

ANCIENT BOUNDARY DISPUTE

By The Staff of the Hillside National Bank

June 3, 1957



Ancient Marker at 1428 N. Broad St. The "U" for "Union" is nearly chipped away, while the "E" for Essex remains clear.

Although the Township of Hillside is the twentieth of 21 communities to be formed in Union County, the youngest of New Jersey's counties now observing its 100th anniversary, as old Lyons Farms it figured actively in the border disputes between Elizabethtown and the Town of Newark.

There was rivalry for supremacy from the time Elizabethtown and Newark were formed and the question of the boundary between the two in Lyons Farms was a subject of doubt for more than 215 years. During this peaceful dispute, women lost the vote, Clinton Township was formed and disbanded and Lyons Farms was divided between two communities.

Elizabethtown organized in 1665 as the first English settlement in New Jersey received its land from the Duke of York and was settled by the Proprietors and Associates.

Newark was settled a year later by members of the Congregational Church from the vicinity of New Haven, Conn., who obtained the property by agreement from Elizabethtown and payment of gifts to old Chief Oraton at the Indian village near Hackensack.

The treaty with the Indians designated the property line between Elizabethtown and Newark as:

"Bounded and limited with the bay eastward . . . the great creek or river running to the head of the cove and thence bearing a west line for the south bounds which great creek is commonly called Weequahic on the west line backwards to the foot of a great mountain called Watchung being as is judged about 7 to 8 miles from the town."

Bound Creek which today is being developed by the Port of New York Authority extended from Newark Bay through the Salt Marshes along present day Meeker Avenue, Newark, into the area of today's Weequahic Park Lake. The "head of the cove" was said to be located near the southerly section of the lake.

The Town "Patent" or Charter for Newark adopted in July, 1667, also cited the south boundary as being from the Salt Meadow called by the Indians, "Weequahic," and known by name of Bound Creek to the head of the cove extending west 7 miles to end or foot of Great Mountains called Watchung.

Despite these two recitations of the boundary, the two settlements felt that the boundary line needed adjustment. Representatives of Newark and Elizabethtown met at Divident Hill, now in Weequahic Park, to negotiate an agreement.

DIVIDENT HILL

The agreement signed May 20, 1668, was as follows: "We whose names are hereunto subscribed being chosen and commissioned with full power from Elizabethtown and Newark plantation upon Passaic River to agree upon and fully issue the Divident Line and Bound between the fore-named Elizabethtown and Newark Town.

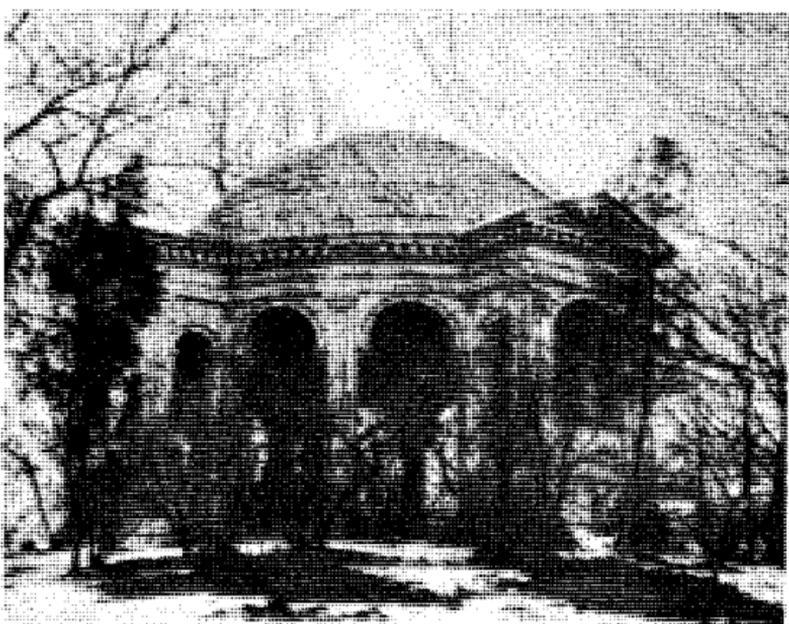
"The dividing bounds to begin from the top of a little round hill named Divident Hill and from thence to near upon a northwest line into the country and for ratification of our agreements, the said agents of Elizabethtown have marked an oak tree with an "E" and said agents from Newark Town have marked the same tree with "N" and to the said agreement, we have this 20th day of May in the year 1668 set to our hands."

The agreement was signed by Jasper Crane, Robert Treat, Matthew Camfield, Samuel Swain, Richard Harrison and Thomas Johnson for Newark and John Ogden, Luke Watson, Robert Bond and Jeffery Jones for Elizabethtown.

Joseph Woodruff of Elizabethtown said that Robert Treat in 1669 at Milford, Conn., stated that the line was settled between the two towns in "so loving and solemn a manner that he thought it ought never to be removed for he himself being

among them at that time prayed with them on Divident Hill that they might be a good agreement between them."

The two colonies and the surrounding area were first designated as Essex by the East Jersey Assembly at Elizabeth November 13-29, 1675, and given the name by the colonial assembly March 1 to 28, 1682.



Divident Hill monument on a mound in Weequahic Park is nearly concealed by trees and shrubs. For past 37 Easters sunrise services for churches of the South End of Newark and Hillside area have been held at old gathering place, once Lyons Farms.

The Assembly adopted an act defining the bounds on October 1693 as being from the mouth of Bound Creek to Bound Hill thence northwest to the partition line of the province.

On April 27, 1713, the line was described as from Bound Creek at Hackensack Bay and running up the Creek to the head thereof where a black cherry tree marked with the letters "N" on one side and "E" on the other stands under a steep hill.

