

Heritage Passed from Puritan Scudders Gives Context to Scudder Patriots of New Jersey
by © Margery Boyden, Scudder Association Foundation Historian, excerpts *From Conscience to Liberty*¹



NEW JERSEY COUNTY MAP

The 250-year story of the *Scudder* family, from 1526 to 1776, can represent many colonial American families and progressively document the common peoples' responses to sovereign oppression against rights of conscience, that, in due time, contributed to the rise of American Independence. Their trials are relevant to today's concerns and confirm that human nature, when corrupted, abuses power. Oppression is first documented against a Scudder in the arbitrary rulings of the English Court of the Star Chamber in 1526, the same year printed copies of William Tyndale's first English New Testaments were burned in London.³ Later, several Scudders joined the Puritan migration to New England in the 1630s and, by 1652, three Scudder brothers left the persecuting atmosphere in Massachusetts to settle at Long Island. In the 1774–1784 records of several colonies, Scudders are found unanimously engaged in the Patriot cause for responsible self-governance. Intergenerational conversations must have passed these values from parent to child to keep the dream of liberty alive. To describe their hardships, in the civilized world of 1774 *no* nation gave men self-governance. Then, most people had few or no basic civil or religious rights.

In 1774, one *Dr. Nathaniel*⁵ *Scudder* penned the idea that it was only tyrannical actions against their embryonic liberties thus far attained that could have motivated their extraordinary undertaking. Nathaniel⁵ Scudder and his kinsman *John Hart*⁴ were typical citizens. Both became lesser-known members of the Continental Congress. Nathaniel⁵ Scudder of Huntington, Long Island and Monmouth County, New Jersey was one of many that exhibited courageous integrity; not surprising if one studies his family's religious and cultural heritages. Nathaniel⁵ and his cousin

¹ Margery Boyden, *From Conscience to Liberty: Diverse Long Island Families in a Crucible that Gave Rise to Religious Freedom, 1526–1664*, v. 1, (October 2019, by the author), Part A, excerpts from 4–14.

² Map of New Jersey, from nationalatlas.gov, <https://picryl.com/media/map-of-new-jersey-counties-f7a9a3?zoom=true>. Public domain.

³ John Southerden Burn, *The Star Chamber, Notices of the Court and Its Proceedings*, (London: J. Russell Smith, 1870), 47. The full abstracted entry is assigned the heading “9 May, 17 H. 8.” Other sources confirm date of 1526.

⁴ John⁴ Hart's ancestral lineage can be securely traced to his great-grandfather. John⁴ Hart (Edward³, John², John¹).

Deborah⁶ (Scudder) Hart, and her husband John Hart, were from earliest English Long Island families, with Puritan New England background, who had migrated to New Jersey.

At the end of June in 1776, John Hart was busy in Philadelphia conferring with other delegates of the Continental Congress about final wording of the Declaration of Independence. At the same time, Dr./Lt. Col. Nathaniel⁵ Scudder⁵ of the Monmouth County First Regiment was attending to the defense of New Jersey. From New Jersey's coast near Sandy Hook, Scudder watched, with great alarm, the buildup of the British fleet in the waters between New Jersey and New York in greater numbers than anticipated. On July 1st, the British fleet began to menacingly move their ships in formation toward New York Harbor. Nathaniel⁵ Scudder, having traded his medical practice for the instruments of war, recognized that the New Jersey Provincial Congress in Burlington needed to be informed immediately about this imminent attack within sight from New Jersey's coast. Scudder knew that New Jersey required action without delay to secure a provincial government with a constitution to authorize Patriot activity and supplies for its defense. Under cover of darkness, at about 11:00 p.m. on the night of July 1st, 1776, Scudder mounted his horse at Middletown. Scudder had much to reflect on during his Paul Revere like ride⁶ for he had been involved from the early days of the Patriot movement. He and his neighbors knew they would have to make a stand against encroachments by the British Parliament against their most basic rights. Two years prior, on 6 June 1774, in a county meeting at Freehold, Dr. Scudder, as scribe, had been "a leading spirit, drafting...resolutions, etc.:"

