

## 1790-1870

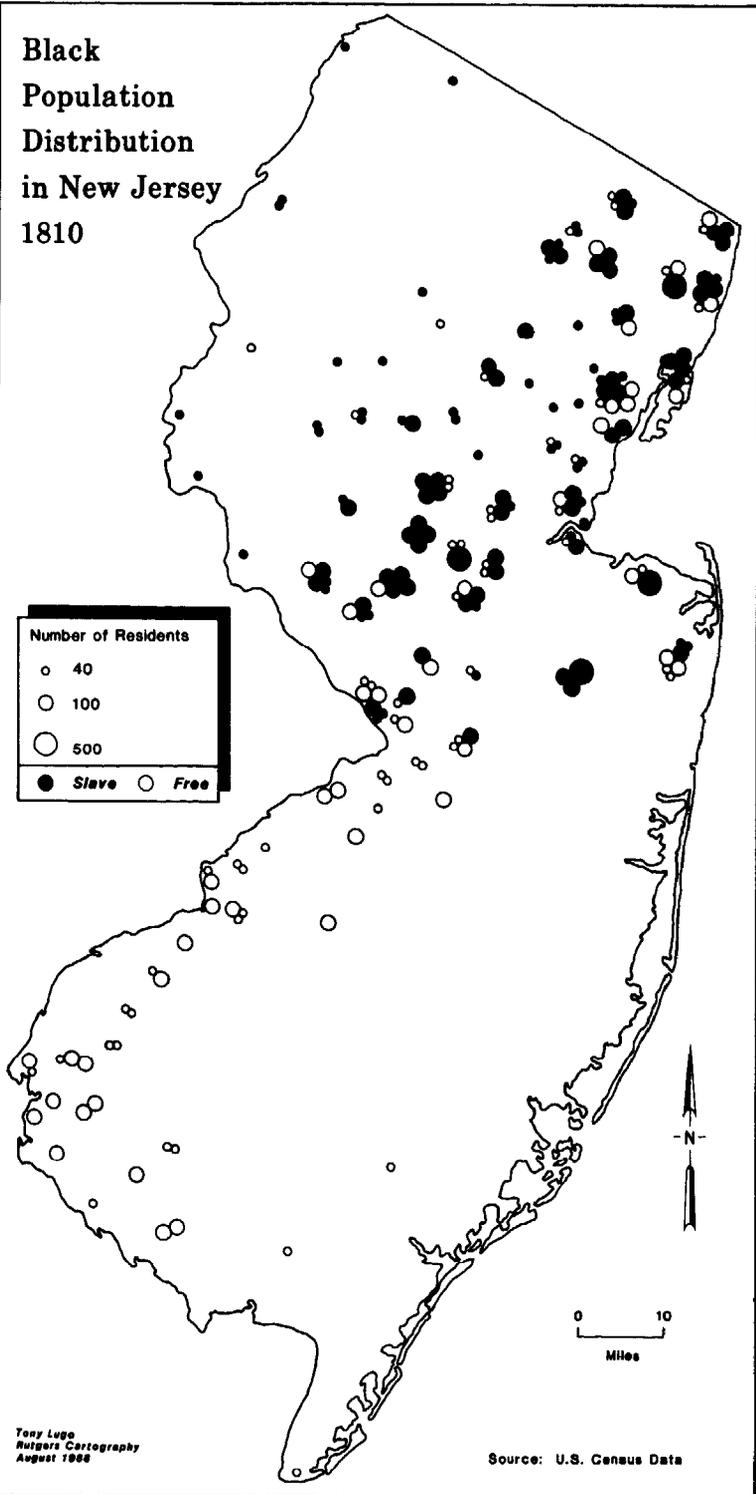
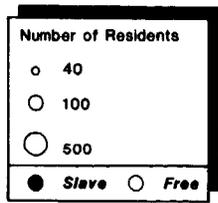
During the eighty years following the establishment of the federal government in 1789, black New Jersey life underwent momentous changes. The greatest was the end of slavery. New Jersey's slave population reached its absolute peak of 12,422 in 1800 (distributed in a manner similar to its distribution in 1810—see Map 3). Four years later legislation was passed to abolish slavery gradually. It reflected a succession of laws, starting with the abolition of the slave trade in 1786, that one historian believes constituted a "well thought out program leading to abolition." This "program" even aimed to prepare blacks to accept the responsibilities of freedom. Among the laws associated with it were one prohibiting slave abuse, one liberalizing manumission requirements, and one requiring slaveholders to teach their slaves under twenty-one to read.

