

New Jersey: A State Divided On Freedom

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Was New Jersey the most resistant to ending slavery among northern states, or was it a progressive place where former slaves found unique opportunities to pursue freedom, self-determination, and defense from determined slave-catchers? The answer depends on where you look.

The New Jersey legislature passed a law to end slavery by gradual manumission in 1804 -- making it the last northern state to take definitive action on emancipation. This legislation required the registration of the births of enslaved children born after July 4, 1804 and declared such children to be "free," after a period of up to 25 years of indentured servitude to their mothers' masters.¹ It was not until 1846 that the New Jersey legislature abolished slavery completely, but even then, remaining slaves in the state were reclassified as indentured servants "apprenticed for life."² By contrast,³ Massachusetts' abolition law freed all slaves instantly in 1783. A Gradual Manumission law was passed by New York in 1799, and slavery was effectively ended in that state by 1827. In Pennsylvania, a gradual manumission law was passed in 1780, and legal slavery ended in 1847.

Some researchers challenge the notion that New Jersey's 1804 law resulted in bona fide freedom for many blacks in the state. Gigantino recounts cases of New Jersey blacks being sold as slaves after their indentures should have been completed, including the case of a woman who was listed as a free in the 1850 census but was sold as a slave in 1856.⁴ Wright points out that 18 slaves were enumerated in the state in 1860, noting that slavery was not abolished completely in New Jersey until passage of the Thirteenth Amendment.⁵ Wright also notes that New Jersey was the only northern state that failed to ratify the Thirteenth, Fourteenth, and Fifteenth Amendments,⁶ and was the only northern state that Lincoln did not carry in the 1860 election.⁷ Marrin reminds us that by 1830, fully one-third of the 3,568 northern blacks still held as slaves lived in New Jersey.⁸ Certainly New Jersey *as a whole* was slow in embracing full emancipation, compared to other northern states.

In spite of New Jersey's overall slower pace in ending slavery, policies and statistics describing the extent of slavery in its more populous northern counties after 1804 typically

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- 1 The law required twenty-five years of indentured servitude for males and twenty-one years for females. Thus, males born in 1804 would complete their indenture in 1829. Females would finish in 1825.
 - 2 Giles R. Wright, *Afro-Americans in New Jersey: a short history* (Trenton: New Jersey Historical Commission, 1989), 27
 - 3 Edgar McManus *Black Bondage in the North* (Syracuse: Syracuse University Press, 2001) 143-164
 - 4 James J. Gigantino, *The Ragged Road to Abolition Slavery and Freedom in New Jersey, 1775-1865* (Philadelphia, University of Pennsylvania Press, 2015), 1
 - 5 Wright, 27
 - 6 Wright, 27
 - 7 Wright, 28
 - 8 Richard B Marrin *Runaways of Colonial New Jersey: Indentured Servants, Slaves, Deserters, and Prisoners, 1720-1781* (Westminster, Heritage Books, 2007), 328

obscure the more progressive attitudes held in the state's southern region, where, long before 1804, a majority of blacks were free. Most notably, in the 1790 Census, nearly two-thirds of blacks living in the southern region were classified as free; and by 1820, that proportion had reached 96 percent.⁹ This regional disparity has been attributed largely to Quaker influence: John Woolman, arguably the prominent 18th century Quaker abolitionist, was from Mount Holly, New Jersey, near Philadelphia -- the long established central hub of Quakerism in the United States. Quakers were also leaders of advocacy to end slavery in New Jersey having petitioned the state legislature to abolish slavery in 1785. These efforts eventually led to the 1804 law, described above. The regional distribution of slaves in New Jersey in 1820¹⁰ is telling: only 182 (four percent) of 4,318 Blacks in the southern counties were slaves, while 7,375 (47 percent) of 15,699 blacks in the north were slaves. By 1840, there were only four slaves in the southern counties, but 672 in the north.¹¹ To be sure, Quaker influence was strong in southern New Jersey counties, while virtually absent in the north.