This meeting resolved, among other things, that the cause of the suffering inhabitants of Boston was the common cause of the whole continent of North America, that every Province should stand by the people of Boston, and until their odious port bill and other oppressive acts be repealed, they recommended entire stoppage of trade between the Provinces and Great Britain and the West Indies. A committee, of which Dr. Scudder was one, was formed to cooperate with other towns in carrying out any measures that might be deemed best for 'the weal and safety of North America and her loyal sons.'⁷

⁵ Nathaniel⁵ Scudder (Jacob⁴, Benjamin³, Thomas², Thomas¹) of Long Island was great-great grandson of the Puritan immigrant to Massachusetts, Thomas¹ Scudder. The first generation immigrant is designated as "I."

⁶ Hamilton Cochran, *Scudders in the American Revolution*, (Peterborough, N.H: Scudder Association, 1976), 94–96.

⁷ Stephen Wickes, *History of Medicine in New Jersey: And of its Medical Men*, (Newark, N. J.: Martin R. Dennis & Co., 1879), 390.

Other towns joined at Freehold on 19 July 1774 to pass resolutions stating their hopes: for their future posterity to appreciate their difficult choices and their ingrained principles for which they were willing to risk their all on behalf of their own and future generations. Scudder employed his pen again for the Monmouth committee as they drafted their vital resolution. It states their initial hoped-for reconciliation with Britain and their efforts dedicated to the glory of God: “[W]e do humbly and earnestly beseech that God, in whose hand are the hearts of all flesh and who ruleth them at his pleasure, graciously to infuse into the whole Congress a spirit of true wisdom, prudence and just moderation; and to direct them to such unanimous and happy conclusion as shall terminate in His own honor and glory...and a just and permanent confirmation of all the civil and religious liberties of America.”⁸ (Italics added.) If *they* did not succeed in triumphing over all enemies of true liberty, they called upon “all future generations to renew the glorious struggle for liberty.” They knew the realities that come with conflicts of interest and that the downsides of human nature would continue. Future generations must also discern between the good and the corrupt and act in order for each era to bear good fruit. Hear their urgent plea:

May this notification, by some faithful record be handed down to the yet unborn descendants of Americans that nothing but the most fatal necessity could have wrested the present inestimable enjoyments from their ancestors. Let them universally inculcate upon their beloved offspring an *investigation of those truths concerning both civil and religious liberty, which have been so clearly and fully stated in this generation*. May they be carefully taught in their schools, and may they never rest until, through the Divine blessing upon their efforts, true freedom and liberty shall reign triumphantly over the whole globe.⁹ (Italics added.)

This call to *all* generations, to increase liberty *for all*, flowed from Scudder’s scribal pen to urge all to consider their words and sacrifices and to investigate the roots of their principles. Instead of blaming all “sins” on Founders, who paid to set freedom in motion, they say duty lies with *all*.

Miles into his southwesterly journey, Lt. Scudder’s reflections were interrupted by loud rumbling noises sounding like cannons coming from the direction of New York. With an even more heightened sense of alarm, Scudder hurried through the night the rest of the way to

⁸ Edwin Salter, *Salter’s History of Monmouth and Ocean Counties*, (Westminster, MD: Willow Bend Books, 2001; reprinted from 1891), 51–52.

⁹ Wickes, 390. The full resolution was published in the *Monmouth Democrat*, June 12, 1873. See also Salter, 52.

