

Manumission ^[1]

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During the eighteenth and early nineteenth century, some enslaved people were freed through a process known as manumission. Manumission was the term for a master freeing a slave. The laws around manumission were not static -- revisions were made to the process by acts of the North Carolina General Assembly many times between 1715 and 1831.

Legislation passed in 1741 included the stipulation enslaved people could only be freed by their masters only for "merituous services," and the manumission had to be approved in a county court, although some -- especially those executing the will of a slave owner -- bypassed county courts and appealed to the state legislature. Freed people were required to leave the state within 90 days or faced the consequences of being arrested and sold into slavery once again. A hefty bond (\$250 in 1801 and then \$1,000 in 1831) had to be posted for each slave to be manumitted. Many former slaves purchased their spouses, children, or other family members as a way to circumvent the bureaucratic barriers to freedom.

In an act passed in 1831, enslaved individuals over the age of 50 could be manumitted for a smaller fee -- \$500 as opposed to \$1,000 for those under 50 -- and were permitted to stay within the state following their liberation.

Below is a petition from Ned Hyman, an enslaved man, and his wife, Elizabeth Hagans, to the North Carolina General Assembly in 1833 asking for his freedom through manumission. Hyman's petition illustrates just how challenging obtaining freedom under the law was for enslaved people, even in the best of circumstances.

To the Honorable The General Assembly of North Carolina –

The petition of Ned Hyman (a slave) humbly complaining sheweth unto The Honorable The General Assembly ^{aforesaid}, that your petitioner now residing in the Town Williamston in the County of Martin & state ^{aforesd}, and by occupation a farmer — was born some ^{fifty four or five years ago} the property & slave of one ^{Jno.} Hyman of Bertie County, that ^{sd} Master ^{Saml.}, that after ^{sd} Master Saml., in whose possession and under whose control and management your petitioner lived and served from the time up to the death of ^{sd} Master Saml — which happened some time in the year 1828 — Since that time your petitioner ^{with little exception} has been under the control of the ^{Executor} ^[2] of his ^{sd} ^{decd.} Master. Your petitioner would further state, that during his long period and through every change of Master or service your petitioner has been a faithful and an honest servant to the interest of him or her whom it was his duty to serve — and of this he hopes he can give the most satisfactory testimonials. Your petitioner would further state that some time about his Twenty-seventh year he intermarried with one Elizabeth Hagans a free woman of Colour with whom he has lived in friendship and harmony with little or no exception ever since; (and although your petitioner has been informed that the ^{sd} union or marriage did not constitute your petitioner & ^{sd} Elizabeth "husband & wife" in the Legal acceptance of that phrase — yet your humble petitioner would ask the indulgence of your Honorable body and hope that it will not be considered at all presuming, to use these words, through out the remainder of this petition and the other writings accompanying it, when ever there may be necessity for them or either of them, instead of words — of like import --) Your petitioner would further state, that through the ^{indulgence} ^[3] and advantages which his kind & ^{benevolent} ^[4] master extended to him, aided by his industry ^{prudence} ^[5] and ^{frugality} ^[6] and seconded by the virtues and ^{exertions} ^[7] on the part of your petitioners wife — Elizabeth, (~~not less profitable~~), your petitioner has had the good fortune to accumulate an estate worth from five to six thousand dollars; consisting of lands chiefly live stock negroes and money, the right & title to all which except the money is ^{vested} ^[8] in your petitioners wife Elizabeth — Your petitioner would further state that it was the wish of his ^{decd} Master Saml. Hyman expressed to his family often times during his last illness that your petitioner after his death should do service as a slave to no person — but that as far as was consistent with the Laws of the State he wished him to be free — alleging as the reasons, that your petitioner had been a trusty faithful and obedient servant to him through a long period of years; that your petitioner would further state that in ^{furtherance} ^[9] of this kind and benevolent wish of your petitioners ^{decd} Master for your petitioners future freedom and happiness, his ^{Executor} Jno. S. Bryan has (At your petitioners request) sold your petitioner to your petitioners ^{sd} wife Elizabeth. — that your petitioner by his ^{sd.} wife Elizabeth has three children Penny, Sarah, and Ned — the two daughters are of full age, the son nearly so — that your petitioner has been

informed that by, either the death of his sd wife Elizabeth or a change in her feelings or disposition ^[10] towards your petitioner, your petitioner might not only lose his whole estate but even that portion of freedom and happiness, which by the kindness of his wife he is now permitted to enjoy. But your petitioner in justice to his kind and affectionate wife Elizabeth would further state, that she is not disposed at all to abridge ^[11] in the least degree the liberty or happiness of your petitioner but wishes and desires (if consistent with the will of the Honorable The Genl. Assembly aforesd) that the same may be enlarged & increased — that she is therefore perfectly willing and anxiously desires to give up her sd title to your petitioner to the Honorable Genl. Assembly aforesaid that they may confer the same (by an act of manumission) to gether with such other liberties and privileges & immunities as other free persons of Colour now by law enjoys, -- upon your petitioner — that to this end & for this purpose the sd Elizabeth the wife of your petitioner will unite with your petitioner in praying The Honorable Genl. Assembly aforesad -- that they would take his case into consideration and to pass such an act in favor of your petitioners manumission ^[12] ~~they~~ as they in their wisdom may deem meet and proper — that in Confirmation of the sd Elizabeths sincerity in this prayer and request she will most willingly Sign this petition with your petitioner — Your petitioner considers that further enlarging might be trespassing too much upon the time of The Honorable the Gen. Assembly aforesaid — But in conclusion however your petitioner would further stat that from this facts already stated it must be apparent in what an unpleasant and grievous situation your petitioner is placed — He has by laboring of in the nights and as such other spare times as his master would give him and by his prudence and frugality acquired an estate which (Say nothing of the uncertainties of life) he has not the assurance of enjoying even for a day — that he in a single hour might be placed in a worse condition than the day he began his life — that your petitioner has by his faithfulness and extraordinary attention to his masters business and interest secured his esteem and favor and obtained his sincere wishes that your petitioner should be freed -- & the nearest your petitioner has been able to approach an end so desirable to his decd Master, is, to have your petitioner vested in your petitioners sd wife Elizabeth — that it must be evident to the Honorable The Genl. Assemble from these facts in what a precarious condition, stand the property, ~~the liberty~~ and [e]ven the happiness itself of your petitioner — Your petitioner together with his wife Elizabeth therefore pray the Genl. Assembly aforesd in tender consideration of his unhappy and grievous condition to pass such an act for his benefit and relief, as in their wisdom may seem meet & in their justice may seem right & proper & your humble petitioners is in duty bound will ever pray & c — signed —

Test Wm. B. Bennett E. S. Smithwick

Ned Hyman his X mark

Elizabeth Hagans her X mark

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