wrote “a hopeful letter” to Sumner.\textsuperscript{23} Rock also described his plan in a letter dated December 13, 1864, to John Jollife, an abolitionist lawyer from Ohio who had moved to Washington, DC, in 1862 (see Figure 1). In both letters, Rock wrote that there was “now a great and good man for our Chief Justice, and with him I have no doubt my color will not be a bar to my admission.”\textsuperscript{24}

\textbf{FIGURE 1. LETTER FROM ROCK TO JOLLIFE}

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From “John S. Rock (1825–1866) to Mr. Jollife, December 13, 1864.” William A. Gladstone Afro-American Military Collection, Manuscript Division, Library of Congress. [Digital ID # cw0181]
Rock’s letter to Sumner enclosed a list of references that included the sitting Governor of Massachusetts and other prominent officials. Senator Sumner transmitted the list with his own letter to Chief Justice Chase and commented: “I know not how far the Dred Scott decision may stand in the way. Of course, the admission of a colored lawyer to the bar of the Supreme Court would make it difficult for any restriction on account of color to be maintained anywhere.” He further hypothesized: “Streetcars would be opened afterwards.”

History would show that he was wrong by nearly a century in this latter supposition.

Chief Justice Chase responded with a note written in pencil that he would confer with the other members of the court on the upcoming Saturday. The collected papers of Senator Sumner include additional correspondence between them.

Not having quickly heard from Chase, Sumner sent the following on January 16, 1865: “In re John S. Rock, Counsellor at Law, Massachusetts. What say you?” The Chief Justice responded with another note written in pencil: “Nothing at present—but not forgotten.” Then in another penciled note, on Thursday, January 28, 1865, Chase invited Sumner to make a motion for Rock’s admission at any time that was convenient.

On February 1, 1865, Rock went to the U.S. Supreme Court with Senator Sumner. Four of the justices who had joined in Taney’s decision in Dred Scott were still sitting on the Court, and several were present in the courtroom. Following Sumner’s simply stated motion for Rock’s admission to the bar, the Chief Justice nodded. A clerk then administered the oath (see Figure 2).

The timing of the admission was exquisite. Just the day before, on January 31, 1865, the House of Representatives had joined the earlier vote of the Senate in April 1864 to pass the 13th Amendment, abolishing slavery in the United States. President Lincoln signed the 13th Amendment, the only constitutional amendment to have a presidential signature. It was ultimately ratified by the necessary votes of the states in December 1865.

The momentous nature of Rock’s admission to the bar of the Supreme Court of the United States was captured in a news account in the New York Daily Tribune on February 7, 1865:

“This inky hued African stood, in the monarchical power of recognized American Manhood and American Citizenship, within the Bar of the Court which had solemnly pronounced that black men had no rights which white men were bound to respect; stood there a recognized member of it, professionally the brother of the distinguished counselors on its long rolls, in rights their equal, in the standing which rank gives their peer. By Jupiter, the sight was grand.”

Recounting the succinctly stated motion by Sumner for Rock’s admission, the Tribune’s special correspondent continued:

“The grave to bury the Dred Scott decision was in that one sentence dug; and it yawned there, wide open, under the very eyes of some of the Judges who had participated in the judicial crime against Democracy and humanity. The assenting nod of the great head of the Chief Justice tumbled in the corpse and filled up the pit, and the black counselor of the Supreme Court got on to it and stamped it down, and smoothed the earth to his walk to the rolls of the Court.”

An equally laudatory account of Rock’s admission to the Supreme Court bar appeared in the Harper’s Weekly issue of February 25, 1865, referring to him being “known in Boston as a first-class lawyer” and his admission being “an act [that was] almost sublime” (see Figure 3).
While the 13th Amendment abolished and ended slavery in the United States, the 14th Amendment, adopted on July 9, 1868, actually overturned the Dred Scott ruling regarding the noncitizenship status of African Americans. Unfortunately, Rock would not experience that ruling; he died before the 14th Amendment was adopted. Furthermore, although admitted to the Supreme Court bar, Rock never actually argued a case there.

Rock’s return from the Washington swearing-in had a mark of bitter irony. He was arrested as he boarded a train to return to Boston because he did not have the travel pass required of Blacks in the nation’s capital at that time. The triumph of the swearing-in had another tragic twist. While in Washington, Rock developed a respiratory infection and never fully recovered. He died of tuberculosis on December 3, 1866.

Rock is buried in the Woodlawn Cemetery in Everett, Massachusetts. His gravestone has this inscription: “The first colored lawyer admitted to the Bar of the U.S. Supreme Court at Washington; On Motion made by Hon. Charles Sumner. Feb. 1, 1865.” Over the years, the stone marker became fractured and disfigured. In 2005, the Salem County Historical Society raised funds for a replacement monument. The new marker added the location of Rock’s birth in Salem, New Jersey, along with his death in Boston (see Figure 4).

Some commentators felt that Rock had been “a much neglected historical figure.” However, without question, his accomplishments and contributions persist. For more than a decade, the Salem County Historical Society has conducted a memorial lecture in his name in mid-October. The society also sponsors a scholarship named for Rock through the Salem Community College. He is included in the official webpage for Black History in New Jersey. Rock’s belief in the dignity and rights of all Americans and his passion for knowledge, as well as justice, continue to be an inspirational model and standard.

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FIGURE 3. IMAGE OF JOHN ROCK

From “John H. Rock, Colored Counselor,” photographed by Richards, Philadelphia. 1865. Library of Congress. [Digital ID # cph 3c 10530]

FIGURE 4. GRAVE OF JOHN S. ROCK

Grave of John S. Rock at Woodlawn Cemetery and Crematory in Everett, Massachusetts. Copyright 2005. Used with permission of original photographer and proud Find a Grave member, eobfindagrave (#4677688).


13. Note: Many of Rock’s speeches are collected and available in an appendix to the monograph in Buzby, J. H. (2002).


17. Id. at 407.