Burlington. Having lived at Huntington, Long Island to nearly age ten, Scudder must have wondered what would happen to his many relatives during the impending battle for New York. He arrived at Burlington on the morning of July 2nd and reported that *twice* the anticipated numbers of British ships were in movement close to New York and New Jersey shores and that cannons were perhaps already firing. This part of Scudder's intelligence was later found to be only distant thunder.¹⁰ Scudder's report to the New Jersey Congress had a unifying and mobilizing effect upon the assembled body. The delegates recognized the immediate need to vote for their state constitution still in process of preparation. Their fine-tuning would have to be done later. The New Jersey Congress also thought it expedient to deliver Scudder's intelligence to the Continental Congress in Philadelphia as soon as possible and drafted a letter on July 2nd, 1776:

JOHN COVENHOVEN TO THE PRESIDENT OF CONGRESS,

In Provincial Congress of New Jersey,

Burlington, July 2, 1776. To the Honourable CONTINENTAL CONGRESS

GENTLEMEN: We have this moment undoubted information, by Lieutenant Colonel *Scudder*, from *Monmouth* County, that about four o'clock yesterday afternoon, he observed nearly the whole of the enemy's fleet in motion, and at half past six in the afternoon, saw about one hundred and thirty sail in the channel from the *Hook* to *New-York*, within nine miles from the *Narrows*, (a few vessels being left at the *Hook*;) that he left *Middletown* at eleven o'clock last evening; and about four this morning, being at the highland, between *Upper* and *Lower Freehold*, (about fifty miles from *New-York*,) on his way hither, heard a very heavy firing of cannon; whether this was at *New-York*, or to cover the landing of their troops, he could not judge.

We also received, by Colonel *Scudder*, a letter from Colonel *Taylor*, of *Monmouth*, dated yesterday, informing us of that County being so exposed to the enemy without, and the Tories among themselves, that he apprehends the Militia will not be prevailed on to march to *New-York*, and leave their wives and children to fall either a prey to the enemy, if they should be repulsed at *New-York*, or be murdered by the Tories in their absence..,

¹⁰ Cochran, 94–96.

We thought it highly necessary to inform you of these matters, not doubting that you will, without the least delay, send forward all the assistance in your power, and take all present measures possible on this alarming exigency.

We are, gentlemen, your most obedient servants.

By order of Congress:

JOHN COVENHOVEN, Vice President, [New Jersey Provincial Congress]

To the Honourable Continental Congress.¹¹

Meanwhile Scudder's cousin-in-law, John Hart, and other delegates at the Continental Congress in Philadelphia, had tentatively agreed on July 2nd to its Declaration of Independence and to refinements in language that would ensure that divine Providence would not be left out of the document. Michael Novak suggests that Thomas Jefferson was considered, in his own day, to be religiously unorthodox and a product of the Enlightenment. But even he, when he authored the Declaration of Independence, "twice referred to God in Hebrew terms. Before assenting to his draft, the Congress added two more Hebrew names to the Declaration that also referred to God."¹² Parts of the Declaration paid deference to Deity, reflecting well that such intent had to be clearly worded to reflect what was contained in county and provincial authorizations to the Congress.¹³ To allow time to finish modest changes to the draft to reflect agreements among delegates, the Congress consented to meet again on July the 4th for the signing of these words:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their *Creator* with certain unalienable Rights...

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the *Supreme Judge* of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare...And for the support of this Declaration, with a firm reliance on the protection of *divine Providence*, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.¹⁴

¹¹ "Letter from John Covenhoven to the President of Congress," Peter Force, ed., *American Archives, A Documentary History*, Series 5, v. 1, (Prepared and published under authority of an act of Congress, 1843), 1.

¹² Michael Novak, *On Two Wings: Humble Faith and Common Sense at the American Founding*, (San Francisco, CA: Encounter Books, 2002; and 2013), 17.

¹³ *Ibid.*

¹⁴ Declaration of Independence, July 4, 1776,

http://www.archives.gov/exhibits/charters/declaration_transcript.html. (Italics added. Accessed 5/22/2014.)

On July 2nd, the very same day that Congress reached agreement at Philadelphia, General Washington passionately gave his urgent General Orders to his soldiers in New York:

The time is now near at hand which must probably determine, whether Americans are to be, Freemen, or Slaves; whether they are to have any property they can call their own; whether their Houses, and Farms, are to be pillaged and destroyed, *and they consigned to a State of Wretchedness from which no human efforts will probably deliver them.* The fate of unborn Millions will now depend, under God, on the Courage and Conduct of this army—Our cruel and unrelenting Enemy leaves us no choice but a brave resistance, or the most abject submission; this is all we can expect—We have therefore to resolve to conquer or die....Let us therefore rely upon the goodness of the Cause, and the aid of the supreme Being, in whose hands Victory is, to animate and encourage us to great and noble Actions—*The eyes of all our Countrymen are now upon us, and we shall have their blessings, and praises, if happily we are the instruments of saving them from the Tyranny meditated against them....*¹⁵ (Italics added.)