The prevalence of antebellum free blacks and the policies and attitudes that facilitated their growth and development was evident in the substantial number of free black communities in New Jersey, the majority of which were located in the southern region.¹²

Evidence of these communities' existence and viability include land records documenting land purchases and mortgages, probate records, articles of incorporation for churches and schools, and mainstream newspaper stories reporting events in black communities. Free black communities gave black people opportunities to purchase land, receive wages for their labor, and create their own institutions. They also provided a structure for residents to organize to protect each other from southern slave catchers who often targeted them when seeking to capture "real or perceived" escaped slaves. One such community was Timbuctoo, located in Burlington County, NJ, near Philadelphia.

Settlement in Timbuctoo began in 1826 when four men, all believed to be escaped slaves from Maryland, purchased land from a Quaker businessman by the name of William Hilyard. On September 3rd of that year, Ezekiel Parker¹³ paid \$22.16 for one and four-tenths acres of land and Wardell Parker¹⁴ bought one and a half acres for \$24.05. Later that month, on September 23rd, Hezekiah Hall¹⁵ bought a half-acre parcel from Hilyard for \$8.33. David Parker¹⁶ paid \$15.40 for one acre. The next sale was on December 15, 1829 when John Bruere¹⁷

9 US Census Bureau US Census of Population and Housing, https://www.census.gov/history/www/through_the_decades/overview/. Accessed on May 20, 2015,

10 Ibid

11 Ibid

12 Wright, 39

13 Burlington County, New Jersey, Deeds, T2:295, William Hilyard to Ezekiel Parker, 3 September 1826; Burlington County Clerk's Office, Mount Holly

14 Burlington County, New Jersey, Deeds, T2:298 William Hilyard to Wardell Parker, 3 September 1826; Burlington County Clerk's Office, Mount Holly

15 Burlington County, New Jersey, Deeds, H4:324, William Hilyard to Hezekiah Hall, 23 September 1826; Burlington County Clerk's Office, Mount Holly

16 Burlington County, New Jersey, Deeds, T2:296, William Hilyard to David Parker, 23 September 1826; Burlington County Clerk's Office, Mount Holly

17 Burlington County, New Jersey, Deeds, Y2:577, Samuel Atkinson to John Bruere, 15 December 1829; Burlington County Clerk's Office, Mount Holly

bought an acre for \$30. Over the next two decades, several additional sales occurred. Timbuctoo appeared on a deed for the first time in 1830 after a handful of households had been established. In 1834, the African Union School was founded after Peter Quire and his wife sold a portion of their land to the school's Trustees for \$1.00. The deed ¹⁸ recited fascinating details of community organization and self-determination by Timbuctoo residents:

Whereas in the Settlement of Tombuctoo aforesaid and the vicinity thereof there are many of the people of Colour (so called) who appear sensible of the advantages of a suitable school education and are destitute for a house for that purpose. And the said Peter Quire and Maria, his wife, in consideration of the premises and the affection they bear to the people of Colour, and the desire they have to promote their true and best interests, are minded to settle, give, grant, and convey a part of the above said premises to the uses and intents herein after pointed out and described.

The deed also described rules for the future appointment of Trustees that included a requirement that they be "People of Colour that reside within 10 miles of the premises." Incorporation documents indicated that trustees of schools and churches formed by blacks had to take an oath before a county official, a commonplace for most institutions during that period. Extending that requirement to black institutions suggested some level of local government recognition of and support for these efforts. It is noteworthy that Timbuctoo residents established a school during a time when black education in many southern states was deemed a criminal enterprise.

The New Jersey Mirror Newspaper, published from 1818 to 1947, provides a rarely available contemporaneous window into historical events in Timbuctoo. As the predominant regional newspaper of that era, the white-owned paper, surprisingly, routinely reported a number of details about black life in Timbuctoo as part of its regular weekly news. For example, deaths of "rank and file" blacks were published together with the obituaries of whites. The 1851 obituary of Hezekiah Hall,¹⁹ an original Timbuctoo settler in 1826, reported that he had been a slave of Charles Carroll of Carrollton,²⁰ and escaped bondage in 1814. It goes on to say that he was "regarded by *everyone* as a man of unblemished character, and his truly upright walk and Christian deportment commanded the highest respect." The 1862 obituary of Perry Simmons²¹ noted that "his attempted arrest as a fugitive slave created considerable excitement in our neighborhood," caused him to suffer illness that ultimately led to his death, and that Perry was "at last beyond the reach of his Southern master." Reports