Under the 1804 act, all children born of slaves after July 4, 1804, were to be freed after serving as apprentices to their mothers' masters—females after twenty-one years, males after twenty-five. The New Jersey Society for Promoting the Abolition of Slavery, which existed from 1793 to 1812, helped bring about this legislation. The society advocated the gradual elimination of slavery; its president stated in 1804 that it was not "to be wished, much less expected, that sudden and general emancipation would take place." The society realized that this moderate stance had a greater chance of success than a more radical plea for immediate and total abolition.

Some historians also attribute the passage of the 1804 act in part to a provision that benefited slavemasters. This was the abandonment clause, a thinly veiled scheme to compensate the owners for abolition. Under its provisions a master had to maintain the children of his female slaves for one year but could then abandon them to the public overseers of the poor. Once they were declared paupers, they could be bound out to service, with the state paying their new master three dollars apiece per month for maintenance. Invariably it was the original master to whom the children were bound. The system became so costly to the state that the clause was repealed in 1811.

By 1820 the abolition law of 1804 had for the first time enabled free black New Jerseyans (12,460) to outnumber those still in bondage (7,557). Still, its gradualist approach made it the target of new protest. New Jersey's second major abolitionist organization, the New Jersey Anti-Slavery Society—formed in 1840 as an outgrowth of the

**Black  
Population  
Distribution  
in New Jersey  
1810**



Tony Lugo  
Rutgers Cartography  
August 1988

Source: U.S. Census Data

MAP 3

militant abolitionism of the 1830s—called for total and immediate emancipation. It submitted petitions to the legislature down to 1844, and then argued that the state's second constitution, adopted in that year, automatically outlawed slavery through its "Bill of Rights." The society lost this legal argument in *State v. Post*, which was adjudicated by the New Jersey Supreme Court in 1845. The court held that the framers of the constitution had not intended to apply their equal rights doctrine "to man in his private, individual or domestic capacity; or to define his individual rights or interfere with his domestic relations, or his individual condition." Had the framers intended to abolish slavery, the court reasoned, they "would have adopted some clear and definite provision to effect it, and not have left so important and grave a question . . . to depend upon the doubtful construction of an indefinite abstract political proposition."

The society continued to petition the legislature, and in 1846 the state's second major emancipation law was passed. While this law formally outlawed slavery, it did not really emancipate all those covered by it. All black children born after its passage were declared free. But those blacks who were already slaves became "apprentices" for life. Their new status, however, afforded them greater legal protection. They could sue for their freedom if they were abused; they could not be sold without their written consent; they could not be sold out of the state. By 1860 their number had been reduced to eighteen. In 1865 the Thirteenth Amendment to the United States Constitution finally ended involuntary servitude in New Jersey.

While the 1846 apprenticeship system fell short of complete emancipation, it accomplished two objectives of its proponents. First, by obligating slaveowners to continue supporting their slaves, it prevented the slaves (of whom there were nearly seven hundred in 1846, mostly over fifty-five years of age) from becoming wards of the state. Second, it adhered to a long-standing tradition in New Jersey of respect for property rights; it abolished slavery without confiscating the property of the slaveholders.

The continued existence of slavery in New Jersey during the antebellum period suggests that there was considerable sympathy in the state for the South as its rift with the North deepened. Such sympathy was not pronounced at first. As late as 1849, for example, the state legislature, in a resolution addressed to the state's Congressional delegation, condemned the extension of slavery to any territory annexed to the United States. During the 1850s, however, the sentiment that gave rise to such resolutions decreased. The southern

market for the products of New Jersey industries (such as shoes, clothing, and leather goods) expanded during this decade, and a significant part of that market involved the provisioning of slaves by their owners. White New Jerseyans increasingly felt that the abolition of southern slavery would ruin them economically. First, they feared that freed slaves would not buy their shoes and clothes from the suppliers their owners had used. Second, they believed abolition would propel hordes of emancipated bondsmen north to compete for jobs. In addition, the doctrine of states' rights was widely supported in New Jersey; many believed that the question of slavery should be decided by each state. Thus it is no surprise that New Jersey was one of the few northern states that sanctioned the Fugitive Slave Act of 1850. This law permitted runaways to be seized and returned to the South. New Jersey did not nullify it, as most other northern states did under what were popularly known as "personal liberty" laws. Underground Railroad passengers therefore had to proceed with caution in the state. New Brunswick in particular was a dangerous station, because slave hunters headquartered there to watch for fugitives crossing the bridge over the Raritan River.