The next day on July the 3rd, the Continental Congress was called into session to consider business other than the Declaration to which they expected to append their signatures on the following day. One matter was to read New Jersey's letter from John Covenhoven to the Congress containing Scudder's alarming news that war in New York was imminent, if not already underway. One can imagine the effect at Philadelphia upon Hart and his fellow New Jersey delegates. Scudder's news for the second time mobilized quick action. On Wednesday, July 3, 1776, Congress considered this letter from the convention of New Jersey and they,

Resolved, That the committee of safety of Pennsylvania be requested to send as many of the troops of their colony, as they can spare, to Monmouth county in New Jersey, to the assistance of the inhabitants of that colony, and to be subject to the orders of the commander in chief; the said troops to be allowed the same pay and rations as the troops in the service of the continent, from the time of their march until their return....¹⁶

¹⁵ George Washington, "General Orders, July 2, 1776," *Founders Online*, National Archives, last modified November 26, 2017, <https://founders.archives.gov/documents/Washington/03-05-02-0117>. (Accessed 11/28/2017.)

¹⁶ *Journals of Congress*, v. 1, (Washington, D. C.: Way and Gideon, 1823), 393.

It seems remarkable that so much occurred between July 1st and July 4th of 1776 with two members of the Scudder extended family¹⁷ significantly involved and conducting themselves with such total commitment: Lt. Nathaniel⁵ Scudder's New Jersey version of Paul Revere's "midnight ride" on the 1st and 2nd of July¹⁸ and on July 4th when John Hart with others of the Congress approved the Declaration of Independence which basically was Hart's death warrant. As it turned out, the British disembarked onto Staten Island without a shot and took their time to move into position and devise a strategy before the commencement of the Battle of Long Island. Many of Nathaniel⁵ Scudder's Long Island Patriot cousins would risk their lives in this battle and in the resistance movement during Long Island's seven-year occupation by British troops. *From what well of commitment did they draw their courage?* To answer this, let us now examine their roots.

Who were these two kinsmen in the Scudder extended family and why were they and their families in America? Their cultural roots and ancestral roots were shared by many of their era. If one digs below the surface to learn from what roots the nature and character of these ordinary American Patriots were formed, one finds among them one significant *taproot* that had long desired liberty, beginning with their English Puritan immigrant ancestors to America.



DIAGRAM OF A STRONG TAPROOT SYSTEM

The metaphor of a taproot was chosen for its definition, "a sturdy root system," found in certain plants with a large single root, "usually growing directly downward with many, much smaller, secondary rootlets."¹⁹ The deeper the root and the wider the rootlets, the better anchored the tree will be to protect it against storms and senseless attacks. When properly nourished, this taproot has extended its reach through 400 years to support the liberty of millions who have since sought refuge in America from religious persecution. However, thorny *bindweeds* were also planted early in America. The same evil spirit that bred oppression and disregard for human rights in the Old World and provoked the exodus of religious exiles, also schemed to provide a work force for developing colonies through enforced servitude. Slavery predates written history and was entrenched in Africa, Asia and the Middle East centuries before America was colonized.

¹⁷ Nathaniel⁵'s cousin Deborah⁶ Hart's roots: *Deborah⁶ Scudder* (Richard⁵, Richard⁴ Betts, John³, John², Thomas¹).

¹⁸ Cochran, 94–96.

¹⁹ Claude A. Villee, *Biology*, Harvard University, (Philadelphia: W. B. Saunders Co., 1962), 120.

