

*Nutley Was Born in Strife, Strategy and Secession*

FROM FRANK SPEER

“TAXATION without representation is tyranny.”

That was the slogan which a Patrick Henry or a Benjamin Franklin thought up in 1776 for the American Revolution.

That was the slogan which won Nutley its independence from Belleville in 1874, laying the groundwork for the incorporation of Nutley as a municipality 58 years ago March 5.

Nutley has been many things since the first Dutch traders came down the Indian trails from Acquackanonck three centuries ago. In whole or in part it has been North Belleville, Povershon, Avondale, Stitts Mills, Stone House Plains, Spring Gardens, Stagertown, Franklinville and Franklin before it became Nutley. Before that it was Yountakah to the Lenni Lenape Indians who called it that because it was the setting for their Thanksgiving dance which marked the end of the harvest, and the word meant, in their language, “the place at the junction of the rivers where ceremonies are held.”

In the Indian Bill of Sale, negotiated in 1666 by Captain Robert Treat and a few companions who had Governor Carteret’s permission to swap rum and wampum, some old cast-off army coats and a few muskets for a parcel of land, Nutley and about two-thirds of present-day Essex County went to the band of New Haven Puritans who wanted to get away from the Connecticut colony because they found the Puritans there too tolerant towards the Quakers.

All the records of Newark refer to this area merely as the “northeast section” of Newark and thus it remained from May 17 or 20, 1666 - the disputed day when the first boatload of Puritans under Treat crossed over from New Haven and came up the Passaic River - until 1812. Newark’s “Town Minutes Book,” with full records from 1666 to 1775, now in the files of the New Jersey Historical Society, mentions both dates which must be taken as the founding of the English community of “Newark” which includes present-day Nutley.

In 1812, the northern half of Newark seceded from the mother city and was set apart as another town, named in honor of a hero of the Revolutionary War, General Joseph Bloomfield, afterwards a governor and chancellor of New Jersey.

Thus in 1812, Nutley was no longer a part of Newark, but a section of Bloomfield and it remained that way until 1839 when the eastern one-third of Bloomfield was sliced off to form another town which was named Belleville and was centered on the Second River. Nutley gradually came to be known as North Belleville.

There were so many inconveniences in being the tail of the dog that our early

Nutley ancestors rebelled against Belleville and for a dozen years relations between the northern and southern halves of Belleville were more than strained.

It was Nutley's protest that although this half of the town had to pay its taxes to Belleville, all the improvements went to the lower half of town. Nutley did not even have a church at that time, but did have the only school in the entire place, located on River Road, near Park Avenue.

The Hendrickson family, which lived in a neutral "No-Man's Land" between the warring factions, owned vast areas north and south of Joralemon Street. The family tried to defend Nutley's interests at Belleville Town Hall, but got nowhere. Nutley never could elect a candidate to the town council and was completely without a voice in town affairs.

The old Revolutionary slogan about taxation, non-representation and tyranny was revived. The townspeople hated Belleville so that they refused the name North Belleville and took, instead the name of Franklinville, thus paying honor to either Benjamin Franklin or to his only son, William, New Jersey's last Royal Governor who opposed New Jersey joining the American Revolution and for his opposition was arrested and given in custody to the Governor of Connecticut, a Whig.

The break finally came when the Belleville town council voted for an extensive program of street-paving. Every street to be paved just happened to be in the southern half of the town, in what is today Belleville. Franklinville was fed up with paying taxes to pave the streets of the southern half of town, while its own streets were dusty in windy weather and muddy in the rain.

The secession finally occurred in 1874 when Franklinville was chartered as a separate town. Dropping the "ville" it took the name Franklin, but that merely opened another dispute which did not end for another quarter of a century.

Franklin was that part of town around the present Four Corners. It included Spring Gardens which was the whole south end of present Franklin Avenue, Povershon which was the Centre Street hill and Hightown. Across the Third River was a rival community, its booming business center at the corner of Passaic Avenue and Chestnut Street. It was a budding colony of budding artists and writers who were to develop within a few years the rustic "Greenwich Village" of The Enclosure. From nearby Nutley Manor, the vast home of the Satterthwaites along River Road, it took its name Nutley.

Franklin won the first round and gave its name to the town in the Charter, but Nutley was not whipped. There were maneuvers in Washington and one day the Post Office was set up on the east side of the Third River. With the Post Office in its possession, Nutley maneuvered to give its name and not that of Franklin to the Post Office.

Records in the office of the Postmaster General in Washington show that in

1887, Nutley was the Post Office of Franklin. Frank Speer has in his possession a post card which his mother received in "Franklin," bearing the postal obliteration of "Nutley." The date was 1889, confirming that long before the act of the State Legislature in 1902, Nutley was Nutley as far as Uncle Sam was concerned.

Although Uncle Sam settled the question of the town's name, even that did not end the strife. The Post Office department explained that it chose the name Nutley because there was only one other town with that name in the world - and it was in Sussex, England-whereas there were Franklin Townships in Somerset, Bergen and Gloucester Counties as well as a Franklin Furnace in Sussex County.