By 1860 New Jersey—the only northern state that Lincoln did not carry in the presidential election that year—was divided on how best to deal with the South. Many people, mindful that the state had played an important role in the framing and ratifying of the nation's Constitution and had been the first to ratify the Bill of Rights, were devoted to preserving the Union. After the Civil War erupted on April 12, 1861, and the government made its initial request to the states for troops, New Jersey was the first to meet its obligation, supplying four regiments by May 5. By October 1862 some twenty-seven New Jersey regiments were in the field. In all, over 88,000 New Jerseyans participated in the war and 6,300 died. Among these troops were 2,872 blacks, of whom 469 died. Since the state did not organize any "colored" regiments, black New Jersey troops were assigned to other army regiments and credited to New Jersey.

At the same time, New Jersey also developed into a stronghold of support for the southern secessionists. The state's politics were heavily influenced by pro-Southern feeling during the Civil War and the Reconstruction period. Democrats gained control of the State House and the legislature in 1861. In 1863 they passed peace resolutions opposing the emancipation of the slaves and asking the federal government to appoint a peace commission to meet Southern representatives and end the war. Lincoln lost New Jersey again in 1864.

In 1865 the legislature, still controlled by the Democrats, refused to ratify the Thirteenth Amendment, which abolished slavery.

In 1866 the Republicans elected a governor and regained control of the legislature. Their legislature ratified the Fourteenth Amendment, which guaranteed the citizenship rights of everyone born in the United States. But even this legislature refused to give the franchise to the state's blacks. After the Republicans lost control in 1868 the legislature rescinded its ratification of the Fourteenth Amendment. In 1870 it rejected the Fifteenth Amendment, which extended the franchise to all races. Enough states ratified both amendments to make them the law of the land, however, and black males in New Jersey received the franchise in spite of the state's racial conservatism.

By 1870 persons of African descent in New Jersey had undergone a profound transformation in cultural form and modality, from African to Pan-African (representing the melding of different African cultures), to Afro-American. This transition had been under way in the American colonies as early as the late seventeenth century. Blacks, outnumbered by whites, increasingly native-born, and needing adaptive strategies to withstand their ordeal, began to adopt the manners and customs of their land of enslavement. This acculturative process took place differently in the three distinct slave systems of colonial America—the Chesapeake Bay, the Carolina and Georgia low country, and the nonplantation system of the North. In the North the transformation into Afro-Americans occurred relatively early—during the colonial period—and on a massive scale, and it was uniform among both rural and nonrural populations. Still, since acculturation did not mean the shedding of all vestiges of African traditions, some black New Jerseyans down to the 1870s probably remained culturally African to a degree. Since blacks in Philadelphia were continuing to dance the ring shout as late as the 1870s, it is likely that their Afro-American neighbors in New Jersey as well were keeping the tradition alive.

Facilitating the cultural metamorphosis of northern blacks was the "First Emancipation," the creation of a free black population. New Jersey's southern region in particular figured prominently in this development. It was a part of the Delaware Valley, where, due to a strong Quaker presence and influence, black slaves were first manumitted in very significant numbers.

The emergence of a free black population aided considerably the growth of black organizations and institutions of a non-African nature and character. These new institutions sought basically to promote the

race's general welfare and to ameliorate the harsh conditions of black life. They included fraternal lodges, benevolent societies, literary societies and temperance organizations. The first four black fraternal lodges were organized between 1845 and 1847 in Trenton, Burlington, Camden and Salem. By the late 1860s Camden had a baseball team—the Blue Sky Club—which competed against other early black teams from Brooklyn, Philadelphia, Chicago, Washington, D.C. and Harrisburg.

Down to 1870 New Jersey Afro-Americans gave their greatest attention to the formation of churches and schools. There is evidence that black congregations existed in New Jersey as early as 1800. Salem's Mt. Pisgah Church, the only New Jersey congregation represented at the founding conference of the African Methodist Episcopal (AME) Church in Philadelphia in 1816, likely dates from that year. Its establishment can probably be attributed to the influence of Richard Allen, founder of the AME Church, who preached in South Jersey during the 1780s as an itinerant minister.