OPPOSITE TO LIBERTY, SLAVERY, LIKE CHOKING BINDWEED, WAS ALSO PLANTED IN AMERICA

The root of a bindweed plant grows many feet deep into the ground and can choke and suck the life out of any plant to which it attaches. It is difficult to eradicate, just as slavery was in many cultures in the ancient world for millennia, that ignored human rights of young, old, men and women. Attitudes of hierarchy of privilege entrenched in the culture in Britain even permitted enslaving their own people while colonizing Virginia. Historian David Hackett Fischer refers to “more than a few [British] youngsters...‘spirited’ or kidnapped to Virginia” and cites that “Parliament in 1645 heard evidence of gangs who ‘in a most barbarous and wicked manner steal away many little children’ for service in the Chesapeake colonies.” “Few women freely chose to settle in Virginia.” Some were “snared and sent against their will” to become “breeders.” The “royalist elite shaped the social history” of Virginia by regulating migration.²⁰

Just as a good tree brings forth good fruit, a corrupt tree brings forth evil fruit. In 1874, John Camden Hotten published passenger lists he derived from the British Public Record Office, England with this descriptive title, *The Original Lists of Persons of Quality; emigrants; religious exiles; political rebels; serving men sold for a term of years; apprentices;—children stolen; maidens pressed; and others who went from Great Britain to the American plantations, 1600–1700.*²¹ Don Jordan and Michael Walsh, in *White Cargo: The Forgotten History of Britain’s White Slaves in America*, also document many British whites considered to be “surplus people” who were sent in bondage to America. They cite oppressive practices that forced these whites to America against their wills and their subsequent mistreatment, suggesting this culture was the precursor to grow black slavery. Early victims of greed included children, the kidnapped, breeders, convicts, conquered Royalists, Irish and Scots, and some Free-willers who chose to be indentured for a time, but of whom some were also mistreated. In 1618, London authorities “began to sweep up hundreds of troublesome urchins from the slums and, ignoring protests from the children and their families, shipped them to Virginia” shortly before Virginia received its first 20 African slaves from a Dutch ship. These sweepers alleged the children would become apprentices although “some were no more than toddlers.” Instead, they were sold to planters to work in the fields. Half died within a

²⁰ David Hackett Fischer, *Albion’s Seed, Four British Folkways in America*, (New York: Oxford University Press, 1989), 229–232. See also Peter Wilson Coldham, “The ‘Spiriting’ of London Children to Virginia, 1648–1685,” *Virginia Magazine of History and Biography*, 83 (1975): 280–288.

²¹ John Camden Hotten, *The Original Lists of Persons of Quality... 1600–1700*, (New York: J. . Bouton, 1874).

year. This enslaving of children from England went on for decades.²² Next, England's goals were emptied of at least 50,000–70,000 convicts to be sold into servitude in Virginia, Maryland and Barbados. "They ranged from beggars to prostitutes, Quakers to Cavaliers." Beginning with Oliver Cromwell's ethnic cleansing to rid Ireland of Catholics, many were sent to America for purchase into servitude. One account estimated those kidnapped were perhaps about 10,000 whites a year. Many were considered expendable and treated very poorly, abused, beaten and killed or worked to death.²³ While Free-willers chose to indenture themselves as servants for a period of time to pay for their passage, perhaps as many as 300,000, they too were often mistreated as "chattels, objects of personal property."²⁴ These authors calculate that there may now be "tens of millions descended from such chattels."²⁵ Jordan and Walsh claim that in Virginia and Maryland, at first, white slaves outnumbered African slaves and that "black slavery emerged out of white servitude and was based upon it"²⁶ before slave traders fully concentrated on Africa. *What developed a market for slaves in the New World?* Fischer argues: "these new forms of slavery did not create the culture of tidewater Virginia; *that culture created slavery*."²⁷ It was the evil fruit of a culture bred in the Old World.