Uncle Sam also divorced Nutley from Belleville long before the secession became legal. As early as July 17, 1849, Franklinville had its own Post Office with Sebastian Duncan as postmaster. It was located in the old Central Hotel, on Chestnut Street where Hamilton Place now is cut through.

Later, when Duncan died, his brother-in-law, George Poinier, was named postmaster in 1895 and when he died, in turn, five years later, his widow, the former Jane Duncan, took over and moved the post office to her home, the imitation red-brick house which still stands today back from Passaic Avenue at the present number 347. She kept the postmaster's job for 23 years.

At that time, the population of the Franklin half of town used to use the expression, "I'm going over to Nutley" when they wanted to say that they were going to the post office. It was Abram Van Riper, when he was appointed postmaster by President Benjamin Harrison in August, 1889, who abandoned Nutley and moved the post office to Franklin, in his drug store which stood just across the street from the Duncan Mill, now the Town Hall. He kept the "Nutley" postmark, however.

When the Democrats won the next election and put Grover Cleveland in the White House, Nutley got its post office back and also got its first Democratic postmaster, Henry Connolly, a butcher, in Highfield Lane, who dispensed the mail and porkchops from his butcher shop.

After William McKinley took the presidency from Grover Cleveland, Nutley's post office was "stolen" from under its nose by Franklin. Despite McKinley's victory, Connolly argued that he had been appointed for life and refused to hand the office over to McKinley's appointee, Len Rusby, the Franklin Avenue grocer.

The predominant Franklin Republicans, particularly the redblooded young Republicans, took a hand. On a cold wintry night of February 1899, they borrowed a cooper's horse and wagon used to deliver beer barrels, and "stole" the post office, including the counter, the safe, all the books and even the accumulated mail.

When Connolly went downstairs the next morning, the post office was gone. At the same hour, it opened in a corner of Len Rusby's grocery store and not a penny stamp was missing. Chagrined, Connolly surrendered, and thus Nutley lost forever its post office to Franklin and got it back only when it imposed its name three years later.

By the turn of the century, Franklin was a sprawling community of about 4,000 population, scattered in its three miles square territory. It felt itself too large to be under township rule and saw many advantages which might accrue from a town form of government. Many petitions went to Trenton and, finally, on March 5, 1902, the Assembly passed a resolution creating the town of Nutley. Henry W. Goodrich was Town Chairman in 1901, the last mayor of the Township of Franklin.

The exact text of the Assembly law creating the modern town of Nutley reads as follows:

“BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

“1. That the inhabitants of that portion of the county of Essex contained within the territorial limits heretofore embracing the township of Franklin, in the County of Essex, are constituted and declared to be a body politic and corporate in law by the name of the Town of Nutley, and shall be governed by the general laws of this state relating to towns.

“2. That the territorial limits of said town shall be coincident with the territorial limits of the present township of Franklin, in the county of Essex, and which are more particularly defined in the act of the legislature of the state of New Jersey entitled ‘An act to set off from the township of Belleville, in the county of Essex, a new township to be called the township of Franklin,’ approved February eighteenth, one thousand eight hundred and seventy-four (Pamphlet Laws 1874, page 191), as follows: beginning at the Passaic River in the division line between lands of William H. Conover and lands of Joseph W. Hancox, and thence running a westerly direction in a direct line to the northeasterly corner of lands belonging to the estate of Thomas Van Winkle, deceased, and thence along the northerly boundary of said land to the Bloomfield township line, thence along the line of Bloomfield to the line between Essex and Passaic counties, thence easterly along the Passaic county line to Passaic River, then southerly along Passaic River to the place of beginning.

“3. This act shall take effect immediately. “Approved March 5, 1902.”

In the April, 1903 election of Nutley’s first town council, the late James Gilmore won out as Councilman-at-large, which gave him the status of mayor. The six councilmen included two who bred sons to play a leading role in the town’s political affairs today, Wilson G. Kierstead and Philip J. Young. Kierstead is father of the present Republican town chairman and Young’s son,

Fred H. Young, later became mayor and president of the Republican club. William H. Devausney, Lester Kierstead, William G. Dittig and John J. Vosseler completed the first council.

When the town's second election under the new charter took place in 1904, Wilson Kierstead became Councilman-at-large, Lester Kierstead, Vosseler, Dittig and Young were re-elected, and William N. Halsey and Conrad A. Joerg joined the council.

As usual, Nutley became dissatisfied with the councilmanic form of government and after ten years of trying it out and disputing almost constantly, had a referendum and voted to change to the present non-partisan Commission form of government.

At Town Hall, today, there is a complete record of Nutley from day to day through the 58 years of the present town's history, but all the records of the Township of Franklin were taken to Trenton when the town of Nutley was created. There is a history of Franklin Township buried in the cornerstone of Franklin Reformed Church.

## Tags

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