By 1818 AME churches had been established in Princeton and Trenton. Churches representing other denominations also appeared. In 1822 the Clinton Memorial Church was organized in Newark, the first AME Zion Church in New Jersey and probably the first black congregation in Newark. The Plane Street Presbyterian Church was established in Newark in 1831; its minister between 1840 and 1845 was Samuel E. Cornish, the abolitionist who had cofounded *Freedom's Journal*, the first Afro-American newspaper, in 1827. In 1832 Camden's oldest black religious institution, the Macedonia African Methodist Episcopal Church, was formed. By the time of the Civil War the black communities in New Brunswick, Red Bank, Montclair, Woodbury, Woolwich, Allentown, Fair Haven, Manalapan, Elizabeth, Rahway, Burlington and Mount Laurel had established churches. The overwhelming majority of these belonged to three denominations: AME, AME Zion, and Presbyterian.

Some of the early black churches assumed the responsibility of meeting the educational needs of the race, which sympathetic whites, especially Quakers, had started to accommodate as early as the 1780s. The AME Zion Church in Newark was in the forefront. In 1826 it began providing black youths and adults with the fundamentals of a common school education—reading, writing, spelling, and ciphering. Soon blacks in Newark started to institutionalize their educational efforts in other ways. In 1828 Abraham and John King organized what became the "Colored School," a pioneer institution that



*Samuel E. Cornish (1795-1858), abolitionist, journalist and minister, became a New Jersey resident in 1838, living in Belleville. He later moved to Newark, where he became the pastor of the First Presbyterian Church on Plane Street. Convinced that the black race had a future in the United States, he was one of the most vigorous and outspoken opponents of the American Colonization Society's efforts to persuade free blacks to settle in Africa. Cornish was also among the Afro-American leaders that, beginning in the 1830s, increasingly referred to black people in the United States as "colored" rather than "African." He argued that "African" encouraged white colonizationists to believe that black people desired to return to Africa. Courtesy of the Schomburg Center for Research in Black Culture, New York Public Library.*

continued to operate until 1909. James Baxter, New Jersey's foremost black educator of the nineteenth century, was principal from 1864 until its end. Black individuals and groups in New Brunswick, Princeton, Bordentown, Perth Amboy, Bridgewater, and other communities replicated the work of the Kings over the next several decades. Such efforts were complemented by those of white philanthropic and religious bodies such as the Quakers and the Episcopal Church.

Increasingly, however, public education systems developed in New Jersey, and the responsibility of educating black children was assumed by the communities they lived in. Some communities educated black children in racially mixed schools, while others established separate facilities for them. In 1829 the state began to provide some funds for education, leaving school districts to make up the difference by levying school taxes or, if they preferred, by charging tuition fees. Most cities provided free education. But some black students had to pay for their education, especially in towns and villages, until 1871, when legislation was enacted that forbade communities to charge educational fees. New Jersey was the last of the thirty-seven states then in existence to give its children free schooling; even the reconstructed southern states preceded it.

After 1790, as the ranks of freed blacks swelled, the Afro-Americans' increasing race consciousness led them to grapple with various forms of racial injustice. They focused much of their attention on southern slavery; they seem to have left it mainly to white abolitionists such as the New Jersey Anti-Slavery Society to attack the continuing slavery in New Jersey. In 1834 Newark blacks formed an auxiliary of William Lloyd Garrison's American Anti-Slavery Society; it was the state's first black abolitionist body. Black New Jerseyans also attended the various pre-Civil War meetings of the Convention Movement, a broad spectrum of northern black leaders in the forefront of political protest. From 1830 to the 1870s these conventions deliberated on ways to improve the conditions of the black race and to chart its future direction.

Perhaps the prime grievance of Afro-Americans in New Jersey down to 1870 was their disfranchisement. In 1807 the state legislature restricted voting rights to white males, eliminating privileges that the state's 1776 constitution had extended to both blacks and women. Despite immediate and sustained black opposition to the 1807 restriction, the state's 1844 constitution continued to limit the franchise to white men.

African-Americans redoubled their efforts to acquire the ballot.