18 Burlington County, New Jersey, Deeds, G3:389, Peter Quire to Edward Giles, et.al., 15 December 1829; Burlington County Clerk's Office, Mount Holly

19 "Obituaries," The New Jersey Mirror, 27 February 1851, p.3, col.2; Indexed Transcription, Burlington County Library System (<http://www.bcls.lib.nj.us/newspapers/newjerseymirror>)

20 Charles Carrol was the first Senator elected from Maryland and a signer of the Declaration of Independence

21 "Obituaries," The New Jersey Mirror, 13 February 1862, p.3, col. 1; Indexed Transcription, Burlington County Library System(<http://www.bcls.lib.nj.us/newspapers/newjerseymirror>)

of the 1875 death of “whitewasher” Lambert Giles^{22,23} described him as an “industrious and worthy man” whose death would be lamented by his customers and that he would “be more missed than would many of our more pretentious citizens.” David Parker also an original Timbuctoo settler in 1826 was described in his 1877 obituary²⁴ as “an aged colored man who for perhaps a half-century has occupied prominent position with his race in this vicinity, and who has commanded the respect and esteem of a large number of white friends.” It went on to say that he was “possessed of more than ordinary intelligence and a determined will, which made him a natural leader among his people” and that he “would be missed by our citizens of both races.” Certainly, these depictions of blacks in mainstream news are contrary to New Jersey’s reputation as more conservative on racial issues than other northern states.

The narrative of antebellum free black people in southern New Jersey adds an additional critical perspective to our predominate understanding of 19th century black America as primarily submission and struggle. Newspaper articles and legal documents of antebellum land records, probate records, and incorporation papers of free black communities are replete with illuminating details that point to some fledgling successes in southern New Jersey. These can guide us in an expansion of the scope of our research while broadening understanding of the America inhabited by our ancestors.

Similarly, coverage of issues of interest to blacks was surprisingly detailed and thoughtful. In nearly 1100 words, *The Mirror* vividly if not jubilantly described a failed attempt by a posse to capture former slave Perry Simmons, whose obituary is referenced above. In an article entitled *The Battle of Pine Swamp*²⁵ a reporter recounted the slave catchers’ journey to Simmons’ house, their unsuccessful confrontation with him, their ambush by other Timbuctoo residents under the leadership of “King” David Parker (also referenced above), and their less than dignified swift retreat down the turnpike road from whence they’d come. It used words like “invaders” and “kidnappers” to refer to the slave catchers, clearly indicating the paper’s disagreement with the 1850 Fugitive Slave Act that supported efforts to capture and return slaves that had escaped to the north. See the entire text of this exciting news report below.

Author Biography

Guy Oreido Weston has been engaged in genealogy research for over 25 years, with substantial focus on his maternal ancestors in Timbuctoo, NJ, where his fourth great- grandfather bought a family plot in 1829 for \$30. Guy conducts various research projects and public history initiatives to raise the profile of antebellum free African Americans across New Jersey history. He currently chairs Westampton Township’s Timbuctoo Advisory Committee, and maintains the website www.timbuctoonj.com. Weston is a visiting scholar of history at Rutgers University in New Brunswick, NJ. He holds the M.A. degree in Bilingual-Bicultural Studies from LaSalle University in Philadelphia, and is currently studying for the professional genealogist’s exam.

22 “Obituaries,” *The New Jersey Mirror*, 22 April 1875, p.3, col. 3; Indexed Transcription, Burlington County Library System (<http://www.bcls.lib.nj.us/newspapers/newjerseymirror>)

23 “Local Briefs,” *The New Jersey Mirror*, 29 April 1875, p.3, col. 1; Indexed Transcription, Burlington County Library System (<http://www.bcls.lib.nj.us/newspapers/newjerseymirror>)

24 “Obituaries,” *The New Jersey Mirror*, 28 June 1877, p.3, col. 1; Transcribed from Microfilm by Guy Weston on 21 September 2017

25 “Local Facts and Fancies” *The New Jersey Mirror*, 6 December 1860, p.3, col. 1; Transcribed from Microfilm by Guy Weston on 21 March 2017