

Analysis: Lost history in plain sight? A case for digging deeper at Pitney Farm in Mendham

The Mendham Township Committee and township residents are debating the future of Pitney Farm on Cold Hill Road.

By BOB HENNELLY Contributing Writer |

MENDHAM TWP. _ On a late winter afternoon, diminished sun light filters through Pitney Farm's mighty hard woods onto undisturbed snow leading up to the idle mansion's front door.

There are no footprints. Even in the dead of winter, with flowers and leaves gone, the site radiates the grandeur and great wealth that built it and maintained it.

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Out back, the paint has faded on the Bicentennial Farm sign affixed to one of the red barn buildings that are vestiges of what was once a working farmstead. There's no marking to note that slaves were part of the life of this place, as they were throughout all of Morris County and the entire state of New Jersey, from its earliest white settlement, up until the end of the Civil War.

Back in 2008, before it moved to buy the property, Mendham Township got a report by CRCG, The Cultural Resource Consulting Group, which cataloged what is known about the historical significance of the site. The seven-page report highlighted the accomplishments of

the Pitney family which can trace its roots back to the 1720s in the area.

Mahlon Pitney, one of the families patriarchs, fought along side George Washington at the Battle of Long Island in 1776. Another Mahlon Pitney served two terms in Congress and was nominated by President Howard Taft to serve on the United States Supreme Court.

From the GRCG report, we know the farm grew to encompass more than 700 acres and included a dairy operation.

The Pitney Farm was the center of a hub of productive activity which included an iron forge and distillery. The Pitney peaches and apple brandy were famous in their day. The place was prominent enough that it was a stop on the Rockaway Valley Railroad (Rock-A-Bye Baby) line that ran from Whitehouse Station in Hunterdon County to Morristown back in the late 19th century.

The GRCG analysis concludes the Pitney site has a multi-layered historical significance because the 12 acre farmstead “demonstrates the evolution of the multi-generational homestead of an important and influential family that traces its roots to the Revolution” and “distinguished themselves in the area of local, state and Federal law.”

But as for the day-to-day life on the colonial farm that laid the foundation for the family’s commercial and civic achievements not much is known.

“Little information was uncovered concerning the family’s farming activities during the mid to early 18th century” according to the CRCG report prepared by Gregory Dietrich, senior architectural historian.

It makes no reference to the well-documented role of slavery at the Pitney Farms.

There are multiple extant historical records available on line and in the county library that offer Pitney as a prism of place through which to see just how much Mendham, and indeed our entire state, was very much reliant on, and enmeshed in, the day-to-day brutality of slavery.

In May of 1793, New Jersey’s Supreme Court in the case “of Negro James, a Boy about Thirteen Years of age, claiming his freedom” ordered that James Pitney, listed as the defendant, “discharge” the black teen from “illegal detention.”

According to the history of the case, as recounted in the court order, three years earlier Pitney bought the African-American boy from relatives of Jasper Smith, of Hunterdon County. Smith died in 1769 but in his will called for the freeing “all my negroes” including “Negro Juddy,” the mother of the boy now in Pitney’s possession.

Evidently Smith's heirs had other ideas.

"The Court having taken due consideration, are unanimously of Opinion, that the said Negro Juddy" was "a free woman by the Will of the said Jasper Smith" which in turn meant that Juddy's son James was, as the state's highest court saw it, "entitled to his freedom."

Just four years later that same Supreme Court, in a very similar habeas corpus petition brought this time on behalf of a Native American known to the court only as "Rose," had a very different ruling that would keep this petitioner in slavery.

"They (the Indians) have been so long recognized as slaves in our law, that it would be as great a violation of the rights of property to establish a contrary doctrine at the present day, as it would be in the case of Africans; and as useless to investigate the manner in which they originally lost their freedom," the Court ruled.

Just like the weighty decisions before the courts today, like gay marriage, the definition of slavery was a painful work in progress.

Slavery: Part Of Morris County

And New Jersey's DNA

According to the late Rutgers Professor Dr. Clement Price, "support for the institution" of slavery "was stronger in New Jersey than in any other northern colony."

Back in 2008, on the occasion of the New Jersey State Legislature's formal apology for slavery, Price told the public television program Due Process that "slavery was very important to New Jersey's colonial economy."

From its founding when it was called the New Netherlands, as a Dutch colony in the early 1600s, and when their English successors re-named it New Jersey, promoting slavery was hard wired into our political economy.

According to the New Jersey State Library's Unit on African American Slavery in the Colonial Era, the colony's first constitution, the Concessions and Agreement of 1654/1665, actually "provided additional acreage" for each slave a prospective settler had.

By the end of the 17th century, Jersey-bound settlers were promised anywhere from between 60 to 75 acres for each slave they had on hand. Other documents indicate as much as a 150 acre incentive per slave.

"The earliest known record of slaves in New Jersey dates to 1680 when Colonel Lewis Morris of Shrewsbury, Monmouth County, is identified as owning approximately sixty to seventy slaves," according to the New Jersey State Library's Unit on African American Slavery in the

Colonial Era.