*James M. Baxter (1845-1909) came to Newark in 1864 from Philadelphia to serve as the principal of the Colored School. A prominent community leader, he was a staunch foe of school segregation throughout his forty-five years in this post. One of his sons later served in the New Jersey legislature, and one of his granddaughters was the first Afro-American to be admitted to the New Jersey College for Women. Courtesy of the Newark Public Library.*

To that end the first statewide black convention was convened at Trenton's Zion AME Church in 1849. Delegates included some of the state's most distinguished blacks. One was Dr. John S. Rock from Salem, a physician and dentist, who later became the first black attorney to practice before the United States Supreme Court. Another, Ishmael Locke of Camden County, was a teacher who had served as the principal of the Institute for Colored Youth in Philadelphia. (His grandson, Alain Locke, became the first black Rhodes Scholar, a philosopher and "guiding spirit" of the Harlem Renaissance in the 1920s.) The pastor of the church where the convention was held was the Reverend W. T. Catto. His son, Octavius V. Catto, a Philadelphia educator and a leader of the successful battle in the 1860s to end the city's streetcar segregation, was killed in 1871 in rioting after blacks voted under the newly acquired protection of the Fifteenth Amendment.

In requesting the franchise, the convention of 1849 not only petitioned the legislature, but it also addressed a broadside to the citizens of New Jersey. The broadside adopted a particularly suppliant tone in the hope of enlisting the widespread support of white New Jerseyans:

Therefore we now appeal to you in the face of your assertions, and in respect of your justice, your patriotism, your intelligence, your honesty and love of liberty—and in remembrance of your accountability to Him from whom cometh every good and perfect gift—requesting that you will use your influence, each for himself, in assisting us in this our purpose of obtaining for ourselves and our posterity, the blessings and perquisites of liberty in the exercise of the elective franchise, or right of suffrage; which we respectfully ask as a right belonging to us in the character of *men*; but heretofore withheld as an *attache* of color, or in the conservative spirit of some, and the ignorance, envy and prejudice of others.

This was followed by similar petitions and appeals from the black community. In 1865 another convention in Trenton, organized by the short-lived Equal Rights League of New Jersey, produced an appeal addressed to "the people of New Jersey." All these efforts proved ineffective. As noted earlier, only the Fifteenth Amendment in 1870 finally restored suffrage to New Jersey Afro-Americans. Thomas Peterson Mundy, one of Perth Amboy's leading black citizens, was the first Afro-American in the nation to cast a vote under this amendment. He voted in a municipal election on March 30, 1870. Within

the next year, as the Reconstruction Amendments prompted other Afro-American gains in New Jersey, a black in West Milford became the first to serve on a jury in New Jersey. In 1875 the word "white" was removed from the voter qualifications in the state constitution.

The American Colonization Society (ACS), established in 1816, and its state auxiliary, the New Jersey Colonization Society, organized in 1817, were another target of black New Jerseyan protest. These organizations, convinced that free blacks could not advance in America, sought to resettle them as "civilizing agents" on the African continent. Their members included prominent New Jerseyans like Commodore Robert Field Stockton, Theodore Frelinghuysen, General John Frelinghuysen, Samuel Bayard, and the Reverend Robert Finley of Basking Ridge, a Presbyterian clergyman and a founder of ACS. In condemning them, New Jersey blacks affirmed their own commitment to a permanent residence in this country and to an identity as Afro-Americans. If they went to Africa, they argued, they would be abandoning their kith and kin who were locked in bondage. For them the Colonization Society's efforts actually masked a scheme to rid the nation of free black opponents of slavery and to deprive the race of much of its articulate and concerned leadership.

Between 1790 and 1870 important demographic changes for New Jersey Afro-Americans also occurred. For example, the growth rate of the black population declined perceptibly until 1860. Between 1820 and 1840, in particular, blacks increased in number by fewer than 2,000, from 20,017 to 21,718 (see Table 3). By contrast, during the

TABLE 3

## BLACK POPULATION GROWTH IN NEW JERSEY, 1790-1870

YEAR	TOTAL	PERCENTAGE OF INCREASE
1790	14,185	—
1800	16,824	18.6
1810	18,694	11.1
1820	20,017	7.1
1830	20,557	2.7
1840	21,718	5.6
1850	24,046	10.7
1860	25,336	5.4
1870	30,658	21.0