Note the difference in the descriptions between the black cherry tree of 1713 and the oak tree of 1668 and the steep hill compared to the small mound for "Divident Hill."

Affidavits were made in July, 1743, before Judge Joseph Bonnell dealing with the line. It was charged that a triangle of land called New Baradoes was promised Newark by Elizabeth, but not given to the city.

Men who testified in addition to Joseph Woodruff were Ebenezer Lindsley, Jonathan Tichenor and Joseph Harrison who had been boys 74 years earlier when the representatives met at Divident Hill. They described the original south boundary of Newark as the west line from the heart of the cove.

This line, more than half a mile south of the Divident Hill line up today's Lyons Avenue, followed closely to today's boundary line between Essex and Union Counties.

The New Baradoes Land was to be given Newark by Elizabethtown through purchase in lieu of the land between the west line from the Head of the Cove to Divident Hill. However the New Baradoes land had been sold to private individuals without any opposition from Newark.

In 1807, a dispute arose between the two towns over the site of a proposed courthouse. Women were permitted to vote by both communities as both communities flooded the various polling places with voters each of whom voted early and often. The legislature outlawed the election and women were prohibited the vote for more than 100 years.

FORMATION OF UNION TOWNSHIP

The Township of Union of which Hillside became a part was approved November 23, 1808, when a part of the Borough of Elizabethtown in the county of Essex was set off from it, "because the inhabitants found themselves much injured by being as they are at present a part of the borough of Elizabeth."

The people of Union Township, most of whom resided in today's Hillside, felt they were injured because they were obliged to furnish their quotas of jurymen four times a year to attend the mayor's court.

They held that little business was done at the court and that they were seldom interested in it. They also were compelled from time to time by taxation to pay money for building and repairing their courthouse without being the least exonerated from their services or expenses.

The line between Elizabethtown and Union was to begin at Trotter's Bridge in the vicinity of today's Trotter's Lane and Ursino Lake and to run to the mouth of the road leading from the main road which leads from Elizabethtown to Newark near the dwelling of John Pierson thence up said road past the house of Lewis Mulford to the fork of the road leading to the Lyons Farms meeting house and the road leading to Newark.

This intersection would be near the junction of N. Broad Street and Lower Road, just opposite Hurden Street.

The line between the new Union Township and Newark is described as follows: "Past the House of Capt. Obadiah Meeker and thence in a direct course until it strikes the line which separates the Township of Newark from the Borough of Elizabeth near Divident Hill thence up the Newark line until it strikes the line of the Township of Orange."

This boundary is again mentioned on February 19, 1834, when an act to set off a new township from the townships of Newark, Orange, Elizabeth and Union in the County of Essex to be called the "Township of Clinton" was adopted. The new community was named for De Witt Clinton, governor of New York State from 1817 to 1821 and 1825 to 1828.

The township covered the land between the old dock on Bound Creek along the edge of the Salt Marsh, cutting up to Hayes Circle and Avon Avenue in Newark to the Township of Orange, to Springfield Township on the Rahway River to the Union Township line. It included all of old Lyons Farms from Hawthorne Avenue to Lower Road to the Union Township line at Divident Hill.

The boundary between the new Clinton Township and Union Township was as follows: "To the east side of the Upper Road leading from Newark to Elizabethtown thence in a direct line to a small bridge in the old road leading from Newark to Elizabethtown, south of and near Benjamin Waldrons, thence in a direct line northwest side of the turnpike road leading from Newark to Elizabethtown to the intersection to Woodruff's and Bound's Creeks."

The feelings between Newark and Elizabeth continued to run high. Elizabethtown was irked by the prosperity of Newark and Newark's control of the county government. After the establishment of Elizabeth as a city in 1855, the move to break away was hastened.

UNION COUNTY FORMED

The act which created Union County 100 years ago was adopted March 19, 1857, and became effective April 13, 1857. The boundary line between Essex and Union Counties followed the same line as that designated for the Township of Clinton in 1834.

However property lines between the two new counties remained in doubt and the present line was established in the center of the lawn of the

property of Dr. L. G. Beisler at 1428 N. Broad Street by the State Legislature on March 17, 1882.

Reason for the designation noted in the act was that any change in the line would affect title to large tracts of land and would create confusion and work damage.

The line was described as follows: "Beginning in the middle of the Lower Road leading from Elizabeth to Newark at a small bridge near the southerly line of Evergreen Cemetery, thence running northerly in a straight course to a brown stone monument marked "U. C." and "E. C." near the westerly line of the upper road leading from Elizabeth to Newark."

The description continued: "Thence in a straight line northwesterly to a stake in the easterly line of the road leading past the house of Jonathan Winans Jr. (on Maple Avenue), being 35 feet 6 inches southerly from the most northerly corner of Mrs. Phebe Grumman's land and the most westerly corner of Thomas Chandler's land, thence in the same northwesterly direction 350 feet to a stake in land of O. S. Halstead, deceased, thence westerly in a straight line."

Meanwhile Clinton Township gained a portion of land westward of the Newark Poor Farm on the old road leading from Newark to Elizabeth near today's Sherman Avenue, Newark.

It subsequently lost three parcels of land. On March 24, 1869, all that portion of Clinton north and east of Hays Brook at Bound Creek was annexed to Newark. The Irvington School district was created in 1869 and incorporated as a separate town in 1898. A third large parcel bounded by Lyons Avenue, Clinton Place and Hawthorne Avenue was annexed to Newark on March 29, 1897.

The last small section representing only a portion of Lyons Farms from Hawthorne Avenue to the Union County line was annexed to Newark on March 5, 1902, concluding an era and extending Newark once more into the area.

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