The premise on which Virginia was founded differed substantially from New England. Fischer describes their supposition as the "Anglican Idea of Hegemonic Liberty," or in other words "the right to rule." "Men of higher estate were thought to have more liberties than others of lesser rank." Fischer states, "It never occurred to most Virginia gentlemen that liberty belonged to everyone."²⁸ Slavery was consistent with the Old-World privileged view of liberty—the *master's* liberty. Royalists or Cavaliers that went to Virginia during Puritan rule in England fed this privileged view in the Old South. Fischer suggests that to "preserve a cultural hegemony...the gentry of Virginia would develop a novel type of race slavery on a large scale—a radical innovation with profound consequences for the future."²⁹ Evils of slavery and religious persecution

²² Don Jordan, Michael Walsh, *White Cargo: The Forgotten History of Britain's White Slaves in America*, (New York University Press: 2008), 12–13. For review see Joyce Lau, "Master and Servant," Sunday Book Review, *The New York Times*, April 27, 2008, <http://www.nytimes.com/2008/04/27/books/review/Lau-t.html>.

²³ Jordan and Walsh, 13–14.

²⁴ Ibid.

²⁵ Jordan and Walsh, 14.

²⁶ Jordan and Walsh, 19. See their page 283 for their bibliography related to the sources for their Introduction.

²⁷ Fischer, 256. (Italics added.)

²⁸ Fischer, 410–412

²⁹ Fischer 255–256.

had roots in English and Continental hierarchical, monarchical and colonial systems of privileged power to oppress, pressure and discriminate for monetary and political advantage....

Professor Robert C. Davis reports an even broader picture of the Old-World culture of slavery that also took white slaves to Africa. This was the case with Muslim raiders based in Northern Africa who captured Christians from the seacoasts of Italy, France, Spain, Portugal and other parts of Europe and sold them in Africa as slaves. These corsairs are often referred to as the Barbary pirates.³⁰ In “Africa’s Role in Slavery,” Martin Henry of Jamaica, West Indies confronts painful aspects of his heritage: Africans enslaved other Africans and African slave traders sold their own people and even opposed ending slavery when countries engaged in processes to end its legality.³¹ This is corroborated by the British *National Archives* in an article, “Africa and the Atlantic Slave Trade.”³² To give context to America’s beginnings, David P. Forsythe claims that worldwide “at the beginning of the nineteenth century an estimated three-quarters of all people alive were trapped in bondage against their will either in some form of slavery or serfdom.”³³ Being subjected to any form of tyranny over spirit, mind and body was the misery of a majority.

(End of excerpts from Introduction to *From Conscience to Liberty*)

Words Nathaniel⁵ Scudder penned renew for us the 1774 Monmouth County, New Jersey committee’s charge to future generations to carry on the legacy of their generation’s vital steps to liberty. Their words suggest they hoped their descendants would work for these rights for *all*.

...Let them universally inculcate upon their beloved offspring an *investigation of those truths concerning both civil and religious liberty, which have been so clearly and fully stated in this generation.* May they be carefully taught in their schools, and may they never rest until, through the Divine blessing upon their efforts, true freedom and liberty shall reign triumphantly over the whole globe.³⁴

Their ancestors’ purposeful steps from England to New England to Long Island and to New Jersey fortified John⁴ and Deborah⁶ (Scudder) Hart and her cousins to meet their own moment in history.

³⁰ Robert C. Davis, *Christian Slaves, Muslim Masters*, (Palgrave MacMillan, 2003), xxv–xxvi. Dr. Davis is a Professor of Italian Renaissance and pre-modern Mediterranean history at Ohio State University.

³¹ Martin Henry, “Africa’s Role in Slavery,” *The Gleaner*, Kingston, Jamaica, West Indies, <http://jamaica-gleaner.com/article/focus/20151025/africas-role-slavery>. (Accessed 11/27/2017.)

³² “Africa and the Atlantic Slave Trade,” *National Archives*, Black Presence, http://www.nationalarchives.gov.uk/pathways/blackhistory/africa_caribbean/africa_trade.htm. (Accessed 9/9/2018.)

³³ David P. Forsythe, *Encyclopedia of Human Rights*, v. 1 of 5, (New York: Oxford University Press, 2009), 399.

³⁴ Wickes, 390. The full resolution was published in the *Monmouth Democrat*, June 12, 1873. See also Salter, 52.