According to the Tinton Falls municipal website, Morris's holdings in Monmouth County included an ironworks and forge which was the first constructed in North America, south of New England, to reach the production stage.

"It was structured as a plantation, and there were 60 or more slaves at the ironworks in 1680; the first notable instance of slavery on record in New Jersey," according to the Tinton Falls website.

Colonel Morris's nephew and heir, also named Lewis, inherited his holdings and was named the first Royal Governor of colonial New Jersey in 1738. It is for this Lewis Morris that this county and the county park are both named.

Throughout this colonial period, supporting slavery was a major driver of public policy and slavery was legally defined as including "negro, Indian and mulatto slaves," according to Henry Scofield Cooley's 1896's "A Study of Slavery in New Jersey" published by the Johns Hopkins Press.

In the early 1700s, the ongoing chronic shortage of manual and skilled labor for an expanding empire prompted Queen Anne to order that "a constant and sufficient supply of merchantable negroes" be available "at moderate rates" to New Jersey settlers.

The crown also wanted to ensure that there were no "encroachments" on the slave-trading franchise enjoyed by Royal African Company by any enterprising locals.

While the first large-scale use of slaves has been traced to the Morris ironworks in Burlington County, slavery really got traction in the northern and eastern portion of New Jersey.

The major slave port of entry for the slave traffic in New Jersey was through Perth Amboy. From 1737 up until 1800, the slave population went from under just 4,000 to well over 12,000.

By far the highest concentration of slave labor was in Bergen County where by 1800 there were close to 3,000 slaves, almost 20 percent of the population.

Yet even as commercial interests embraced slavery, there was a countervailing movement for abolition here.

In 1693, Quakers out of Philadelphia, whose influence extended through southern and central Jersey, issued the first anti-slavery pamphlet in North America.

For the entirety of the time that slavery was countenanced by law, a vigorous debate raged in New Jersey that divided religious congregations throughout the state.

During the American Revolution as the British used promises of freedom to convince

thousands of enslaved African- Americans to join their side, the Rev. Jacob Green, a Morris County preacher, used the tumult as a powerful rhetorical opportunity to call for abolition.

According to David Mitros, historian and author, the Rev. Green, who established the The First Presbyterian Church of Hanover, was also the first Jersey man to go on the public record calling for the separation from Great Britain.

In his book, "Jacob Green, and the Slavery Debate," published by the Morris County Heritage Commission, Mitros writes that Green, in the darkest days of the Revolution, warned from the pulpit that the nascent nation risked appearing a great hypocrite if it maintained slavery at its inception.

"What foreign nation can believe that we who so loudly complain of Britain's attempts to oppress and enslave us, are at the same time, voluntarily holding multitudes of fellow creatures in abject slavery...while ...declaring that we esteem liberty the greatest earthly blessing," Green warned.

This sermon was published in 1779 as a pamphlet by the New Jersey Journal and helped frame the debate over the contradiction of maintaining slavery while proclaiming national liberty.

Laying Down The Law

From slavery's inception in New Jersey, slaves were subject to a separate set of laws and courts that had the power to dispense brutal punishment for any infractions.

"In contrast to New England's liberal laws, the slave codes of New Jersey and other middle colonies resembled those of the South," writes David Mitros, in his comprehensive *Slave Records of Morris County, NJ (1756-1841)*.

"Judged in separate courts with no access to trial by jury, Blacks and American Indians accused of crimes in colonial New Jersey had little hope of receiving justice," writes Mitros. "When a slave received the death sentence, the slave owner received monetary compensation from the state."

In April 1712, two dozen armed African American slaves teamed up with Native Americans and set fire to a building in New York City and attempted to fight off the efforts to extinguish the fire. The slave rebellion was suppressed by the militia and 21 of the African Americans were executed, some by being burned at the stake.

In reaction, both New York and New Jersey made their existing slave codes stricter. In 1735, a slave in Bergen County, who was alleged to have tried to set a house on fire, was also burned at the stake. In 1741, two slaves in Hackensack charged with a similar crime met the same

fate.

In 1743, a slave insurrection on the scale of the one in New York City was planned for Burlington County but because the plan was foiled before it could be executed, only one suspect was hanged. “The rest were sentenced to be flogged or have their ears cut off,” writes Maggie MacLean on her History of American Women blog.

As brutal as the slave codes were, there was some effort in New Jersey to regulate potential abuses by the slave masters.

In December of 1808, Mahlon Pitney, James’s son, was the foreman on a Morris County jury of 12 men that convicted Abraham Cooper of Chester for using a hot iron to brand the forehead of his slave Cato.

The jury ruled Cato was “there by grievously wounded and hurt” and was put “to great pain, torture and other wrong” and fined Cooper \$40, recounts David Mitros.

Four years after that, Mahlon Pitney registered with Morris County the birth of a female slave child named Peg born on Sept. 20, 1810 in Mendham to “my negro slave named Rachel” to comply with New Jersey’s Gradual Abolition Act of 1804.

That act mandated that children born to slaves born after July 4, 1804 would be eventually granted their freedom—for boys only after they served for 25 years as slaves to their mother’s master—for females the age was set at 21.

Of course, the structure of the Gradual Abolition Act of 1804 required that thousands of African-American women would give birth to children that would start their lives as slaves.

It also had a provision for slave owners to “abandon” these children a year after their birth to the “county poorhouse” where they would be declared a pauper and “bound out” as indentured servants to the highest bidder by the overseers of the poor “in the same manner as other poor children.”

“Some slave owners took full advantage of the law,” writes Mitros. “They abandoned the slave children, then bid them back to receive the state subsidy” for maintaining these “paupers” which got them \$3 a month for their maintenance from the state treasury.

Eventually this self-serving practice was ended in 1811 because it was consuming too much of the state’s revenue.

Thanks to a limited edition volume published by John O.H. Pitney in 1925 as a family history, provided by Erik Sletteland, Duncan Pitney’s stepson who moved to the farm in the early 1960s, it is possible to get a vivid sense of how slavery fit into the Pitney family narrative.

The detailed recollections, as passed down in the volume, are replete with accounts of financial hardship not uncommon for families struggling to sustain themselves with a blend of improvised industry and agriculture in the 18th and early 19th centuries.

Correspondence vividly describes a rough “hand to mouth” period in the 1820s where every dollar they generated was “promised to two or three different ones before we get it.”

The family history quotes from a daily expense journal kept by Mahlon 2nd, Mahlon’s son, that dates from that period.

“In October 1825 and in the following months, Mahlon spent money to pursue Harry and Tom, two slave boys who ran away from the farm,” recounts the Pitney family history.

Mahlon Pitney II kept a detailed daily expense ledger which includes the cost of taking out ads in two newspapers in effort to apprehend the two run away slaves.

The family journal recounts that months later the two slaves are caught separately, one in Philadelphia, the other in Doylestown, Pa. The expense incurred along the way included \$10 cash payments to constables and per diem payments for the slaves incarceration for months after their apprehension. These transactions were lubricated by Pitney when he “bought liquor for the constables at different times.”

This month is Black History Month across our nation and in Canada. School children will be drilled on figures like Crispus Attucks, the first combat casualty of the Revolutionary War, George Washington Carver, the inventor-scientist, or Jackie Robinson, the baseball player. Of course the life and work of Dr. Martin Luther King is central to what has become a memorized rote narrative.

Yet in just honoring these heroes without a deeper level of understanding about the African-American struggle we will miss the chance at learning more about the millions of African-American slaves whose labor and ingenuity laid the foundations for our nation and yes, even our state and our own communities.

By undertaking such a potentially painful inquiry we will see the links between the nation’s twin ‘original sins’ of slavery and Native American subjugation for colonists also enslaved Native Americans for domestic exploitation and export.

In that same re-examination it will become apparent that slavery is not just a stain on the American south, but a deep wound on New Jersey’s history that extends from its original settlement, well after the American Revolution and right up through the end of the Civil War.

To the degree that we hide from it, or pretend it did not happen, we risk missing the story of our own human evolution.

New Jersey fought on the side of the Union in the Civil War but, according to Jim Gigantino, professor of history at the University of Arkansas, New Jersey was the most enthusiastic northern state when it came to holding on to slavery years after other northern states had ended it.

Just before the end of the Civil War, New Jersey even voted down the 13th Amendment abolishing slavery, only voting to ratify it in 1866, after the end of the Civil War and Lincoln's assassination months earlier.

Gigantino, author of the recently released book "The Ragged Road to Abolition: Slavery and Freedom in New Jersey 1775-1865," says that after the Civil War New Jersey obscured its well established support of slavery by choosing to "memorialize things about the end of slavery."

"So when we talk about slavery in modern times we talk about emancipation or abolition of slavery," Gigantino says. "This is a purposeful re-invention of New Jersey as part of the free North narrative of participation in the underground railroad, participating in this freedom process."

Professor Gigantino says his new research indicates that as many as 400 African-Americans remained in some form of slavery at the end of the Civil War not the reported 18 long accepted in the historical record.

Perhaps before we rush to demolish the structures on Pitney we owe it to future generations to permit an archeological dig at the site. We have already lost enough history.

Editor's note: Bob Hennelly is an award-winning print and broadcast journalist who lives in the Brookside section of Mendham Township. His print work has appeared in the New York Times, the Detroit Free Press, the Miami Herald, the Christian Science Monitor and the Guardian. He is currently a regular on line contributor for Salon, City and State, City Limits and Who What Why. As a broadcaster he has been heard on WNYC, the BBC, National Public Radio, and is the political analyst for WBGO, 88.3 FM in Newark. His television credits include the PBS NewsHour, the Canadian Broadcasting Company, CBS's 60 Minutes, C-Span's Washington Roundtable, WNET-13 and WPIX-TV.